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JAN 30 1937

GIFT OF PUBLISHER

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 78 NEW YORK, THURSDAY, OCTOBER 1, 1936 TEN CENTS

Talk New Suit At Chicago in Clearance Row

Independents Say Offer On Rentals Refused

CHICAGO, Sept. 30.—Independent exhibitors here are considering the advisability of bringing a new action against distributors based on their alleged inability to obtain increased clearance by offering to pay higher rentals for pictures and charge proportionately higher admissions, it is reported.

The action, if it develops, would be separate from an anti-trust suit which 100 independent exhibitors here are preparing to bring as a group against B. & K. and distribution companies. This action charges that the granting to B. & K. of an extra week of clearance between "C" houses and first-week-of-release constitutes a violation of a consent decree entered into by B. & K. in 1930, involving the settlement of litigation instituted against the circuit by Marks Bros., former operators of de luxe theatres in strategic neighborhoods. Rosenberg, Toomin & Stein, attorneys for the independents, say this action will be filed some time next week.

Local independent exhibitors, like-

(*Continued on page 9*)

Allied Joins Appeal On Local Sales Tax

Allied of New Jersey has been granted leave to file a brief as amicus curiae in connection with local distributors' answers to the appeal of the city comptroller from that part of the appellate court's decision which held that film rentals of theatres outside the city limits were not subject to the two per cent sales tax, even though such theatres were serviced by New York exchanges.

Distributors, also, are appealing on their own behalf from the appellate court's ruling that film rentals collected within the city are subject to the tax. Hearings are expected to be set for about Oct. 25 in the Court of Appeals at Albany.

I. A. Brings Coast House Under Union

LOS ANGELES, Sept. 30.—Projectionists' Local 150, I.A.T.S.E., won its first point in the independent theatres closed shop drive today when a temporary settlement was reached between the union heads and committees

(*Continued on page 9*)

Kent Wards Off Interviews As He Sails on GB Impasse

With three men staunchly guarding his suite, Sidney R. Kent, president of Twentieth Century-Fox, yesterday sailed on the *Normandie* having successfully warded off attempts by ship news reporters who tried to reach him for a last minute interview on latest developments in the M-G-M Twentieth Century-Fox-G.B. deal.

He goes to London in an effort to iron out the impasse currently blocking the negotiations.

The trio on watch were Isadore Lincer, transportation head of the company; Hugh Strong, who generally superintends the Twentieth Century-Fox home office building and also handles personnel, and Kent's chauffeur. Lincer spent his time as sentinel outside the cabin, Strong in and out of the stateroom, while the chauffeur remained in the suite.

With the score three to one against him, MOTION PICTURE DAILY's ship-news reporter took the easiest way out and asked Lincer to act as liason, which he did. After a long minute, Lincer came back with the information that: "Mr. Kent says you know as well as he does what he's going over for; and there's nothing to add."

Just as the reporter was given the

(*Continued on page 9*)

Union-Theatre Pact Settled in Chicago

CHICAGO, Sept. 30.—The operators here today reached a settlement of their contract with exhibitors on practically the same general terms as last year. No salary increases or deductions were made, according to report.

The operators' union committee will bring the matter before a general meeting of the membership tomorrow for ratification. The operators' demand for an increase of 20 per cent in salary was not granted, nor was the exhibitors' demand for lower wages on overtime. It is understood both parties are satisfied with the terms, which will become binding if the union membership ratifies the contract tomorrow.

"Adverse" $189,000 In 31-Day Run Here

"Anthony Adverse" tallied $189,000 in the 31-day run at the Strand. Although most of the Warner executives preferred to continue the showing of the picture at the Broadway house for another week to 10 days, Harry M. Warner ruled that "Stage Struck" be immediately booked so as not to hold up the releasing schedule.

In the first week, the gross totaled

(*Continued on page 9*)

Out of Danger

Budapest, Sept. 30.—Joseph Pollak, who was seriously injured when he either fell or was pushed off the Orient Express en route to Belgrade a few weeks ago, today was declared out of danger. He will be confined to the Jaanos Sanitorium five more weeks.

Actors' Guild Seen Heading Toward Union

HOLLYWOOD, Sept. 30.—The election of Kenneth Thomson, secretary of the Screen Actors' Guild, to a vice-presidency in the California Federation of Labor is interpreted by many here as an indication that the guild is girding itself for union action. Yet if any fireworks are in contemplation, the guild is carefully guarding its plans.

The SAG is increasing its membership and confident in its growing strength, but is making no official statements. An unofficial spokesman, however, views the election of Thomson to the labor federation post as a key contact that eventually will command union cooperation and support. However, there exists no known pact between the guild and organized labor

(*Continued on page 9*)

Several Roxy Plans Expected on Oct. 9

More than a half dozen plans of reorganization for the Roxy are expected to be filed in the Federal Court on Oct. 9, the date set by Judge Francis G. Caffey for that purpose. Several film companies are reported interested in the rehabilitation of the house, but whether any will file plans is problematical.

Judge Caffey returned yesterday from a vacation in Italy. It is expected that after reorganization plans have been filed, it will take several months before the court approves a new setup. Howard S. Cullman, trustee, probably will have a plan incorporated in the bondholders' committee report.

Negotiations are understood to be

(*Continued on page 9*)

See No Hope Of Dropping "Early Birds"

Cullman's Refusal to Up Price Is Reason

With Howard S. Cullman, trustee of the Roxy, adamantly refusing to budge from his refusal to increase the morning price, little hope is seen for the Broadway, 42nd St. and Eighth Ave. houses eliminating "early birds" and adopting a 5 P.M. evening admission scale.

A committee of leading local exhibitors was to have interviewed Cullman in the hope of persuading him to change his stand, but this was never done, the theatre owners apparently feeling such a mission useless after the trustee told MOTION PICTURE DAILY on two occasions he would not accede to the wishes of the other interests.

Since the Broadway plan was first discussed, the new Criterion has opened with a 25-cent morning price. After a four and a half week run on "Anthony Adverse" at a 40-cent price up to 1 P. M., the Strand is planning to retain this figure.

Consolidated Amusements with a string of theatres on Eighth Ave., Harry Brandt and Max A. Cohen with a number of units on West 42nd St., will not alter the 10-cent opening charge, they say, until the Broadway houses tilt their scales. The Broadway houses are waiting on the Roxy

(*Continued on page 9*)

Frisco Deal Closes Argument with "U"

SAN FRANCISCO, Sept. 30.—Universal and the Golden State and T. and D. Circuits have ironed out their difficulties. A two-year product deal has been struck by both interests.

Charles Skouras of Fox West Coast is understood to have stepped into the situation and did much to bring about the understanding which led to the deal. J. R. Grainger, accompanied by W. J. Heineman, Universal's west

(*Continued on page 9*)

Philadelphia House Planned by Al Boyd

PHILADELPHIA, Sept. 30.—Al Boyd, former managing director of the Fox which is now being operated by Warner-Stanley, is understood to be shaping plans for a new downtown theatre at 16th and Chestnut on what is now an open lot. The capacity probably will be 2,500.

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A. H. Blank and Son Reach Atlantic City

ATLANTIC CITY, Sept. 30.—A. H. Blank arrived here today to meet his son, Raymond, who has just been discharged from the Royal Victoria Hospital at Montreal after recovering from a serious operation.

With Mrs. Blank also here, the Des Moines theatre operator plans to spend the next three weeks at the Ritz Carlton. He says he's a new man now that his son has come through the way he has and for the next 21 days ease and quiet will be the order of every day.

Schenck Expected From Chicago Today

Nicholas M. Schenck, head of Loew's and M-G-M, is due back from Chicago today, having accompanied his brother, Joseph M, who is ill, as far as the Windy City.

Nicholas Nayfack, an attorney, accompanied the chairman of the Twentieth Century-Fox board on the rest of the trip. Nayfack is bound for the M-G-M studios.

Fifty Attend First Ohio Tax Gathering

CINCINNATI, Sept. 30.—Approximately 50 exhibitors and representatives of producers, legitimate theatres and baseball attended the first of seven regional exhibitor meetings at the Netherland Plaza here yesterday to formulate plans for organized opposition to reinstatement of the 10 per cent admission tax, suggested as a means of reducing the estimated $1,500,000 loss to the state if a constitutional amendment carries at the November election to exempt food from the sales tax.

P. J. Wood, secretary Ohio I.T.O., explained in detail the effect on the industry if the tax is restored, and suggestions were made as to handling the situation.

Nelson Trowbridge, manager of the Cox, represented the legitimate interests, and Lewis M. Crosley, co-owner of the Cincinnati Reds, was present in behalf of baseball.

The second meeting was held at the Kirwin, Lima, today.

Seek More Liberal Detroit Child Law

DETROIT, Sept. 30.—Plans to seek a more liberal local ordinance governing the attendance of children at film theatres were made at a meeting of theatre operators called by Fred Frahm, deputy superintendent of police, and Eleanor Hutzel, head of policewomen. At present it is unlawful for an exhibitor to allow minors to attend during school hours or after 8 P.M. unless accompanied by an adult. Police have been permitting an hour's grace from the 8 P.M. regulation.

The new ordinance to be sought will ban minors during school hours and children under 14, unless accompanied by an adult, after 10:30 P.M. and between the ages of 14 and 18, after 12:30 A.M. The session was attended by H. M. Richey, Allied; Cliff Geisman, United Detroit Theatres; E. E. Kirchner, R. Fourbeck, Alex Schreiber, Associated Theatres, and Nathaniel Goldstick, assistant corporation counsel.

Policies Are Set in 3 Brooklyn Theatres

With the Fox now in the Brooklyn pool operated by Si Fabian, the policies for this house, the Paramount and Strand have been set. The Paramount will show "A" attractions on an indefinite run plan, all "B" films will be booked into the Fox, and action pictures, such as those dated at the Rialto on Broadway, will be featured at the Strand.

"Anthony Adverse" today will begin a third week at the Paramount. Weekend prices have been increased at the three houses.

O'Donnell Heading East

LOS ANGELES, Sept. 30.—R. J. ("Bob") O'Donnell, general manager of the Interstate Circuit of Texas who has been visiting here, leaves for two weeks in New York Sunday night.

Ash Heads N. O. House

NEW ORLEANS, Sept. 30.—L. N. Ash, formerly manager of the Liberty, has been named manager of the Strand here.

A Breen May Act

Hollywood, Sept. 30. — Tommy Breen may be the Tom Sawyer in "The Adventures of Tom Sawyer" for Selznick International after all.

Joseph I. Breen and Mrs. Breen have withdrawn their objections, and it's now up to Selznick to make a selection from the flock of candidates.

Young Breen was picked out by a Selznick scout at a Beverly Hills school.

His Brother's Wife Is August Champion

"His Brother's Wife," produced by M-G-M, was the winner in the group of six Box Office Champions for August, as compiled by *Motion Picture Herald.* Three of the six were M-G-M films.

Following "His Brother's Wife," in the order named, were: "Mary of Scotland," Radio; "The Green Pastures," Warners; "San Francisco," M-G-M; "To Mary—with Love," Twentieth Century-Fox, and "Suzy," M-G-M.

Blind, Deaf Child Attends Film Show

NEBRASKA CITY, Neb., Sept. 30.—Wesley Booth, who has the Booth here, tells how a blind and deaf child saw his show.

The child was brought in by two attendants from the State School for the Blind here. One attendant sat on one side helping the child follow the plot of the picture by delicate finger signs on the wrist. On the other side, the second attendant used the wrist signs to interpret the dialogue.

Other blind school children frequently attend the Booth and are able, in a measure, to follow the plot through the dialogue.

Conrow Named Erpi Operating Manager

L. W. Conrow, former general manager of the eastern division of Erpi, has been named general operating manager, reporting to Whitford Drake, executive vice-president. Conrow will have charge of all installation and service east of the Rocky Mountains.

Conrow's supervision will include the headquarters operating department divisions, which will be combined with the eastern and central headquarters divisions, the latter to be abolished as separate entities. He also will have charge of the merchandise department.

Signs Halperin Order

Justice William P. Collins in N. Y. Supreme Court yesterday signed an order directing Referee Jacob Marks to take the testimony of Edward R. Halperin as a judgment debtor and witness for Academy Pictures Distributing Corp. in connection with the judgment for $10,878 obtained by Amusement Securities Corp. Halperin was directed to produce all records and papers, particularly a contract with Maurice Conn on the production and financing of certain films.

300 at Testimonial Dinner for Sarnoff

More than 300 employes of RCA, NBC, RCA Communications and other affiliated organizations attended the dinner last night at the Waldorf-Astoria for David Sarnoff, president of RCA, honoring him on the completion of 30 years in the radio industry.

General James G. Harbord, chairman of the board of RCA, presided. Numerous telegrams of congratulation were read. Sarnoff was presented an inscribed platinum watch and a scroll, the latter from the Veteran Wireless Operators' Ass'n. Entertainment was provided by Mme. Kirsten Flagstad of the Metropolitan Opera, Jessica Dragonette and others.

Kern, Dreyfus Will Discuss Harms Deal

Jerome Kern, vice-president and a director of Harms, is due from Hollywood next week, and Louis Dreyfus, head of Chappell music company, is scheduled to arrive from London on Oct. 12 to discuss with Warner executives a change in control of Harms, Inc., a Warner subsidiary.

An offer has been made the Dreyfus Brothers to take over operations of Harms with the understanding Warners are to get half of the profits. Max Dreyfus, who has been here several months, will not do anything about the Warner offer until he personally talks the matter over with his brother and Kern.

Schulberg Signs Aviator

HOLLYWOOD, Sept. 30.—B. P. Schulberg has signed a TWA pilot, LaVerne Brown, to an acting contract. The producer saw him twice recently while on his way to New York and back to the coast by air. Brown's name will be changed to John Trent for the screen.

Film Flyers Are Killed

NAPERVILLE, ILL., Sept. 30.—Wilma Shuster, script girl; Ralph Biddy, cameraman; Howard Adams, director, and Oscar Hanoid, pilot, were killed in an airplane crash here yesterday after flying over the Burlington's streamlined Zephyr.

Polish Unit Arriving

A Polish film unit will arrive in New York tomorrow on the *Batory,* motorliner of the Gdynia-America Line, to film scenes for "An American Adventure." Parts of the picture were shot aboard the ship en route here.

"Conflict" New Title

HOLLYWOOD, Sept. 30.—"The Showdown," Jack London story in which John Wayne is being starred, has been retitled "Conflict."

James Whale Assigned

HOLLYWOOD, Sept. 30. — James Whale's first under his new Universal contract will be "The Road Back," by Eric Marie Remarque.

Party for Nino Martini

United Artists will hold a cocktail party at the Ambassador this afternoon for Nino Martini.

a happy thought for today



The phenomenal business attracted by the picture chosen to open New York's new Criterion Theatre

KAY FRANCIS in "GIVE ME YOUR HEART"

has now forced the management to hold it for a

3rd WEEK!



with
GEORGE BRENT
Roland Young
Patric Knowles
Frieda Inescort
Henry Stephenson
A Cosmopolitan Production • Directed by Archie L. Mayo

Warner Bros.

THE 'ANTHONY ADVERSE' COMPANY!

M.L. 1/IV/37

Purely Personal

LOUIS and MEYER SCHINE, GEORGE LYNCH and JOHN A. MAY returned to Gloversville, N. Y., last night where a reception was awaiting MAY on his being nominated state comptroller on the Republican ticket Tuesday.

•

JAMES A. FITZPATRICK is back from England and plans to return to the other side in three or four weeks. He has completed "David Livingstone," his first feature which will be released by M-G-M in England as an "A" picture.

•

F. B. OSTMAN, RCA Photophone service manager, is due next week from the coast, where he supervised the expansion of the service force prior to beginning the servicing of 300 National circuit houses Oct. 1.

•

LOIS JACOBY of the local Goldwyn office has been discharged from Beth Israel Hospital where she recently underwent an appendectomy and may return to her desk as early as Monday.

•

NATHAN ZATKIN, who has been handling special publicity on "Romeo and Juliet" for M-G-M, will leave that assignment this week to handle legitimate theatre publicity.

•

GERTRUDE MICHAEL was taken to Doctors' Hospital from her hotel yesterday several hours before she was to sail on the *Normandie* to make a picture in England. She is expected to remain in the hospital for 10 days rest.

•

MORTON VAN PRAAG will leave Saturday for Dallas. BEN ROSENBERG will leave for the same destination on Monday and meet VAN PRAAG there.

•

ALEC MOSS of Paramount is flooding local and suburban spots with posters on "Valiant Is the Word for Carrie," due at the Paramount for an extended run, starting Oct. 7.

•

JOE KLECKNER, president of Motiograph, Chicago, and KARL BRENKERT, head of the Brenkert Lamp Co., Detroit, are in town on deals with JOE HORNSTEIN.

•

NAT WOLF, Cleveland, and I. J. HOFFMAN, New Haven, returned to their headquarters yesterday after conferring with JOSEPH BERNHARD.

•

EDWARD J. MCNAMARA leaves for the coast today to appear in pictures for Grand National release. He has been appearing in "Sweet River."

•

J. S. MCLEOD has returned from a two and a half week trip to Salt Lake City, Los Angeles and San Francisco on M-G-M business.

•

PAT CASEY, who got in from Hollywood yesterday, will be here for six weeks on this trip, he says.

•

ROBERT and Mrs. WOOLSEY have arrived from the coast. They are stopping at the Waldorf-Astoria.

•

H. B. WARNER will sail today on the *Berengaria* to play in HERBERT WILCOX's sea story, "The Navy Eternal."

•

HAROLD RODNER will leave for the coast today by plane and will be back in a week. It's on Warner Club business.

•

R. H. COCHRANE is due back Saturday after three weeks of production conferences at the Universal studios.

•

LEE WAINER and LUPIN FIEN, the song writing team, have been signed by Mills Artists, Inc.

•

SAM RINZLER is slated to sail on the *Queen Mary* for a vacation on Oct. 14.

•

LEO SPITZ is trying to clear his desk for that coast departure by Sunday.

•

BENNY and Mrs. FIELDS are at the Warwick.

•

GEORGE GERHARD is back from a trip to the RKO studio and way stations.

•

NEIL F. AGNEW returned yesterday from Montreal.

•

EDWARD SCHNITZER is in Pittsburgh.

•

BOB SHERWOOD is back from London.

•

CHARLIE EINFELD is in the ninth day of a broken finger.

•

. . . Omaha

BILL HAARMANN, Paramount booker, has returned from his California vacation.

E. H. ROBERTSON, operator of the Scribner at Scribner, Neb., recently lost his father.

J. J. HOFFMAN, operator of the Plainview at Plainview, Neb., is ill.

C. E. WILLIAMS, president of M. P. T. O. of Nebraska and western Iowa, is ill at home.

Looking 'Em Over

"Men of the Plains"

(Colony-Grand National)

When gold-stealing bandits become too much for the local sheriff to handle and he appeals to the Federal Government for aid, the authorities assign Rex Bell to clear up the flurry of lawlessness. With his aides, Bell in time tracks down his clues, obtains evidence and, as expected, finally rounds up the gang for a noisy, exciting and tragic finish. Interwoven in this mainstay of the plot are the misguided love affair of Joan Barclay, a crooked banker and the murder of Bell's close friend. The film unreels with the required amount of violent movement against outdoor backgrounds and will be satisfying to western film audiences.

The direction was handled by Robert Hill. The screen play is by Robert Emmett from the story by Robert Hill. The cast in addition to Bell and Miss Barclay includes George Ball, Charles King, Forrest Taylor, Roger Williams, Ed Cassidy and Lafe McKee.

Production Code Seal No. 2,487. Running time, 62 minutes. "G."

"Stage Struck," now current at the Strand, was previewed on Aug. 7 from Hollywood.

"Craig's Wife," opening this morning at the Radio City Music Hall, was previewed by wire from Hollywood on Sept. 12.

"Nine Days a Queen," tonight's preview at the Roxy, was reviewed from Hollywood by wire on May 11.

"Kelly, the Second," previewed by wire from Hollywood on April 20, also opens this morning, but at the Rialto.

"Texas Ranger" at the Paramount, "Great Ziegfeld" at the Capitol, "Dodsworth" at the Rivoli and "Give Me Your Heart" at the Criterion are holdovers.

Radio "Hit" Songs Off 80% 2nd. Year

The popularity of the leading 87 "hit" songs broadcast during 1934 experienced an 80 per cent decline during the following year, E. C. Mills, general manager of Ascap, asserted yesterday in discussing the results of an analysis of radio programs for 1934-'35.

The Ascap analysis showed that the 87 leading songs were played over the two major networks 1,255,669 times in 1934 and 252,025 times in 1935. The analysis covered more than 30,000 programs, Mills said. The decline in the popularity of the so-called standard or classical music amounted to only 19 per cent, according to the analysis.

This year Ascap plans to make a similar comparison of the 1936 fate of the "hit" songs of the preceding year. More than 100,000 radio programs of the large networks and smaller chains will be studied, it was said.

Tries a New Service

HOLLYWOOD, Sept. 30.—Dan Thomas, chief of publicity for Walter Wanger, is trying a new service on 900 drama editors. He is sending a weekly news column, dealing not only with productions on his own lot, but with those of other important companies. Thomas' name is widely known because of his long association with NEA as Hollywood correspondent when his features were sent to 700 papers.

Other studio publicity chiefs have agreed to cooperate.

Charter Fox Michigan

WILMINGTON, Sept. 30.—Fox Michigan Corp. has been formed here with a capital of $1,000 by Samuel C. Wood of Brooklyn, Charles N. Caldwell, Jr., and David H. Jackman.

Lemar Building Corp. has been chartered to operate theatres by M. S. Cook, A. L. Raughley and J. M. Townsend.

Short Subjects

"March of Time—No. 2"

(RKO)

The Time reel, in this, its second issue of the third series, continues to maintain the high standard of interest, significant reporting and genuine entertainment value in production which has characterized it since its inception. For general audiences it has punch and dramatic incident, for higher type patrons it "nut-shells" developments of the time.

Herein are three episodes, on Labor's internal strife, on the sharp reaction to England's long-imposed church tithe, and on the business of football in this country.

Spearhead of the labor fight is John L. Lewis, president of the United Mine Workers, who brings to his battle to supplant the American Federation of Labor's craft union system with his industrial unionism, strength of personality, a gift of oratory and considerable numerical support. This episode is a sharply etched portrait of Lewis and a panoramic view of the labor situation at the same time.

The reenactment of an active opposition to the collection of the tithe, decreed many centuries ago, calling for England's farmers to pay one-tenth of the produce from their lands for the support of the Church of England, adds considerably to the effect of this episode. Queen Anne's bounty is the name of the organization into whose hands has been placed the difficult task of collection.

In the final episode is pictured the situation revolving about the generally accepted fact of the subsidization of college football, timely with the current opening of the new season. The Carnegie Foundation expose of subsidies is cited. There is presented the interesting contention of Prof. George Owen of M.I.T., who declares that players should share in the game's profits, openly, instead of being compensated in an undercover fashion.

No production code seal. Running time, 21 mins. "G."

Wall Street

Board Drops ⅛ to 3½ Points

	High	Low	Close	Net Change
Columbia	42	40	40⅜	.....
Columbia, pfd	48	48	48	.....
Consolidated	4½	4½	4½	.....
Consolidated, pfd.	17½	17¼	17⅜	— ¼
Eastman	169¼	169	169¼	— ¼
Gen. T. Equip.	27	26⅞	26¼	— ½
Loew's, Inc.	59	57½	57½	—1⅜
Paramount	13¼	12⅝	12¾	— ¼
Paramount 1 pfd.	96¾	93½	93½	—3½
Paramount 2 pfd.	12⅝	12	12	— ⅝
Pathe Film	7⅞	7¾	7¾	.....
RKO	7⅜	7⅛	7⅛	— ⅛
20th Century-Fox.	31⅝	30¾	30¾	— ¼
20th Century, pfd.	39¼	38⅝	38⅝	— ¼
Universal, pfd.	106½	105	105	—2½
Warner Bros.	13⅝	13¼	13¼	— ¼

Curb Issues Off

	High	Low	Close	Net Change
Grand National	4	4	4	— ⅛
Sonotone	2⅛	2⅛	2⅛	+1/16
Technicolor	27⅛	26¾	27	.....
Trans-Lux	3¾	3¾	3¾	— ⅛

RKO Bonds Rise 2⅝ Points

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	98⅞	98⅝	98⅞	+ ¼
Paramount Pict. 6s '55	97¼	97½	97½	— ½
RKO 6s '41 pp	82⅞	82¾	82⅞	+2⅝
Warner Bros. 6s '39 wd	96½	96¼	96½	.....

(Quotations at close of Sept. 30)

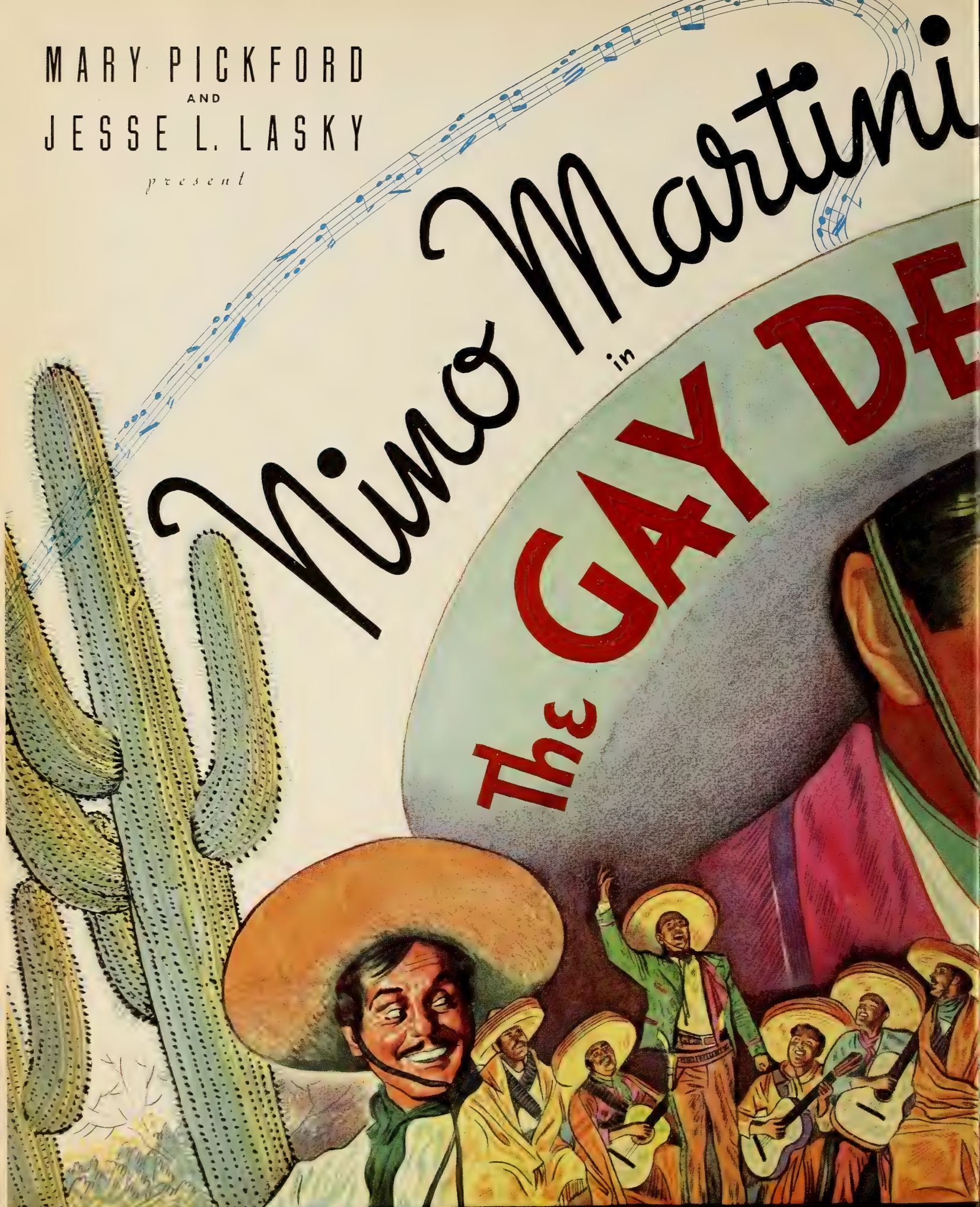
THE • GAY • DESPERADO



This is an exact reproduction of the cover of an ornate 36 page volume being mailed to thousands of exhibitors. *Watch for your copy.*

MARY PICKFORD
AND
JESSE L. LASKY
present

Nino Martini
in
The GAY DE



with IDA LUPINO *and* LEO CARRILLO


SPERADO
A ROUBEN MAMOULIAN PRODUCTION

Every so often a Picture comes along...

A hit so outstanding in entertainment qualities that it sets the world talking. "It Happened One Night"..."The Thin Man"... "One Night of Love"...all burst unceremoniously on the screen to thrill millions. This year's surprise hit is "The Gay Desperado" ...a grand, thrilling musical adventure...set to unforgettable, golden melodies...brought to you by one of the world's greatest voices.

Mary Pickford and Jesse L. Lasky

PRESENT

NINO MARTINI

in The

GAY DESPERADO

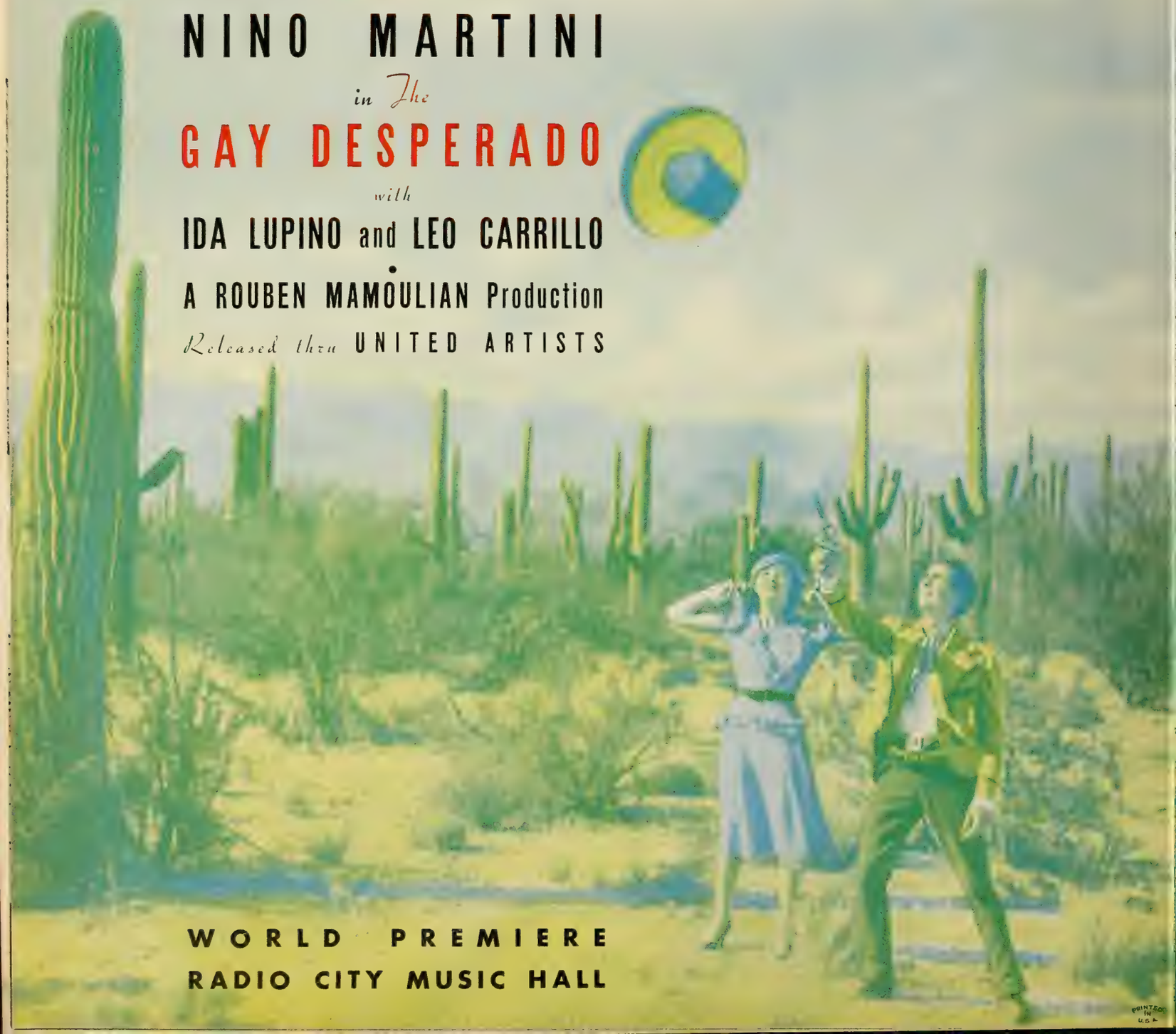
with

IDA LUPINO and LEO CARRILLO

•

A ROUBEN MAMOULIAN Production

Released thru **UNITED ARTISTS**



WORLD PREMIERE

RADIO CITY MUSIC HALL

Actors' Guild Seen Heading Toward Union

(Continued from page 1)

although the SAG is aiming at friendly alliances with studio labor groups, similar to that by which the latter group obtained closed shop.

If there is to be a showdown between actors and producers, the actors guild is thoroughly mindful of the experience of the Screen Writers' Guild and does not propose, therefore, to go off half-cocked.

The Producers' Ass'n already has discussed the reported SAG plans, but can do nothing about them until some step is taken or demands made. Local newspapers, which are patently anti-union labor, profess to see in the individual action of members of the guild in sending contributions to the relief of the strikers at Salinas a definite bid on the part of the actors for labor friendship. The guild officers, on the other hand, maintain such contributions were personal gestures and have no organizational significance.

Unionizing Desired

Unofficial spokesmen for the SAG have no hesitancy in declaring they want the guild to convert itself into a regularly constituted union. Thomson's position appears to be that he is not so much in favor of a closed shop as he is in favor of a guild shop. This would mean that the SAG is always open to new players and to stage actors in keeping with its agreement with Actors' Equity.

Whatever final action the actors' guild may take will not be determined until it can display solidarity of membership and command opinion that will induce support of the entire group as well as the necessary sympathy of studio labor groups whose aid would be required to make any sweeping action effective.

Downtown Will Open As Denver First Run

DETROIT, Sept. 30.—Detroit's total of first run theatres will be increased to eight with the opening of the Downtown, formerly operated by RKO, on Oct. 9 or 16. It will be operated by Joseph J. Cavanaugh, receiver, under the direction of the Wayne County Circuit Court. Clem Pope, who formerly managed the house for RKO, will be manager.

No major product being available, the house will play entirely independent product. It has not been determined whether double bills or single bills and vaudeville will be used. Cavanaugh had several deals on for the Downtown, but decided to open the house himself.

Several Roxy Plans Expected on Oct. 9

(Continued from page 1)

under way between Cullman and Twentieth Century-Fox sales executives for future releases after "Dimples," which is dated to follow "Nine Days a Queen." "Ladies Must Love" has been booked by the Rivoli after "Dodsworth."

Talk New Suit At Chicago in Clearance Row

(Continued from page 1)

wise, are discussing new strategy designed to prevent B. & K. from reinstating double features in the city, which the circuit has stated it is prepared to do within the next few weeks.

To Talk Patman Act

Members of the Independent Theatre Supply Dealers' Ass'n will hold a special three-day meeting, starting Oct. 14, at the Congress, Chicago, to discuss the Patman act, which is understood to have caused the independent equipment men no little concern.

Under the act discriminating discounts are forbidden and a uniform plan of discount must prevail for all dealers and their accounts, it was stated yesterday. The bill has been in effect since June 29, it was added.

George Graham of Denver, president of the association, will preside. Attorneys for the various equipment distributors differ as to the interpretation of the Patman act, and it is hoped a mutual understanding of the cardinal points will be brought about.

G. B. List to Sterling

George W. Weeks has closed with Sterling Far West circuit for the entire G. B. 1936-'37 program in the circuit's 14 Seattle houses.

Weeks has accompanied Arthur Lee, G. B. vice-president, to sales meetings held in New Orleans. They are expected to return to the home office Monday.

Sharples Joins Filmusic

Winston Sharples, former musical director for RKO-Van Beuren, in charge of synchronization and recording, has resigned to join Filmusic, Inc., new company which prepares and adapts music to films, in a similar capacity.

Japanese Drive

Tokyo, Sept. 30.—The banning of all films in Japan which portray kissing scenes "beyond official discretion" was ordered by the Government today as the first step in a drive to purify films.

Pictures burlesquing the army and navy of any country likewise will be banned as will films showing life in royal courts in any but a favorable light.

Frisco Deal Closes Argument with "U"

(Continued from page 1)

coast district manager, and Barney Rose, local branch manager, conferred with R. A. McNeil and Mike Naify for three days with harmony the result. Grainger returned to Los Angeles tonight satisfied with the outcome. McNeil and Naify jointly stated:

"Differences between distribution and exhibition organizations always arise and we are very happy that we have come to an understanding with the Universal company."

In the few situations where Universal sold "My Man Godfrey" to competitive spots, the contract will, of course, hold.

Bright Post Left Vacant

No successor to Willis C. Bright, who recently resigned as a vice-president to join Grand National, was elected at the regular Pathe board meeting yesterday, according to O. Henry Briggs, president, who described the session as "routine."

Hold Alleged Bombers

Two men, charged with attempting to dynamite the Flatbush in Brooklyn, on Sept 10, were held in $50,000 bail each by County Judge Nova, yesterday. The prisoners are Amadeo Peppe and George Lofstead. Each of the men has entered a plea of not guilty.

Kent Wards Off Interviews As He Sails on GB Impasse

(Continued from page 1)

disappointing news, in walked John D. Clark, C. E. McCarthy and Percy Kent, later being joined by Pat Casey, who had arrived from the coast on the Century an hour before and was still unshaved. Casey spent about 15 minutes with Kent and said there was no business discussed, but bon voyage greetings exchanged.

During the interval that lapsed while Casey and the Twentieth Century-Fox executives were in Kent's room, reports were around that the president of the company was "very nervous and not feeling so well." Except for the persons mentioned and Mrs. A. Sisto, sister of Mrs. Kent, there were no other visitors until the liner pulled out.

Effort was made to cloak the sailing in secrecy. Kent's name did not appear on the passenger list, the purser said he had no record of the name. Finally the man in charge of the office where passports are checked denied anyone by the name of Kent was a passenger.

Whether by coincidence or not, Mrs. E. Beddington Behrens, wife of the British financier and member of Myers & Co., also is on the same boat. Her husband sailed last week on the *Queen Mary* after conferring with Kent and Joseph M. Schenck on the three-company pact.

Kent is scheduled to return by Nov. 1. He will meet Arthur M. Loew, head of the M-G-M foreign department, in London next week. Loew is due to arrive in London tomorrow. He sailed on the *Empress of Britain.*

Mrs. Edward G. Robinson, Benny Davis, Sally O'Neill, and Jose Iturbi also are London-bound on the same boat.

See No Hope Of Dropping "Early Birds"

(Continued from page 1)

to do something first, and the Roxy, through Cullman, has laconically told the operators to mind their own business, inasmuch as he claims the public is responsible for "bailing out" the theatre from bankruptcy and he owes it to them to keep the scale within their means.

"Adverse" $189,000 In 31-Day Run Here

(Continued from page 1)

$52,000; the second week, $45,000; the third week, $39,000; fourth week, $34,000; last three days, $14,000. On Saturday, "A Midsummer Night's Dream" will start a two-week booking.

After garnering $37,000 for the first week, the new Criterion ended the second stanza of "Give Me Your Heart" at approximately $18,000. The film is now in its third week.

"Dodsworth" at the Rivoli wound up its first seven days with about $39,500. "The Texas Rangers" at the Paramount did $35,000 in the first week. Both pictures are now on the second lap.

I. A. Brings Coast House Under Union

(Continued from page 1)

representing independent theatre owners in this territory whereby Grove Smith's Roxy in Glendale becomes unionized immediately.

Jack Berman, chairman of the independents' committee, has stated that exhibitors will continue the negotiations until a solution of the problem is reached.

The committee in the negotiations consisted of Julius Nathanson, Harry Vinicoff, Emanuel Hoffman, Irving Callin and Berman.

Emanuel Reopening

SOUTH PHILADELPHIA, Sept. 30.—The Grand, 1,000-seat house operated for many years by Jay Emanuel, will reopen Friday night with "Three Cheers for Love." He spent $75,000 on complete rehabilitation, retaining merely the four walls of the house.

Columbia Holds Rogers

HOLLYWOOD, Sept. 30.—Charles (Buddy) Rogers, recently signed by Columbia for "College Hero," has been given a term contract.

Brady-Ruggles Teamed

HOLLYWOOD, Sept. 30.—Emanuel Cohen will team Alice Brady and Charles Ruggles in "Mind Your Own Business," his next for Paramount.

Vinegrad to Build

Nathan Vinegrad has completed plans for the construction of a 600-seat theatre at 93rd St. and 37th Ave., Jackson Heights, L. I.

Named Seattle Manager

SEATTLE, Sept. 30.—C. C. Chellew has been named manager of the Jensen-Von Herberg Liberty here.

IF YOU ARE A SHOWMAN
THE ENTIRE AMERICAN PUB

"Good murder mystery well handled all around with appeal to audiences in general. Republic presents a timely subject in an exciting, interesting manner. They have seen to it that the picture is good entertainment, besides concerning itself with a subject of wide interest."
—Film Daily

"This emerges as Republic's best effort and seems certain to reach the upper brackets as an important grosser. The direction of Phil Rosen builds continuous suspense from the various situations, never letting interest diminish. The picture will back up all claims made for it."
—Motion Picture Daily

"Picture is one of Republic's most important endeavors, lavishly and carefully made and dealing with topic of most intimate national concern in seriously conceived drama. Generally it stacks up well on credit side and should do business everywhere. Has solid dramatic wallop and human interest."
—Daily Variety



REPUBLIC PICTURES

THE PRESIDENT'S

IERE'S YOUR OPPORTUNITY!
LIC IS INTERESTED!

"President's Mystery" B. O. Properly Sold Can Prove a Clean-up

"When the President of the United States suggests the story, when a national magazine hires six famous name writers to put it into words, then you have exploitation possibilities that should make 'The President's Mystery' a box-office natural, if properly exploited."

—Hollywood Reporter

Liberty



MYSTERY

Conceived by FRANKLIN D. ROOSEVELT and written for LIBERTY MAGAZINE by

RUPERT HUGHES • SAMUEL HOPKINS ADAMS • ANTHONY ABBOT • RITA WEIMAN S.S. VAN DINE JOHN ERSKINE

with

HENRY WILCOXON

BETTY FURNESS

and a brilliant cast

Directed by PHIL ROSEN

Screen play by Lester Cole and Nathanael West • Musical Settings by Hugo Riesenfeld

Produced by **NAT LEVINE**

A REPUBLIC PICTURE

"Ramona" Up In St. Louis; Gets $16,500

ST. LOUIS, Sept. 30.—"Ramona" at the Ambassador, despite the loss of an afternoon show due to a fire in an underground conduit of the Union Electric Light & Power Co., made the best comparative showing in a week filled with high class competition. The $16,500 beat the house average by $7,500.

"Anthony Adverse" did big business for the Fox with a take for the week of $18,500, beating average by $4,500.

In its third and final week at Loew's, "The Great Ziegfeld" took $9,900, just $100 below house average. It was estimated this attraction grossed $57,000 for the three weeks. The price scale was 35c and 65c. It has been many months since any picture here has approached such business over a three-week period.

The Missouri, Orpheum and St. Louis also went above their averages for the week. Strong business at first, second and subsequent runs in recent weeks is accepted as an indication that this section has definitely come out of the depression.

Total first run business was $70,700. Average is $55,000.

Estimated takings for the week ending Sept. 24:

"RAMONA" (20th-Fox)
AMBASSADOR — (3,018), 25c-35c-55c, 7 days. **Gross:** $16,500. (Average, $9,000)
"ANTHONY ADVERSE" (W.B.)
FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $18,500. (Average, $14,000)
"THE GREAT ZIEGFELD" (M-G-M)
LOEW'S—(3,162), 35c-65c, 7 days, 3rd week. **Gross:** $9,900. (Average, $10,000)
"STATE FAIR" (20th-Fox)
"CHARLIE CHAN AT THE RACE-TRACK" (20th-Fox)
MISSOURI—(3,514), 25c-35c-55c, 7 days. **Gross:** $10,000. (Average, $9,000)
"SWING TIME" (Radio)
"SHAKE DOWN" (Col.)
ORPHEUM—(1,950), 25c-35c-55c, 7 days, 2nd week. **Gross:** $7,800. (Average, $7,000)
"TO MARY—WITH LOVE" (20th-Fox)
ST. LOUIS—(4,000), 25c-40c, 7 days. Stage: Vaudeville and chorus. **Gross:** $8,000. (Average, $6,000)

Five Territory Men Appointed for TTS

Five new territorial appointments have been made by Walter Frudenberger, general sales manager of Theatre Trailer Service. This makes 15 territories closed. In addition, Max Landow, who has been in the eastern and western production department of National Screen for the past 13 years, has joined the company in New York.

Edwin Wheeler will represent the outfit in Baltimore and Washington, Charles E. Goodwin, Buffalo; F. M. Sanford, Dallas; F. F. Goodrow, New Orleans. Fred Young, recently with National Screen, has been named district manager in charge of Charlotte and Atlanta.

Issue Theatre Handbook

Under the title "Theatre Collections in Libraries and Museums," an international handbook designed to serve producers, designers and technicians has been published by Rosamond Gilder and George Freedley. Miss Gilder is a member of the editorial staff of *Theatre Arts*. Freedley is librarian for the theatre section of the New York Public Library.

Out Hollywood Way

HOLLYWOOD, Sept. 30.—JOHN VAN DRUTEN off to New York for the first time in a year to look at the shows. . . . ED THOMAS, former Universal publicity writer, now writing press books for DAVID LOEW under supervision of HOWARD BENEDICT. . . . Harmon-Ising to have their own advertising and publicity unit headed by JAMES CINGOLA, former newspaper artist and writer. . . . RAOUL PAGEL, former business manager for LEW CODY, made assistant to CHARLES RICHARDS, head of Selznick-International casting department.

BUDD SCHULBERG had his appendix removed at Cedars of Lebanon. . . . MARGARET PERRY and BURGESS MEREDITH to New York, having finished their screen assignments, he in "Winterset," and she in "Go West Young Man." . . . EDWARD ARNOLD busy in the fund raising campaign of the L. A. Symphony Orchestra. . . . CLAUDETTE COLBERT three pounds heavier since she started "Maid of Salem." . . . NATHANIEL SHILKRET dashed off a number for Radio's "The Big Game" in 30 minutes flat.

FRANK BORZAGE checks in at WALTER WANGER's to work with TOWNE and BAKER on the script of "History Is Made At Night" which he will direct. . . . CHARLES RUGGLES and his brother, WESLEY, off to the World Series.

GLADYS GEORGE at home with influenza, GRACIE ALLEN recovered from laryngitis and MARY LIVINGSTONE recovered from a tonsil operation. . . . MALVINA DUNN signed as dramatic coach for Warners younger players. . . . AUDREY VAN DUESEN has resigned from the Roach casting office to join the same department at M-G-M; replaced by EVELYN BUCKINGHAM. . . . SOO YONG, finished with acting assignments in "The Good Earth," "The White Dragon" and "The Cockeyed Cruise," returns to Hawaii to resume work on her Ph.D. degree.

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Casting—MADELEINE CARROLL, borrowed from WALTER WANGER, to be co-starred with DICK POWELL in "On The Avenue," Twentieth Century-Fox. . . . BARTON MACLANE, on loan from Warners, added to "You Only Live Once," WALTER WANGER.

E. E. CLIVE in "Lloyds of London," Twentieth Century-Fox. . . . HENRY KOLKER, WILLIAM FARNUM in "Maid of Salem" Paramount. . . . DONALD KIRKE and HARRY HARVEY in "The Country Gentleman," HERBERT WEBBERT and FRANK BROWN in "Robinson Crusoe of Clipper Island," Republic. . . CORA WITHERSPOON on loan from M-G-M in "Quality Street" Radio. . . . PHILLIP HURLIC in "Penrod and Sam" Warners. . . . LORRAINE BRIDGES and BELLE DONOVAN in "Captains Courageous," M-G-M.

LEE TRACY and KATHRYN MARLOW are set for the leads in "Criminal Lawyer," Radio. . . . ALICE BRADY goes opposite CHARLES RUGGLES in "Mind Your Own Business," Major. . . . ALAN MARSHALL on loan from Selznick International, goes into "Parnell" M-G-M. . . . GAIL PATRICK borrowed from Paramount by B. P. SCHULBERG for the feminine lead in "A Man and a Woman." . . . ROBERT MIDDLEMASS in "Hats Off," BORIS PETROFF production for Grand National.

FRANK M. THOMAS and RAY MAYER added to "All Scarlet" Radio. . . . LILA LEE in "The Country Gentleman," Republic . . . . BRIAN DONLEVY and HELEN WOOD in "Crackup" Twentieth Century-Fox.

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Directors—LOUIS D. COLLINS assigned to direct "Treve," Universal. . . . NATE WATT to direct "Trail Dust," next HARRY SHERMAN "Hopalong Cassidy" picture. . . . TAY GARNETT will direct "The Last Slaver," a special for Twentieth Century-Fox.

✚

Story Purchases—Warners have purchased screen rights to "The Case of the Dangerous Dowager," another in the series of ERLE STANLEY GARDNER detective stories. . . . TOM REED is writing the screen play and RICARDO CORTEZ will probably play Perry Mason again. . . . M-G-M has purchased "Weeping is for Women," a novel by DONALD BARR CHIDSEY which will be published this fall by Knopf.

✚

Title Change—Warners have changed the title of "The Tattler" to "Here Comes Carter." The picture was originally called "Loudspeaker Lowdown." . . . HAL ROACH will call the latest Laurel and Hardy picture "Way Out West." . . . Paramount has changed "Right in Your Lap" to "Easy to Take."

$100,000,000 Is Fox Guess of 1930 Value

ATLANTIC CITY, Sept. 30.—William Fox testified here today in his bankruptcy proceedings that "as of Jan. 1, 1930, I was under the impression that I was worth about $100,000,000," a sum which he said was "mainly my shares of stock in Fox Film and Fox theatre corporations. He added, "I found soon afterward that I had estimated wrong, for I sold it for $15,000,000 in cash and $3,000,000 in notes, got a five-year contract on the advisory board of Fox Film at $500,000 a year and shortly thereafter got another $3,000,000 in notes."

During the remainder of the day Fox related from memory how his fortune had shrunk with the stock market, how All-Continent Corp. foreclosed on most of his remaining collateral for defaulted loans last December and how his remaining odds and ends were sold to All-Continent for $50,000. The five-year contract, he asserted, was carried out for only two years and his only income since 1930 has been from interest on invested capital and from dividends on stocks which he owned. He told also of a gift of $300,000 to his aged father.

Everett Partride and Eugene O'Dunne, of Washington, agents of the U. S. Internal Revenue Dept., which has a huge income claim against Fox, attended the hearing today.

"His Steps" for Topeka

HOLLYWOOD, Sept. 30.—"In His Steps" will be given a premiere in Topeka, Kan., home of Dr. Charles M. Sheldon, author of the novel.

"Ziegfeld" Is $9,000 Leader In Louisville

LOUISVILLE, Sept. 30.—"The Great Ziegfeld" took a fine $9,000 at Loew's State. This was better than the gross at the Brown, earlier in the season, when the picture took less in two weeks at $1.65 top. It was held over another week.

"The General Died at Dawn," dualled with "Lady Be Careful" at the Rialto, went into second place with a gross of $6,400, $1,900 over average for that house. "My Man Godfrey" and "Postal Inspector," coupled at the Strand, held a consistent pace, and wound up with $3,800, $300 over the line.

"Anthony Adverse" made a showing out of the ordinary, when it was held for three weeks. The takings, however, were light throughout the run. The gross for the final week hit a low of $2,400, about $1,100 under par.

Dog races at the Jeffersonville Kennel Club, across the river in Indiana, are continuing to provide plenty of opposition. The weather has been favorable for theatre attendance, days are warm, and evenings cool.

Total first run business was $24,000. Average is $19,300.

Estimated takings for the week ending Sept. 24:

"THE GREAT ZIEGFELD" (M-G-M)
LOEW'S STATE—(3,000), 38c-55c, 8 days. **Gross:** $9,000. (Average, $5,500)
"THE GENERAL DIED AT DAWN" (Para.)
"LADY BE CAREFUL" (Para.)
RIALTO—(3,000), 15c-25c-40c, 8 days. **Gross:** $6,400. (Average, $4,500)
"MY MAN GODFREY" (Univ.)
"POSTAL INSPECTOR" (Univ.)
STRAND—(1,500), 15c-25c-40c, 7 days, 2nd week. **Gross:** $3,800. (Average, $3,500)
"ANTHONY ADVERSE" (W.B.)
MARY ANDERSON—(1,000), 44c-61c, 7 days, 3rd week. **Gross:** $2,400. (Average, $3,500)
"THE BRIDE WALKS OUT" (Radio)
"WHITE ANGEL" (F.N.)
"THREE CHEERS FOR LOVE" (Para.)
"SPENDTHRIFT" (Para.)
KENTUCKY—(900), 15c-25c, 7 days, split week. **Gross:** $1,600. (Average, $1,500)
"IT HAPPENED ONE NIGHT" (Col.)
"BLESSED EVENT" (W.B.)
"ONE NIGHT OF LOVE" (Col.)
"I SELL ANYTHING" (F.N.)
OHIO—(900), 15c, 7 days, split week. **Gross:** $800. (Average, $800)

German Showmen Plan Visit to U. S.

By J. K. RUTENBERG

BERLIN, Sept. 20. — The Berlin branch of the Ass'n of German Cinema Proprietors plans a visit to the United States next spring to study distribution and exhibition in that country.

The group will be headed by Wilhelm Siegfried, of the Berlin section. Arrangements for the trip are now being made.

* * *

German distributors will release approximately 150 features this season, Ufa leading again with 30. The three American companies operating in Germany, Paramount, M-G-M and Twentieth Century-Fox, will offer 12, 12 and eight respectively, for a total of 32. Most of the new product already has been trade-shown, with general release starting within a few weeks, when the Berlin first runs are completed.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 79 NEW YORK, FRIDAY, OCTOBER 2, 1936 TEN CENTS

Cut-Rates and Duals Curbed By Contracts

Riders Being Used in 50 Cities on Big Films

Cut-rate admissions, including the use of double features and giveaways, are being curbed in approximately 50 cities as a result of the use by first run theatres of a contract rider regulating exhibition practices in subsequent runs in connection with the playing of outstanding feature pictures.

The rider first came into use a year ago in the Hoblitzelle circuit in Texas and, since has been upheld by the state courts there as legally enforceable. As a result of the court decisions, the rider has been utilized by numerous first runs throughout the country and its use is reliably reported to be increasing this season.

Under the terms of the rider, the first run theatre employing it agrees

(*Continued on page 7*)

Leonard Quits "U"; Hirsch in Ad Post

J. Albert Hirsch yesterday was appointed advertising manager of Universal, in the place of Charles Leonard, who resigned. The appointment was made by P. D. Cochrane, director of advertising. Hirsch has been Leonard's assistant for the past six months. Leonard said yesterday he has no immediate plans for the future. He will take a vacation, probably in Hollywood, for a few weeks, and will decide on his future affiliation upon his return.

Before joining Universal, Hirsch was with Paramount for nine years as assistant to A. M. Botsford in the Publix Theatres advertising department. He was also a member of the Paramount eastern editorial board. Hirsch will assume his new duties next Monday.

Center Assessment Decreased $100,000

The Center Theatre in Radio City has been assessed in the tentative valuation list for 1937 made public by the Board of Taxes and Assessments, at $4,500,000, which is $100,000 less than the present year's valuation. The RCA Building, in which many film company home offices are housed, represents a greater assessment increase than any other large building in the city, jumping from $26,500,000 to

(*Continued on page 7*)

B. & K. Firm On Dual Plan Says Balaban

Action of Independents Will Not Halt Move

Regardless of what action independent exhibitors may decide upon, B. and K. are determined to go through with their swing to dual features in Chicago, John Balaban stated yesterday. The plan will not embrace the Loop, but will include all other units in the circuit.

"The only reason we have not gone to doubles so far," he explained yesterday, "is because we did not want to start the new policy with last year's product. Last season, some of the Chicago exchanges were successful in preventing exhibitors from switching to twin bills. We, therefore, do not want to embarrass them by launching our plan with that product.

"However, the old releases will be cleaned up in about four weeks and then we will be ready to go."

Name Hand as Bunn Assistant at Erpi

Stanley Hand, Erpi central division general manager, has been appointed assistant general sales manager of the company. C. W. Bunn is general sales manager of Erpi.

Hand was formerly New England division manager for Pathe, and was with First National and Warners in executive sales capacities. He has been with Erpi for the past eight years and has been at the Chicago headquarters of the central division for the past four years. It is expected that Hand will make his headquarters at the home office in the near future as a result of the new appointment.

What, No Hot Dogs?

Hollywood, Oct. 1.—Out this way the retired farmers and tourists who don't want to buy tickets for an opening are made comfortable. They build grandstands for them in front of the theatres, but make 'em bring their own toothpicks.

M-G-M will build a stand to seat 4,000 in front of the Carthay Circle for the premiere of "Romeo and Juliet." This will top the "Anthony Adverse" stand by 1,500 seats.

House flags of the Capulets and the Montagues will be flown along Wilshire Boulevard, but only the publicity department will know what they are.

FCC Has Complaint Naming Bowes Hour

By BERTRAM F. LINZ

WASHINGTON, Oct. 1.—Federal Communications Commission officials have before them a complaint against Major Bowes' Amateur Hour, filed by one Ray Halper of New York, charging that Bowes is exploiting amateurs and committing a fraud upon the public by using talent obtained from booking agencies.

In all probability no action will be taken on the complaint, the commission being without power to censor programs. Officials of the commission did not take the matter seriously, explaining that everyone with a grievance comes to them for relief, and citing a telegram from John Foster, campaign manager for Earl Browder, Communist, asking the commission to get the latter out of jail in Terre Haute so that he could broadcast.

At the commission it was said that a number of factors must be taken into consideration with respect to the

(*Continued on page 7*)

Late September Key Takes Off Sharply to $1,744,332

Late September grosses fell off sharply after the Labor Day week spurt, the total for the week ending Sept. 25-26 being $1,744,332. This figure was $62,018 below the previous week and $345,812 under the four-year peak reached Labor Day week.

The decline last week was scattered and apparently dependent upon releases, as 15 of the 29 key cities reporting to MOTION PICTURE DAILY registered gains. This was especially marked in New York where the $341,182 total was $37,832 ahead of the previous week.

The number of first runs in operation has shown a gain since the first week in September. The total has increased from 163 at that time to 177 last week.

(*Comparative grosses will be found on page* 15)

Reade Plans New Circuit In 100 Spots

Theatres to Be New and Seat 600 to 1,000

Walter Reade yesterday revealed the formation of a new national circuit, to be known as American Community Theatres Corp., capitalized at $5,000,000, and with himself as president, at a press luncheon at the Astor. One new theatre in each of 100 cities within a period of five years is the initial intention, Reade declared.

Associated with Reade in the new enterprise are L. N. Olmsted, vice-president of American Seating; Frank V. Storrs, who is a partner in other Reade houses; Carl E. Schuster, statistician; Charles J. Bryan, associated with Reade for the past 30 years, and Walter Reade, Jr.

With four sites already selected, two in upper New York State, one in New Jersey, and one in Connecticut, American Community intends to construct on an average of 20 to 25 theatres a year over a five-year period, Reade stated yesterday. The new structures will replace obsolete buildings "and fill the want necessary in other communities, where no first class theatre exists."

The plan will not be limited to the east, but will extend from coast to coast and into Canada. More than $500,000 has already been set aside by the sponsors for the project. The first two units will be started in 30

(*Continued on page 7*)

Producers Discuss Ban on Preview Ads

HOLLYWOOD, Oct. 1.—Banning of advertising for previews was discussed at the last meeting of the Producers' Ass'n. It is claimed that the present system prevents natural audience reactions.

A memorial to Irving Thalberg was discussed at the meeting, but no decision was reached.

Alperson in Sale of 16,850 G. N. Shares

WASHINGTON, Oct. 1.—Edward L. Alperson, president of Grand National, disposed of 16,850 shares of $1 par common stock of the company during August, the Securities and Exchange Commission reported today. The sale reduced Alperson's holdings to 26,546 shares. A series of transactions during July had left him with

(*Continued on page 7*)

MOTION PICTURE DAILY
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Council to Continue Booking Bill Fight

SAN FRANCISCO, Oct. 1.—That the M. P. Research Council intends to persist in its effort to secure passage of the Neely-Pettengill block booking bill was apparent at a meeting here.

Dr. Claud H. Shull, dean of the Junior College, called upon his hearers to help enlist a million persons in support of the measure.

The chorus of criticism against films was not unanimous, however. While some speakers were calling for a "restraining hand" on Hollywood and describing pictures as a social problem others defended the industry and expressed appreciation for improvement in films.

Giannini En Route Here

HOLLYWOOD, Oct. 1.—Dr. A. H. Giannini, chairman of the board of directors and president of United Artists, left here by train yesterday for New York, accompanied by his family. He will be in New York for three weeks, engaging in home office conferences.

Insiders' Outlook

By RED KANN

SEVERAL Mondays ago, we looked up suddenly and there before us from the trusty typewriter was a line or two commenting on Allied's repeated determination to divorce production from exhibition by legislation. It was Abram F. Myers who, in outlining the program, stated the bills will be patterned after "acts preventing the ownership and operation of saloons by breweries . . ." To which our observation was "since when has a keg of beer been protected by copyright?" Thereafter silence until Myers forwarded interesting correspondence from Washington in which he remarked that this was what they were saying behind our back. That being the case, the idea now is to bring it into the open for the benefit, perhaps, of others who may be interested as well. . . .

▼

S. D. Kane, executive secretary of the Allied Theatre Owners of the Northwest, Inc., headquarters Minneapolis, wrote Myers, saying in part:

I enclose herewith for your edification a copy of page 2 of MOTION PICTURE DAILY of September 14.

It struck me that several happy answers were at your disposal.

You might, for instance, inform Mr. Kann that kegs of beer have been protected by copyright ever since Anheuser-Busch decided not to call their product "Schlitz."

In addition, since when has Hollywood received the congressional medal for respecting the copyright laws?

▼

Myers to Kane:

Your suggested reply to Red Kann's editorial is an apt one and if I were to reply publicly to Red I would make use of it. The copyright bugaboo conjured up by the Hays Association has been well propagated. General Johnson swallowed it hook, line and sinker, and he claimed to be a lawyer. His reliance on it in his correspondence with Dr. Lowell was the crowning absurdity of the NRA fiasco. It is not remarkable, therefore, that Red, who does not pretend to be a lawyer, should fall for it.

A copyright is not a matter of natural right but of legislative bounty. The constitutional provision empowering Congress to enact copyright and patent laws is not self-executing and Congress can at any time destroy all copyrights by the simple expedient of repealing the copyright statute. All Congress needs do to include copyrighted articles in any restrictive legislation is to provide that the act shall apply to all commodities in interstate commerce "whether copyrighted or uncopyrighted." This has been done with respect to patented articles in Section 3 of the Clayton Act. Such a clause is contained in the Neely-Pettengill Bill.

▼

It continues:

Moreover, the copyright law is not a bar to the enactment by the states of remedial legislation in pursuance of their police power where such acts necessarily relate to copyrighted articles. Red Kann should remember that State censorship laws providing for the censorship of copyrighted films have been upheld by the Supreme Court of the United States. In fact, there is a line of decisions by that court upholding state regulations of and prohibitions upon the use of patented and copyrighted articles whenever justified in the public interest.

The protection of the public health, safety, morals and welfare is supreme over the special privileges enjoyed by copyright and patent owners.

In the meantime, I question whether anything can be gained by entering into a public controversy with Mr. Kann regarding his editorial. All exhibitors understand the predicament of the trade papers which are dependent upon the organized producer-distributors for advertising. In the case of MOTION PICTURE DAILY we must admit that it has given us a break in the matter of news and certainly Red Kann is the ablest of the trade paper editors. We cannot insist that he accept our point of view; in fact, if he or any of his brethren sided with Allied in any of its major policies we would all drop dead. Red is much too considerate to inflict any such shock upon us.

▼

Which makes it quite complex. However, that portion of Myers' letter in which he declares "the protection of the public health, safety, morals and welfare is supreme over the special privileges enjoyed by copyright and patent owners" most emphatically finds us in agreement with the spirit, if not the letter, of such interpretation. Public safety, morals and welfare assuredly would be more jealously safeguarded if some of the Hollywood effort were never to be undertaken in the first instance. You might even extend it to embrace public health by less exercise of anger and, therefore, less rising of the blood pressure and consequent effect if such a suggestion were to be observed.

As to the compliment on the conduct of our job, there is always to be remembered that in modesty reposes modesty. It'll get Myers a nice Christmas card anyway. . . .

▼ ▼

No attempt will be made to cash in on the Astor case when "Dodsworth" plays the Interstate Circuit in Texas. Bob O'Donnell is seeing to it. In Dallas, where the picture goes into the Palace, the keynote will stress Walter Huston's stage tour which came to a temporary rest at the Melba in that city. "We are handling Astor as if she never had a diary," remarks O'Donnell, thereby proving he's a smart operator and pointing up the policy for others elsewhere to pursue. . . .

▼ ▼

Hollywood's latest lovebirds, Joan Blondell and Dick Powell, come up the bay on the *Santa Paula* from California Tuesday morning. Warners are organizing an air jaunt with swoopings low over the bay, hand waving and more of the same sort of thing. Sid Rechetnik has been diligently plying the telephone for word of our decision. "Will you go?", he asks. The reply is simple and direct.

We will not. . . .

Phila. Re-hearing To Come Up Monday

A rehearing of the Perelman case involving the legality of anti-double feature clauses in exhibition contracts is scheduled for Monday in the U. S. Circuit Court of Appeals at Philadelphia. The rehearing was sought last spring following the court's ruling that the clauses were unenforceable. Morris Wolf, Philadelphia attorney, will represent all major distributors involved in the case with the exception of Paramount, which will be represented by Louis Phillips and Edwin L. Weisl.

Superior Made Plaintiff

N. Y. Supreme Court Justice Samuel H. Hoffstadter granted a motion substituting the Superior Seating Co. instead of James H. Adamson as plaintiff in an action for $3,232 against Warners and the Stanley Co. of America. The suit arose over an alleged breach of agreement in connection with the installation of 2,068 seats in the Grand, Pittsburgh.

The defendants have entered a denial to the allegations and have asserted that the installation was unskillful and defective.

Weisman Made Defendant

N. Y. Supreme Court Justice William P. Collins signed an order yesterday appointing Milton C. Weisman as a party defendant in connection with a suit brought by the Lexington Ave. & 59th St. Corp. against the Fox Theatres Corp., William Fox and the receivers for Fox Theatres Corp. Justice Collins' order explained that William E. Atkinson had resigned as receiver for the Fox Theatres Corp. and that the other receiver in connection with this action, John F. Sherman, has died.

Warners Buy 30 Acres

HOLLYWOOD, Oct. 1.—Warners have completed the purchase of 30 acres of property adjoining the back lot of the studio. The space will be used for outdoor sets.

THE KIND OF CAST "20th" IS FAMOUS FOR

JANET GAYNOR
LORETTA YOUNG
CONSTANCE BENNETT

IN

Ladies in Love

WITH

SIMONE SIMON

DON AMECHE • PAUL LUKAS

TYRONE POWER, Jr. • ALAN MOWBRAY

CHALK UP ANOTHER "FIRST"



FOR 20th CENTURY-FOX!



20th's studio of happy surprises has done itself proud again . . . with this master-stroke of showmanship . . . a "must" for every maid and matron . . . combining the glamorous talents of four great stars at their most romantic . . . in a story gay with the intrigues of girls on a man-hunt . . . topped with the season's ace box-office title!

Janet GAYNOR · *Loretta* YOUNG · *Constance* BENNETT

IN

Ladies in Love

WITH

SIMONE SIMON

DON AMECHE · PAUL LUKAS

TYRONE POWER, Jr. · Alan Mowbray

Directed by Edward H. Griffith

Associate Producer B. G. DeSylva

Screen play by Melville Baker

Based on the play by Ladislaus Bus-Fekete

20th CENTURY FOX

DARRYL F. ZANUCK
in charge of
production

LIGHT UP...

with the greatest array of beautiful stars your marquee ever displayed!



20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

SUGGESTION TO SHOWMEN!

(not included in Press Book)

Get in touch with police headquarters *now* to be sure *enough* officers are assigned to handle the crowds when you play "Ladies in Love."

Cut-Rates and Duals Curbed By Contracts

(Continued from page 1)

with the distributors to maintain an advanced minimum evening adult admission, in return for which the distributor agrees to sell the same picture only to such subsequent runs as will agree to charge no less than an agreed upon minimum, usually 25 cents in all cases where the first runs' minimum is more than 40 cents.

The rider also provides that the specified minimum evening adult admission for the subsequent runs shall not be modified by the showing of a second feature on the same program with the one covered by the rider, or by the use of giveaways or any other form of gratuity constituting a bargain admission. The distributor agreeing to the use of the rider safeguards its provisions by including the necessary restrictions in the contracts for the subsequent run engagements. Failure of the distributor to do so permits the first run either to cancel its contract or bring action against the distributor in the courts. Breach of the agreement by a subsequent run makes it liable either to an action for breach of contract or the loss of further film service.

Facilitates Price Raises

In addition to effecting genuine curbs on cut-rate admission practices in many local situations, the rider is credited with having aided subsequents in boosting their admission scales and worked a benefit throughout entire localities, as a result.

The enforceability of the riders against subsequent runs was contested by R. C. Glass, Dallas exhibitor, in a case brought against Hoblitzelle, which resulted in the first runs' contracts being sustained by the Supreme Court of the state. The riders are believed to be available from all major distributors under the usual bargaining conditions.

Brains to Be Basis of Warner Chorus Jaunt

Warners chartered a plane to transport a limited number of girls of the chorus of "Gold Diggers of 1937" on a three-week trip to exploit the picture in 24 cities across the country. There are 200 girls in the chorus of the picture; all wanted to make the trip and the plane's capacity is 16.

Busby Berkeley, dance director for the picture, solved the problem. He designated the stunt a demonstration "that girls can be both intelligent and beautiful," and further simplified the selection of the passenger list by ruling that "above all, the girls making the trip must be intelligent and able to sing and dance."

At last reports there will still be a couple of vacant seats in the plane which will leave the coast about Nov. 15 and arrive here in December.

Selznick Signs March

HOLLYWOOD, Oct. 1.—David O. Selznick has signed Fredric March for the forthcoming "A Star Is Born," to be made in Technicolor. Production is set to start this month.

Reade Plans New Circuit In 100 Spots

(Continued from page 1)

days, Reade said, in towns within a radius of 200 miles of New York and with a population of from 5,000 to 30,000.

A. W. Smith, Jr., who has been linked with Reade's plans, is not interested. There will be no selling of stock, it was asserted. "We are going to permit local representatives to operate, after we get the thing going, without salary, but on half of the profits," Reade added.

The independent exhibitor head pointed out he has been considering the idea for the last year, and as a result of a survey conducted by Olmsted and Thomas W. Lamb, architect, it was decided that the time is ripe for building modern and up-to-date theatres in many small cities. None will be built in New York City.

Cost of building a theatre in towns of 5,000 population will approximate $30,000; from 5,000 to 10,000 people, $40,000 to $50,000; 18,000 to 25,000, $75,000. No theatre will cost more than $75,000.

Receipts Jump Prompted Move

"About 50 per cent of the 18,000 theatres in the United States are obsolete," Reade stated after referring to figures gotten up by Olmsted. "They are totally inadequate for the amount of money handled," he added. "The gross average theatre business of a town with a population of from 5,000 to 10,000 is from $50,000 to $60,000 a year. The small community has been neglected and cheated," he said.

Operating 40 theatres, Reade declared the new program and development are the result of the tremendous increase in box-office receipts this year. The theatres will seat from 600 to 1,000, contingent on the size of the town. There will be no balconies in any of the structures in order to provide for television apparatus.

In keeping apace of the times, Reade declared that whenever an important event such as a sport event or political speech is on the air, it will be broadcast from the stage of each of his units. Tuesday night, the shows in all Reade theatres were stopped for the broadcast of President Roosevelt's speech.

Skouras Back on Coast

HOLLYWOOD, Oct. 1.—Charles P. Skouras is back at his F. W. C. desk, having completed an inspection trip through the Fox Rocky Mountain district with Rick Ricketson. Accompanying him were Bud Lollier, Bill Lyris and Dick Dickson.

Several days were spent hunting in Wyoming.

To Visit Music Unions

David Klein, candidate for the executive board of Local 802 of the A.F.M., will leave Oct. 8 for Hollywood. He will visit musicians' unions en route to obtain reactions to the picketing campaign, started in New York, to bring about the reemployment of musicians in film theatres.

My Deah!

San Francisco, Oct. 1.—Eyebrows were raised and lorgnettes were trained upon John McGlade, deputy superintendent of schools, at a luncheon of the Ass'n of University Women.

In the midst of a discussion of "better" films and their educational possibilities he admitted that his biggest film thrill in a long time was the Louis-Schmeling fight picture which he saw in Germany.

Alperson in Sale of 16,850 G. N. Shares

(Continued from page 1)

43,396 shares at the end of that month. Carl Leserman, vice-president and general sales manager of Grand National, disposed of 2,500 shares during August, reducing his holdings to 2,900 shares, the report showed.

Darryl F. Zanuck, vice-president in charge of production of Twentieth Century-Fox, during August sold 20,000 shares of common stock of that company. At the close of the month Zanuck held 162,130 shares of common and 21,946 shares of $1.50 cumulative preferred stock. John D. Clark, general sales manager and a director of Twentieth Century-Fox, acquired 200 shares of that company's common stock during August, bringing his holdings to 201 shares.

Alperson West on Studio

Consolidation of Grand National's studio activities will be discussed by Edward Alperson, president, during a coast visit of several weeks. Alperson leaves for Hollywood tonight to confer with Philip Krasne, Grand National attorney, on the subject. At present, the company is using three different studios.

Accompanying Alperson west is Sidney Biddell, head of the talent and story departments, who will confer with Douglas MacLean on James Cagney's second picture for Grand National.

"Godfrey" Strong in Pitt.

In a telegram to James R. Grainger, Universal's general manager of distribution, John P. Goring, manager of the Fulton in Pittsburgh, says "My Man Godfrey" opened its fifth week in the Smoky City to SRO business despite a heavy rain. The film, says Goring, broke the house record on the 25th day of its showing and, according to present indications, seems headed for a seven or eight-week run.

To Show Hungarian Film

The Modern Playhouse, showing Hungarian films exclusively, has been opened at 81st St. and Third Ave. under the management of Danubia Distributing Co. Its first attraction, now in its second week, is Danubia's "Uj Foldesur."

Rialto Sold at Macon

MACON, Ga., Oct. 1.—The Rialto has been sold by the George H. Slappey Estate to Lucas & Jenkins, who have been operating the house under lease.

FCC Has Complaint Naming Bowes Hour

(Continued from page 1)

complaint against the Bowes program, among them the possibility that he cannot get sufficient amateur talent to fill his time, also that booking agencies have many on their lists who have never made a paid appearance and who are seeking to break in.

It is not anticipated that any action will be taken against Major Bowes, or that the complaint will be used against any station carrying his program when application is made for renewal of license.

Major Bowes said yesterday, when informed of the complaint, that he knew nothing about it, characterized it as ridiculous, and concluded, "Of course, we don't use professionals."

Bowes Is Air Leader

The Major Bowes Amateur Hour, according to the Crosley report, which appraises radio programs on the basis of their public appeal, is the leader of the ether lanes. The program is now broadcast from 9 to 10 P.M., Eastern Standard Time Thursday over the Columbia network, sponsored by Chrysler Motors, having recently switched from Sunday evenings from 8 to 9 P.M., Eastern Standard Time over the NBC system under the sponsorship of Chase and Sanborn.

Center Assessment Decreased $100,000

(Continued from page 1)

$27,500,000, an increase of $1,000,000. The total assessment on Rockefeller Center buildings is $76,800,000, compared with $75,400,000 for 1936. The Music Hall and RKO Building was valued at $11,500,000.

Among Broadway theatres assessments for the most part showed decreases from the 1936 figures. The houses and their tentative 1937 valuations are: Loew's State, $3,850,000; Palace, $1,200,000; Mayfair, $1,675,000; Roxy, $3,425,000; Ziegfeld, $980,000; Astor, $1,700,000; Globe, $1,000,000; Strand, $3,200,000; Rivoli, $1,550,000; Capitol, $2,400,000; New Criterion, $6,500,000; Rialto, $3,000,000.

In the Bronx the Grand was assessed at $1,100,000; Keith's Fordham, $835,000, and the Paradise, $1,325,000. In Brooklyn Loew's Kings in Flatbush was assessed at $1,175,000; Loew's Metropolitan, $1,100,000; Loew's Melba, $450,000, and Fox Flatbush, $5,965,000.

Loew's Movie-Goer Out

Volume one, number one of *Loew's Movie-Goer*, new monthly paper for Loew theatre patrons, was distributed yesterday. The publication, an improvement over *Loew's Weekly*, goes many steps ahead of the regular program. In addition to the usual advance material on new product, coming attractions and star gossip, the paper also carries by-lined feature stories and advertising.

Plan "Blossoms" Opening

Imperial is negotiating for a Broadway theatre in which to hold the premiere of the new version of "Broken Blossoms," produced by Twickenham in England and released by Imperial here. The film stars Dolly Haas and Emlyn Williams.

Philadelphia Golf Draws Crowd Today

PHILADELPHIA, Oct. 1.—With a record number of golfers, the annual Variety Club and *Exhibitor* of Philadelphia tourney gets under way here tomorrow.

A goodly presentation of New Yorkers, despite the competition of the World Series, is looked for.

Major prizes have been contributed by individuals and companies including those from James R. Grainger, National Theatre Supply, Edward S. Herman, Republic, Ross Federal, Globe Ticket, John D. Clark, Western Electric, George J. Schaefer, W. Ray Johnston, RCA Photophone, Harry H. Thomas, G. B., Jules Levy, Ned E. Depinet, M. E. Comerford, Harry M. Warner, Major Albert Warner, Joseph Bernhard, Warner theatres, Jack Cohn, Wilmer & Vincent, March of Time, National Screen Service, Paul Terry, Bob Mochrie, Universal, Earle Hammons, Fortune Films and WCAU.

A dinner dance will highlight the evening.

Chicago Operators Adopt New Contract

CHICAGO, Oct. 1.—The projectionists' union here today accepted the terms of the new contract and adopted the agreement at a membership meeting called to ratify the settlement reached by a union committee and one representing local exhibitors. The settlement was reached yesterday, and was in the nature of a compromise.

No change in the basic wage scale was effected for the new contract. The only changes in the existing agreement were of minor importance and concerned isolated cases. The new contract will run until Sept. 1, 1937.

The local here still persists in its refusal to use the 2,000-foot reel, and Chicago exchanges are supplying new pictures in 1,000-foot reels.

No Dough, No Show, Avers London Cast

LONDON, Oct 1.—"Transatlantic Rhythm," a musical review with Lupe Velez, Ruth Etting and Lou Holtz in the cast, is expected to fold after its opening performance tonight—providing it opens.

James Donohue, cousin to the F. W. Woolworth fortune, was backing the production but halted his cheque writing recently. Members of the cast who claimed salaries were due them plan to put on a single performance tonight at the Adelphi in an effort to realize something on the time spent in rehearsal. A sellout is reported.

Academy Committee Set

HOLLYWOOD, Oct. 1.—Elected as members of the executive committee of the Academy Technicians' Branch for the coming year were: Ray Wilkinson, Fargiot Edouart, Fred Gage, Nathan Levinson, Wesley C. Miller, Van Nest Polglase and John Arnold. The three last named were reelected.

Shift London Runs

LONDON, Oct. 1.—M-G-M is transferring "The Great Ziegfeld" from His Majesty's to the London Hippodrome from Oct. 12 to Christmas. "Romeo and Juliet" will got into the former theatre.

Purely Personal

FRED MEYER left for an inspection of RKO's coast and far western theatres yesterday. To observe the departure, MORT SINGER gave FREDDIE a lunch at the Restaurant Mayan. Among those present were LESLIE E. THOMPSON, NATE J. BLUMBERG, JOHN J. O'CONNOR, MAX FELLERMAN, JOE BERNE, LEON GOLDBERG, MALCOM KINGSBURG and MILTON MAYER.

•

WALTER MCCARTHY, formerly an assistant to CHARLES SKOURAS at F. W. C., has been transferred to National Theatres' headquarters here, where he will work under Spyros Skouras.

•

KITTY CARLISLE, variously identified with Hollywood activity, opened in "White Horse Inn" at the Center last night. The show is backed by Warners who, one of these days, will convert it into a film.

•

NAT KARSON is receiving compliments for the costumes and settings of "Horse Eats Hat," new PWA show at the Maxine Elliott. His wife, HENRIETTE KAYE, appears in it.

•

JOSEPH SCHRANK, author of "Larger Than Life," is en route to the coast where he will work on the screen version of his play which will have FRANK MCHUGH in the lead.

•

JEAN DAWN SMITH, of Warners' home office advertising department, will be married at noon, Nov. 8, to HY BLAUSTEIN of the company's purchasing department.

•

GERTRUDE LAWRENCE leaves England today on the *Britannic*. On her arrival here she begins rehearsals for the new NOEL COWARD play, "Tonight at 8:30."

•

ARTHUR WILLI, talent scout for Radio, has gone to Baltimore and Washington to catch openings and look for new players.

•

E. L. ALPERSON is due to leave for Hollywood tonight with SIDNEY M. BIDDELL, story editor and talent scout for Grand National.

•

HARRY and MRS. KALMINE, MRS. THOMAS H. INCE, MORT H. SINGER and JOHN H. HILLIARD are at the Warwick.

•

DEZSO SZENES, of Danubia Pictures, Inc., is back from a trip through Hungary, Austria, France and Czechoslovakia.

•

GERTRUDE MICHAEL passed a restful night at Doctor's Hospital yesterday. The star is ill of toxic poisoning.

•

FRED STONE has been called back to the coast by Radio to start work in "Mother Carey's Chickens."

•

ANNE SHIRLEY is confined to quarters at Essex House with an attack of tonsilitis.

•

BOB GILLHAM back from the Paramount studio.

•

BILL PINE is in town from Hollywood.

NICHOLAS M. SCHENCK returned from Chicago yesterday after accompanying his brother, JOSEPH M., westbound, as far the Windy City.

•

. . . Chicago

LIEUT. HARRY COSTELLE, head of the censor board, was married last week to MRS. SARAH LITTLE of Paterson, N. J. They have returned here.

WAYMAN ROBERTSON, soundman with Paramount News, is the father of twins, a boy and a girl.

BRUCE GODSHAW has sold the Arlington. It will be booked by the Gregory Bros. circuit.

ABE TAGUE has bought the Armitage from Bland Bros., and is now operating the house.

FRED WAGNER and BILL HALLWACK are now members of the booking department at Twentieth Century-Fox, replacing GEORGE BENSON and HAROLD WISE, who resigned last week.

MRS. HERB ELISBURG is in the hospital following an emergency appendix operation. She has been in a very serious condition, but latest reports indicate she will recover. ELISBURG is publicity and advertising director of Essaness theatres.

•

. . . Dallas

JAMES OWEN CHERRY, city manager for Interstate, drove up to New York for the World Series. He makes them all. Was accompanied by DAVE PESETZKI, formerly conductor of the Publix.

GEORGE WEEKS, general sales manager for G. B., here to visit his exchange, was king for a day at a Variety club luncheon. Was dubbed Ambassador of Good Will for Texas Centennial by Chief Barker R. J. O'DONNELL.

BEN HILL, space getter for United Artists, swears he hired a bunch of bona fide Indians in Houston a week ago to ballyhoo "The Last of the Mohicans" and had to rehearse them all night on a war dance routine.

•

. . . New Haven

DICK COHEN is the new representative of Gruber premiums in the New Haven territory.

HARRY SHAW'S latest m.c.-ing enterprise is with community singing—to start at the Globe, Bridgeport.

ARTHUR LOCKWOOD is completing a new home in Middletown.

ABE ROSEN is paying the office a flying trip from his home in Miami Beach.

JOSEPH LEIGHTON, JR., has left the Mutual Advertising office to teach at Pawling, N. Y.

ERLE WRIGHT is building the latest in trailers—a boat trailer.

Martini Party Guest

Nino Martini was guest of honor at a cocktail party given by United Artists at the Ambassador yesterday afternoon. About 200 representatives of the trade and daily press and musical circles attended.

Grainger Plans Return

LOS ANGELES, Oct. 1.—J. R. Grainger, having reached a settlement in the product deal between Universal and Golden State circuit, is planning his return to New York. It will probably be Saturday.

Short Subjects

"Night Life of the Bugs"

(Universal)

Oswald, the rabbit, is out camping. In the middle of the night he is aroused by the cry of a queen bug and rescues her from a renegade woodpecker. In gratitude she reduces him to insect-size and shows him a bit of buggy night life. The invention and animation from that point are very effective and have a good measure of novelty. It ends up with Oswald, after resuming his natural size, settling up with the outlaw bird. An entertaining cartoon offering. Production Code Seal No. 2,450. Running time, 8 mins. "G."

"Pardon My Spray"

(Van Beuren-Radio)

An exciting and well made number of the Sports With Bill Corum series. Boats are the subject. With beautiful and ingenious camera work, the subject reveals the thrills and fine points of yacht racing and outboard motorboat competitions. The camera catches all the movement of the shifting of sails, maneuvers and the spills and excitement of the power craft. Fine material and plenty of interest. Definitely a pleasing item. Production Code Seal No. 01,157. Running time, 10 mins. "G."

"Beach Combers"

(Universal)

Oswald goes to the beach and leaves Elmer, his dog, standing guard over his lunch. Mrs. Duck's offspring after a few attempts make off with the basket and take it into the ocean. The dog pursues. Menace in the form of an octopus comes on the scene. Much consternation results with Elmer finally rescuing the ducklings. It makes the grade. Production Code Seal No. 2,266. Running time, 8½ mins. "G."

Wall Street

Short Rises on Board

	High	Low	Close	Net Change
Columbia	41½	40½	41	+ ⅞
Consolidated	4½	4⅜	4½	.....
Consolidated, pfd.	17⅜	17⅜	17⅜	.....
Eastman	170⅛	169½	169½	+ ¼
Gen. T. Equip.	27	26½	26½	+ ¼
Loew's, Inc.	58⅜	57⅞	57⅞	+ ⅜
Paramount	13	12¾	12¾	.....
Paramount 1 pfd.	96	94⅝	96	+2½
Paramount 2 pfd.	12⅝	12⅜	12⅜	+ ⅜
Pathe Film	8	7¼	7⅞	+ ⅛
RKO	7¼	7⅛	7⅛	.....
20th Century-Fox.	31⅛	30¾	30⅞	+ ⅛
20th Century, pfd.	38½	38¼	38½	— ⅛
Warner Bros.	13½	13¼	13¼	.....

Small Curb Losses

	High	Low	Close	Net Change
Grand National	3⅞	3⅞	3⅞	— ⅛
Sonotone	2¼	2	2⅛	.....
Technicolor	26¾	26⅜	26⅜	— ⅝

RKO Bonds Up 2⅛ Points

	High	Low	Close	Net Change
Keith B. F. 6s '46	96	95	95	—1½
Loew's 6s '41 ww deb rights	98⅞	98¾	98⅞	.....
Paramount B'way 3s '55	61½	60⅝	61½	+ ¾
Paramount Pict. 6s '55	98	97⅛	98	+ ½
RKO 6s '41 pp.	86	84	86	+2⅛
Warner Bros. 6s '39 wd	96¾	96¼	96⅜	— ⅛

(Quotations at close of Oct. 1)

"Swing Time" High Grosser On the Coast

Los Angeles, Oct. 1. — "Swing Time," on a dual with "Second Wife," turned in the big money of the week by getting $18,500, which was $10,500 over normal at the Hillstreet, and $19,500 at the Pantages. The latter gross was up by $11,500.

"Give Me Your Heart" did well on a dual with "Bulldog Edition" at the Warner Downtown, but failed to make much of a showing at the Hollywood.

The weather was warm and other grosses were not impressive.

Total first run business was $138,300. Average is $107,900.

Estimated takings for the week ending Sept. 30:

"ANTHONY ADVERSE" (W. B.)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 5 days. **Gross:** $5,100. (Average, $17,000)
"RAMONA" (20th-Fox)
" THE LONGEST NIGHT" (M-G-M)
CHINESE—(2,500), 30c-55c, 7 days. **Gross:** -9,100. (Average, $12,500)
"EVERYTHING IS THUNDER" (G. B.)
4 STAR—(900), 30c-55c, 7 days, 2nd week. **Gross: $1,900. (Average, $3,250)** .....
"GYPSIES" (Amkino)
GRAND INTERN'L—(750), 35c-40c, 7 days, 2nd week. **Gross:** $1,600. (Average, $1,200)
"SWING TIME" (Radio)
"SECOND WIFE" (Radio)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $18,500. (Average, $8,000)
"RAMONA" (20th-Fox)
"THE LONGEST NIGHT" (M-G-M)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $14,000. (Average, $14,000)
"SWING TIME" (Radio)
"SECOND WIFE" (Radio)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $19,500. (Average, $8,000)
"CRAIG'S WIFE" (Col.)
"LADY BE CAREFUL" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: F. & M. revue, Senator Murphy, Rube Wolf and orchestra. **Gross:** $14,000. (Average, $18,000)
"GIVE ME YOUR HEART" (W. B.)
"BULLDOG EDITION" (Republic)
WARNER BROS. (HOLLYWOOD)—(3,000), 25c-65c, 7 days. **Gross:** $11,900. (Average, $14,000)
"GIVE ME YOUR HEART" (W. B.)
"BULLDOG EDITION" (Republic)
WARNER BROS. (DOWNTOWN)—(3,400), 25c-65c, 7 days. **Gross:** $12,700. (Average, $12,000)

M-G-M in Dallas Tieup

Dallas, Oct. 1.—First actual tieup between Hollywood and little theatres started here today as the drama school of the local group began its fall season. M-G-M has agreed to accept one student from the school next spring. Fifty aspirants to film careers have registered for the course.

The agreement was effected by John Rosenfield, critic on the *Morning News*. He took a Centennial beauty winner to Hollywood, Geraldine Robertson, and secured a six-month contract for her.

Joe Oulahan Injured

Cincinnati, Oct. 1.—Joe Oulahan, Paramount manager, was painfully bruised when his auto overturned on a slippery road in the Kentucky mountains. He was returning to Cincinnati from a business trip.

Zanuck Signs Catlett

Hollywood, Oct. 1.—Darryl F. Zanuck has signed Walter Catlett to a term contract for Twentieth Century-Fox. The actor is currently playing in "Banjo on My Knee."

Greenfield Called In Fox Bankruptcy

Atlantic City, Oct. 1.—Albert M. Greenfield, Philadelphia banker and realtor, has been summoned to appear for questioning when the William Fox bankruptcy proceedings are resumed here next Tuesday.

Because Federal Referee Robert E. Steedle under the law could not subpoena a witness from another state, Walter Hanstein, also of this city, one of the creditors' lawyers, took the matter to Judge John Boyd Avis in Federal District Court at Camden. He petitioned Judge Avis to order Greenfield's appearance and this was granted.

The creditors' counsel wish to question Greenfield about dealings in which, according to earlier testimony, Greenfield acted for Fox in some stock purchases.

The customary Thursday hearing was not held today because of a religious holiday.

Set Joint Operation Of Louisville House

Louisville, Oct. 1.—The Fourth Avenue Amusement Co. and Loew's are jointly operating the Brown here, just reopened after having been closed since last May. Dale Houston is manager.

J. Graham Brown, owner of the Brown Hotel and the theatre, remodeled the house completely, while the two companies are furnishing product. Loew's has the local franchise on M-G-M, Columbia and United Artists product, while Fourth Avenue has Universal, Twentieth Century-Fox, Radio and Paramount. The Brown will be used as an outlet for surplus product and for holdovers which are not quite strong enough for a second week at Loew's State or the Rialto, each seating 3,000.

Goetz Has Celebration

Cincinnati, Oct. 1.—Joe Goetz, manager of the RKO Paramount, deluxe neighborhood, staged an elaborate celebration for the theatre's fifth anniversary. The Mayor, Rabbi James G. Heller, Rev. W. P. O'Connor, Rev. H. Gradison Hill, RKO officials and film editors were on the welcoming line. Refreshments were served in the lobby.

The affair assumed proportions of a civic event, and was accorded liberal space in the dailies, accompanied by Goetz's picture.

Briskin Schedules Eight

Hollywood, Oct. 1. — Samuel J. Briskin has scheduled eight pictures for October at Radio. This will be the third consecutive month in which eight pictures have been launched at that studio. Those to start are: "Criminal Lawyer," "Mother Carey's Chickens," "They Wanted to Marry," "We, the Jury," "Michael Strogoff," "Miss Custom's Agent" and "Coast Patrol."

Try Cut Rate Tickets

Cincinnati, Oct. 1. — What is equivalent to a price reduction from the established 42-cent rate, including tax, at the Mayfair, independent, playing foreign product, is the sale of patrons' tickets offered at $2 for six admissions. The tickets are good for any show at any time.

Aboriginal S. A.

Cincinnati, Oct. 1.—Whether the exhibitor from a nearby small town was deficient in his enunciation, or thought he was booking an Indian sex picture, is not known. The fact remains, however, that said exhibitor, when visiting local exchanges, mentioned that he would play "The Lust of the Mohicans."

Hollywood's Press List Drops to 254

Hollywood, Oct. 1.—A total of 254 accredited Hollywood press correspondents are listed in the new Producers' Assn. roster which will be mailed out to studios within the next few days. The new figures show a definite cut in the ranks of the accredited press which numbered 293 at the end of last July when the last listing was compiled.

During July the list jumped from 263 to 293.

Of the new list, 48 are members of the foreign press and the balance from free lance magazine, trade and wire services.

St. Louis Auction Set

St. Louis, Oct. 1.—Assets of Skouras Bros. Enterprises will be sold Oct. 22 on the Civil Courthouse steps, and separate bids will be received on over 52 per cent of the stock of the St. Louis Amusement Co. by Nelson Cunliff, trustee in bankruptcy.

Independent Product Is Gaining—Johnston

Increase in the number and cost of independent productions with the utilization of current events as story themes is predicted for the near future by W. Ray Johnston, president of Monogram.

"I am convinced," said Johnston, "that the independent has a certain advantage over the large producer in that he can utilize the flexibility and rapidity of his production methods to keep in step with world developments and offer to the public topics of interest such as the strife in Spain, the rise of Fascist groups or national elections while they are still of absorbing interest to everyone."

Johnston feels that the market outlook today is favorable to independent production and adds that the increase in that direction will raise standards generally by "stimulating a wholesome rivalry."

Lou Rogers Working On Series of Films

Lou Rogers is preparing a series of pictures for state right release, the first to be "The Comeback" featuring Max Schmeling. Sam Taub makes the radio announcements while fight comments are handled by Benny Leonard.

Exhibitor Is Candidate

Littleton, N. H., Oct. 1.—Jack Aemes, veteran exhibitor and theatre circuit head in New Hampshire, has tossed his hat into the political ring and will run for state senator from the north New Hampshire district.

CRITICS HAIL FRED SCOTT
IN SPECTRUM'S NEW MUSICAL WESTERN
ROMANCE RIDES THE RANGE
A CALLAGHAN-BUELL PRODUCTION

HERE'S WHAT THEY SAY!

Film Daily —NICELY PRODUCED MUSICAL WESTERN WITH ENTERTAINING STORY AND INTERESTING ACTING AND ACTION . . . Audiences liking clean-cut yarns of ranch life will enjoy this feature whose story gives Fred Scott, singing western star, ample opportunity to show vocal, pugilistic and riding skill.

Motion Picture Herald—Scott has a good voice and an agreeable personality, auguring well for favor with western adherents, as this is the first of a series of six productions starring him.

Box Office —In addition to a pleasing romance, some fast riding and several most realistic set-tos, this first western in a new series follows the present popular trend by providing two spots for the handsome young star, Fred Scott, to display his baritone voice to advantage.

Hollywood Reporter—FRED SCOTT OKAY AS WESTERN STAR . . . He speaks his lines and rides a horse well and is a good mixer in the rough and tumble fisticuffs which are an essential part of these opuses . . . This leads to a goodly amount of six-shooting, fast riding, plenty of acrobatic fist fights, plus a number of songs.

Showmen's Trade Review—Good performances by Scott, Marion Shilling and Cliff Nazarro and some excellent baritone singing by Scott. Film is paced swiftly and goes places in a hurry . . . Plenty of riding and shooting and interesting horse "White King."

Motion Picture Daily—Scott's voice is good, the song numbers are effective.

Film Curb—Plenty of fights, hard-riding, gunplay and a bit of romance . . Scott has a pleasing voice and there are two rather catchy numbers.

SERIES of SIX
SPECTRUM PICTURES MUSICAL WESTERNS
DISTRIBUTED BY KEY CITY EXCHANGES
SPECTRUM PICTURES CORP. 729 SEVENTH AV. N.Y.C.

Mexico Plans Import Rules As State Aid

By JAMES LOCKHART

MEXICO CITY, Sept. 28.—Additional state aid for Mexican producers is embodied in a measure drafted by the Ministry of Finance and submitted to a special committee for consideration. The measure is admittedly designed to give the Mexican producers the chance they must have if they are to survive in the face of the overwhelming competition of foreign product.

Under the terms of the proposal Mexican and foreign distributors would be limited in imports to the equivalent of 20 features a year for each firm. Further, no other foreign distributors will be registered, no one firm is to be permitted to represent more than one producer under a single authorization, and a system of interchange would be established, whereby distributors of foreign product must handle at least one domestic film for every five or six imported, assuring exhibitors of the domestic film on an identical basis with that of the imported product.

When the committee has rendered its decision on the measure, the ministry will act to make it a law. The Government recently exempted Mexican producers from the payment of income tax on the proceeds of their product.

* * *

The Mexican operators of a local theatre are planning a court test of the application of a presidential decree of last year exempting theatres from paying the municipal land tax if they give performances of a cultural nature. The suit will seek an injunction to restrain the local treasury department from collecting 12,000 pesos it claims as land tax on the theatre. The city attorney contends the decree applies only to legitimate theatres, and that the operators are operating entirely as a film house, and therefore are not entitled to the exemption.

* * *

A deal has been completed whereby the domestic product of Cinematografica Latino Americana, S. A., one of the most important native producers, will be distributed in Czechoslovakia. Features and shorts are included. The deal was aided by both Governments, which are seeking to stimulate mutual trade relations.

* * *

Unnamed producers, said to be from Hollywood, are planning the establishment of studios in Southern California for the production of pictures in Spanish for the Mexican and Central American markets, according to reports.

Signs H. B. Warner

LONDON, Sept. 21.—H. B. Warner has been signed to play the part of a British consul in the Herbert Wilcox sea story, "The Navy Eternal."

Schach Buys Ward Novel

LONDON, Sept. 21.—Max Schach of Capital has bought "George Lovelace, Tolpuddle Martyr," highly praised book by Peter Eben Ward.

Drastic Film Import Rules Up in Austria

By HANS LORANT

VIENNA, Sept. 24 (*Via Hindenburg*).—Complete new import regulations for films with regulations both as to price to be paid and the number of films that can be brought in during a year are proposed to the Government by a committee of producers, distributors and exhibitors.

The regulations are drastic and are intended as a basis of negotiation. The object, it is stated, is to reduce competition.

Under the terms of the proposal a committee representing all branches of the industry would be named to submit recommendations for the Minister of Commerce, who would be authorized to reject a film proposed for import and have final jurisdiction on other details.

Full details would be necessary on each film—casts, name of the firm owning the world rights, author, composer, etc., total production expense, how much the Austrian distributor has to pay for the rights, either flat rental or percentage, and the terms of the payments.

The committee would be authorized to bar the importation of a film where the terms are considered too high, and no other firm would be allowed to import it for six months after rejection, even though the terms had been revised downward.

Austrian branches of foreign firms would be allowed to import films without approval if no advance payment is required and no percentage guaranteed, but permission can be refused if the committee feels the distributors' expenses would be greater than the prospective receipts.

At the beginning of every season, the committee, under the proposed plan, would fix the number of imports to be allowed. Licenses would not be transferable, if a distributor failed to use up all his licenses. New firms' permits would be based on their financial resources.

Backers of the plan feel that prices paid to foreign firms would be completely regulated and that competition will be limited.

* * *

"Showings of "The Great Ziegfeld" and "Romeo and Juliet" at the Salzburg Festival were so successful that Felix Bernstein, M-G-M manager here, believes outstanding films should be made a part of the official program each year, he says.

Premieres at the festival would benefit the industry at large, he contends. His idea is that the pick of the new releases each year should be submitted to an official committee, with the understanding that the names of rejected films should be kept secret to protect distributors.

* * *

"The Trail of the Lonesome Pine" has been released in several Vienna houses. The picture is doing good business and critics agree that it is a technical advance over "Becky Sharp."

* * *

The Hungarian censors have barred "Thunder in the Night," a Twentieth Century-Fox picture based on the stage play, "A Woman Is Lying" by Laszle Feder, noted Hungarian playwright. The play ran for several weeks without objection from the authorities.

* * *

Gangster films, formerly confined to neighborhood houses, have achieved a new popularity here, and the fashionable Kreuzkino has been showing thrillers for several months. The two big hits of recent weeks have been "Chicago Gangster" and "Prisoner of Shark Island."

* * *

Willy Forst's new picture, "Burgthester," is nearly complete. It has been sold in England and will be shown at the Academy, London.

* * *

Gloria has started a new film at the Tobis-Rosenhuegel studios called "Flowers from Nice" with Erns Sack in the leading male role.

* * *

Jan Kiepura's "Opernring," produced by Gloria, won a gold medal at the Biennale in Venice.

A Day's Work

Kansas City, Oct. 1.—John McManus, manager of Loew's Midland, had a rather long day on duty last Saturday. The theatre opened at 8:30 A. M. in preparation for a Mickey Mouse birthday show for children, beginning at 9:30. Approximately 300 adults and 900 children braved the rain. At midnight the late show went on, and lasted until after 3:00 A. M. Sunday morning, more than 18½ hours later.

Scophony Reveals Its Television Expenses

LONDON, Sept. 19.—First report of Scophony, Ltd., covering the period from April, 1935 to March, 1936, reveals that this television development company spent £21,704 on "technical development of inventions." Formed as a private company with an issued capital of £140,000 in £1 shares, Scophony became a public company on June 4, the £1 shares being divided into four 5/- shares and the nominal capital increased to £300,000. There was an issue of 640,000 of the shares of new denomination. In July, 140,000 shares were offered at a premium of 50 per cent and were all taken up. The directors of Scophony, Ltd., in addition to S. Sagall, the technical expert, are Sir Maurice Bonham-Carter, financier; Oscar Deutsch, managing director of the Odeon circuit; Arthur Levey, American film executive, and E. J. Wyborn. They are at present working without remuneration. Some time ago Scophony, Ltd., claimed that it had perfected television to the point at which projection of a theatre size picture was practicable.

Soviet Reels in Canada

TORONTO, Oct. 1.—Soviet newsreels will be introduced into Canada by Cosmopolitan Films, Ltd., here, distributors for Amkino. The reels will be released at the rate of one a month, according to L. Clavir, manager.

New Enterprises

The following companies have been incorporated recently:

At Albany:

Nova-Cine Products, Inc., New York, exhibition, by Allan Alper, Jules E. Perlman, Jacob Goodman.

Nepenthe Corp., New York, exhibition, by Jane Brown, Emily Powers, Margaret C. Cowley.

Remblond Amusement Enterprises, Inc., Brooklyn, exhibition, by Sidney H. Rosen, Henrietta Kutcher, Ann Cohen.

Schine Lexington Corp., Gloversville, exhibition, by Julius M. Collins, Georgette Levy, Sadie Pearl.

Hastings Theatres, Inc., New York, exhibition, by Jerry F. Goldstein, Madelyn Goldstein, Samuel Zinner.

The 55th St. Playhouse, Inc., New York, exhibition, by Sigmund Gottlober, Irving E. Meller, Elias Lieberman, Bernard L. Neumark, Rose Richmond.

Equity Capital Corp., New York, film laboratory, by Alexander Cooper, Harold J. Sherman, Martha Harris.

In Virginia:

Petersburg Theatres, Inc., Petersburg, exhibition, by Herman Rubin.

In Texas:

Yoakum Theatres, Inc., Yoakum, exhibition, by Mart Cole and others.

In Kentucky:

Walnut Theatres Corp., Louisville, exhibition, by Dudley Williston, Louise H. Williston, A. Edward Campbell.

McCarey Off "Coast"

HOLLYWOOD, Oct. 1. — Because Paramount has set back the start of "Coast to Coast" for two weeks, Ray McCarey, who was announced as director, has been taken off the picture and put on "One Man's Bonus" instead. The latter is ready for the cameras now. Edward Everett Horton, Margaret Seddon and Margaret McWade head the cast.

Named Warfield Manager

SAN FRANCISCO, Oct. 1.—Sam Peckman, former assistant manager, has been named manager of the F. W. C. Warfield here. Peckman replaces Herman Kresken, who took over the 5,000-seat Fox when it was returned to F. W. C. management. Wallace Lane, Warfield treasurer, was promoted to Peckman's post.

Joins M-G-M in Seattle

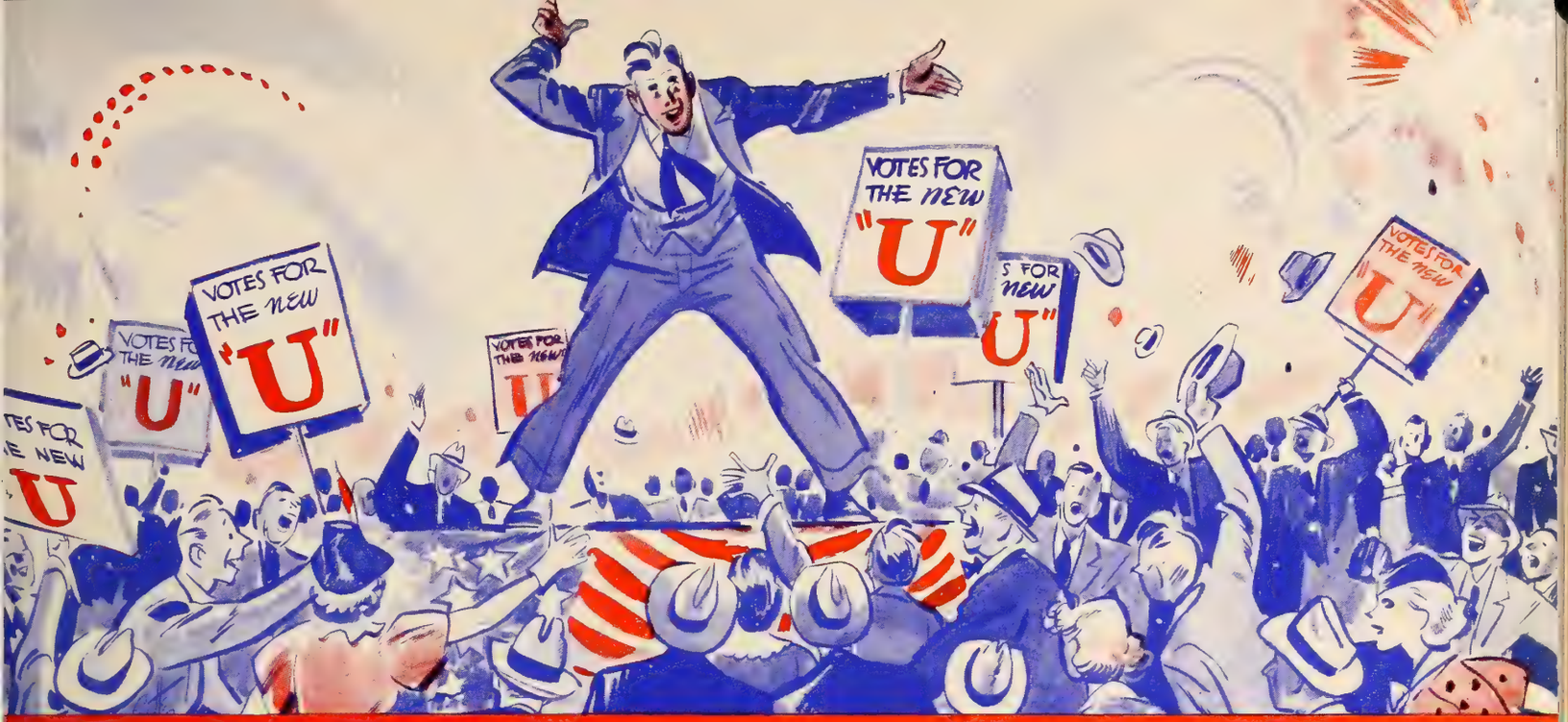
SEATTLE, Oct. 1.—Joseph Comer, formerly with M-G-M in Salt Lake City, has been appointed office manager of the local M-G-M. exchange. Butch Wingham, branch head, staged a dinner at the Northwest Film Club headquarters for Comer.

Firms Shift Securities

ALBANY, Oct. 1. — Audio Color M. P. Corp., New York, has changed its capital stock classification to $350,000 in 12,000 shares of $25 par preferred and 50,000 $1 par common shares. Precision Film Laboratories. Inc., New York, has changed its preferred classification to 400 shares of $100 par from 4,000 shares at $10 par.

A. C. Wooten Transferred

KANSAS CITY, Oct. 1. — A. C. Wooten, former manager of the State, Glen W. Dickinson's theatre at Larned, Kan., has been shifted to the managerial post at the Booth, Independence, Kan.



EXHIBITORS ARE HAPPY AGAIN!

The *new* Universal has shown Mr. Prosperity how to turn that corner! Mr. Prosperity's full name is "My Man Godfrey" and he is only the first plank of the *new* Universal platform . . . so strike up the band! Turn the pages and see why the election of the *new* Universal is in the bag!





EDMUND LOWE
GLORIA STUART
in
"THE GIRL ON THE FRONT PAGE"
with **REGINALD OWEN**

David Oliver, Spring Byington, Gilbert Emery, Robert Gleckler, Clifford Jones, Maxine Reiner.

Directed by Harry Beaumont



THE GLAMOROUS NEW PERSONALITY
DORIS NOLAN
in
"THE MAN I MARRY"
with
MICHAEL WHALEN

Charles 'Chic' Sale, Nigel Bruce, Skeets Gallagher, Marjorie Gateson, Cliff Edwards, Gerald Oliver Smith.

Directed by Ralph Murphy





IRENE DUNNE
in
"MME. CURIE"

From the novel that will soon make reader history — by Eve Curie





VICTOR McLAGLEN
in "THE MAGNIFICENT BRUTE"
with
BINNIE BARNES
JEAN DIXON
WILLIAM HALL

Ann Preston, Henry Armetta, Edward Norris, Billy Burrud, Charles Wilson, Selmer Jackson, Ray Brown, Zeni Vatori, Etta McDaniel.

Directed by John G. Blystone

From the mighty Liberty Magazine story, "Big," by Owen Francis





JOAN BENNETT
JOEL McCREA
in
"TWO IN A CROWD"

with Henry Armetta, Alison Skipworth, Nat Pendleton, Reginald Denny, Billy Burrud, Andy Clyde, Elisha Cook, Jr., Donald Meek, John Hamilton, Bradley Page, Douglas Wood.

Directed by Alfred E. Green



"A Holdover in Every Theatre! An Extended Run in Every House!" "My Man Godfrey" started it and that's the new Universal Success Slogan!

CHARLES R. ROGERS, Executive Producer

IT'S A LANDSLIDE!





DORIS NOLAN Universal's Great Starring Sensation, *in* "TOP OF THE TOWN"

The highest peak in glorious entertainment . . . with

DEANNA DURBIN, GERTRUDE NIESEN
JACK SMART, ELLA LOGAN, CHARLES WINNINGER,
HUGH HERBERT, LESTER ALLEN, GERALD O. SMITH,
PEGGY RYAN, EDGAR KENNEDY

Directed by Walter Lang





"FLYING HOSTESS"

with

WILLIAM GARGAN, JUDITH BARRETT
WILLIAM HALL, ELLA LOGAN
ASTRID ALLWYN, ANDY DEVINE, ADDISON RANDALL
MARLA SHELTON, MICHAEL LORING

From the first-time-told Liberty Magazine story, "Sky Fever," by George Sayre

Directed by Murray Roth





JANE WYATT and LOUIS HAYWARD in "LUCKIEST GIRL IN THE WORLD"

with **NAT PENDLETON, EUGENE PALLETTE and PHILIP REED**

From the tremendously popular Ladies' Home Journal magazine story,
"Kitchen Privileges," by Anne Jordan

Directed by Eddie Buzzell



The ballot boxes are over-flowing with contracts!

Where the new

Universal Pictures

go . . . . there

goes the Nation!













THREE SMART GIRLS

with **BINNIE BARNES**

RAY MILLAND, DEANNA DURBIN

ALICE BRADY, CHARLES WINNINGER, JOHN KING

BARBARA REID, NAN GREY, MISCHA AUER, HOBART CAVANAUGH, ERNEST COSSART, LUCILLE WATSON.

Directed by Henry Koster

•

LOVE LETTERS OF A STAR

From the startling Cosmopolitan Magazine story, "Case of the Constant God," by Rufus King

with

HENRY HUNTER, POLLY ROWLES, HOBART CAVANAUGH, WALTER COY, C. HENRY GORDON, ALMA KRUGER, HALLIWELL HOBBS, SAMUEL HINDS, RALPH FORBES and VIRGINIA BRISSAC.

Directed by Milton Carruth and Lewis R. Foster

•

The great A. A. Milne's most fascinating and most charming of all his love stories!

FOUR DAYS' WONDER

with **JEANNE DANTE**

(Universal's Newest Star Discovery!)

Kenneth Howell, Martha Sleeper, Alan Mowbray, Walter Catlett, Charles Williams, Margaret Irving, Murray Kinnell, Spencer Charters, Rollo Lloyd.

Directed by Sidney Salkow

CHARLES R. ROGERS EXECUTIVE PRODUCER

EVERYBODY

Three cheers for the White and the Blue!

(Because the New Universal is taking the

Red

out of America's box offices)



Extension Of School Films Use Planned

There are only 10,097 projectors now serving 17,000,000 school pupils, according to the findings of the Government and the American Council on Education, and a Federal grant is being considered to widen the use of films in education, it is said in an article in *Motion Picture Herald*.

The anticipation of such extension is seen as opening the way for large potential profits for the industry in a field which is not considered direct competition with established theatrical exhibition.

Last January, the *Herald* says, the Office of Education of the Dep't of the Interior, headed by John W. Studebaker, began a study of the situation now and its future possibilities, with the cooperation of the American Council on Education, of which George F. Zook is president. A questionnaire was addressed to all superintendents of schools in every city with a population exceeding 5,000. Requested was information on the frequency of use of audio-visual aids to teaching, a list of equipment owned, and the problems attendant upon a visual education program.

Purchase Plan Needed

A total of 9,000 replies were received, representative of nearly 17,000,000 pupils in 83,000 grade and high schools.

The questionnaire indicated 10,097 projectors in use, 27,573 slides and 12,342 radios, showing a ratio of 620 pupils per slide, 1,683 pupils per projector and 1,277 pupils per radio.

The greatest need expressed was for some plan permitting the purchase of equipment, with the assistance of a Federal agency. The educators are seeking reduced prices and time payments, and the assurance that the equipment will be standard in quality and size. Inspection and certification by the U. S. Bureau of Standards are seen as possible, and desirable, through a Federal purchase plan, the Government unit and Education Council pointed out.

Films Recommended to Students

The council has compiled an index of all available educational films, and will turn its attention to new sources of production of such material. The report points out that already approximately 4,500,000 American students are being urged to see selected films.

The survey indicated that films are used more extensively in the teaching of science than in any other subject, with travel and geographical material ranking next, followed by historical films.

C. M. Moon of the Dep't of the Interior declared: "Close collaboration of educators, producers and Government officials is needed if the vast potentialities of the educational film are to be developed."

W. D. Yaekle Recovering

MIDDLETON, O., Oct. 1.—William D. Yaekle, assistant manager of Paramount, is recovering in the Middletown Hospital from an operation.

Late September Key Takes Off Sharply to $1,744,332

Comparative grosses for the last available period:

	Week Ending Sept. 25-26		Week Ending Sept. 18-19	
	No. Theatres	Gross	No. Theatres	Gross
Boston	8	109,000	8	87,500
Buffalo	5	55,300	5	53,400
Chicago	9	163,500	9	164,200
Cincinnati	8	58,600	8	65,850
Cleveland	5	70,000	6	63,500
Denver	7	42,000	7	37,000
Detroit	5	60,600	5	66,800
Houston	4	31,500	4	24,300
Indianapolis	4	32,000	4	28,700
Kansas City	5	46,700	5	42,600
Lincoln	5	10,000	5	10,500
Los Angeles	10	93,800	9	106,600
Louisville	6	24,000	6	22,300
Milwaukee	5	29,100	4	29,300
Minneapolis	5	35,250	5	29,900
Montreal	5	51,500	5	47,500
New Haven	4	21,200	4	26,600
New York	9	341,182	9	303,350
Oklahoma City	4	17,500	4	13,900
Omaha	3	19,200	3	21,900
Philadelphia	10	88,100	10	101,000
Pittsburgh	5	46,900	6	56,200
Portland	6	34,700	6	35,000
Providence	5	55,600	5	44,100
San Francisco	10	108,000	10	124,400
St. Louis	6	70,700	6	67,500
St. Paul	4	14,500	3	16,500
Seattle	7	39,600	7	39,450
Washington	8	74,300	8	76,500
	177	$1,744,332	176	$1,806,350

Key city grosses from November to the week ending Sept. 11-12:

	No. Theatres	Gross
Nov. 14-15	173	1,722,305
Nov. 21-22	181	1,578,550
Nov. 28-29	181	1,593,860
Dec. 5-6	183	1,766,910
Dec. 12-13	180	1,434,785
Dec. 19-20	171	1,321,385
Dec. 26-27	175	1,228,199
Jan. 2-3	179	1,918,729
Jan. 9-10	179	1,901,455
Jan. 16-17	176	1,722,400
Jan. 23-24	173	1,539,065
Jan. 30-31	177	1,515,300
Feb. 6-7	168	1,591,350
Feb. 13-14	174	1,680,180
Feb. 20-21	175	1,558,185
Feb. 27-28	178	1,777,650
Mar. 5-6	179	1,689,550
Mar. 12-13	181	1,761,547
Mar. 19-20	174	1,502,583
Mar. 26-27	172	1,521,800
Apr. 2-3	174	1,373,875
Apr. 9-10	177	1,354,624
Apr. 16-17	180	1,732,100
Apr. 23-24	179	1,703,822
Apr. 30-May 1	186	1,583,945
May 7-8	182	1,565,050
May 15-16	169	1,432,569
May 22-23	170	1,441,980
May 29-30	169	1,379,250
June 5-6	165	1,458,666
June 12-13	166	1,357,750
June 19-20	160	1,349,200
June 26-27	165	1,376,208
July 3-4	168	1,557,696
July 10-11	169	1,431,650
July 17-18	165	1,357,200
July 24-25	165	1,426,153
July 31-Aug. 1	166	1,468,800
Aug. 7-8	169	1,518,011
Aug. 14-15	166	1,550,120
Aug. 21-22	162	1,559,350
Aug. 28-29	160	1,532,319
Sept. 4-5	163	1,747,748
Sept. 11-12	173	2,090,144
Sept. 18-19	176	1,806,350
Sept. 25-26	177	1,744,332

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Cincinnati Reports New Business Gains

CINCINNATI, Oct. 1.—Additional evidence of improved local conditions is contained in the monthly report of the Chamber of Commerce, which shows bank clearings in August were $34,116,352 greater than in August of last year. There were 18,364 more railroad cars interchanged and employment in 18 industries gained 103 per cent in the same period.

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACT OF CONGRESS OF AUGUST 24, 1912 AND MARCH 3, 1933

Of MOTION PICTURE DAILY, published daily except Sunday at New York, N. Y., for October 1, 1936.

State of New York } ss.
County of New York }

Before me, a Notary Public in and for the State and county aforesaid, personally appeared Theodore J. Sullivan, who, having been duly sworn according to law, deposes and says that he is the Business Manager of the MOTION PICTURE DAILY and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management (and if a daily paper, the circulation), etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, as amended by the Act of March 3, 1933, embodied in section 537, Postal Laws and Regulations, printed on the reverse of this form, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business manager are:

Publisher and Editor-in-Chief — Martin Quigley, 1270 6th Ave., New York, N. Y.

Editor—Maurice Kann, 1270 6th Ave., New York, N. Y.

Managing Editor—J. M. Jerauld, 1270 6th Ave., New York, N. Y.

Business Manager—Theodore J. Sullivan, 1270 6th Ave., New York, N. Y.

2. That the owner is: (If owned by a corporation, its name and address must be stated and also immediately thereunder the names and addresses of stockholders owning or holding one per cent or more of total amount of stock. If not owned by a corporation, the names and addresses of the individual owners must be given. If owned by a firm, company, or other unincorporated concern, its name and address, as well as those of each individual member, must be given.)

Quigley Publishing Company, Inc., 1270 6th Ave., New York, N. Y.

Martin Quigley, 1270 6th Ave., New York, N. Y.

Colvin Brown, 1270 6th Ave., New York, N. Y.

Gertrude S. Quigley, 1270 6th Ave., New York, N. Y.

3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent or more of total amount of bonds, mortgages, or other securities are: (If there are none, so state.)

None.

4. That the two paragraphs next above, giving the names of the owners, stockholders, and security holders, if any, contain not only the list of stockholders and security holders as they appear upon the books of the company, but also, in cases where the stockholder or security holder appears upon the books of the company as trustee or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of a bona fide owner; and this affiant has no reason to believe that any other person, association, or corporation has any interest direct or indirect in the said stock bonds, or other securities than as so stated by him.

5. That the average number of copies of each issue of this publication sold or distributed, through the mails or otherwise, to paid subscribers during the twelve months preceding the date shown above is 5,431. (This information is required from daily publications only.)

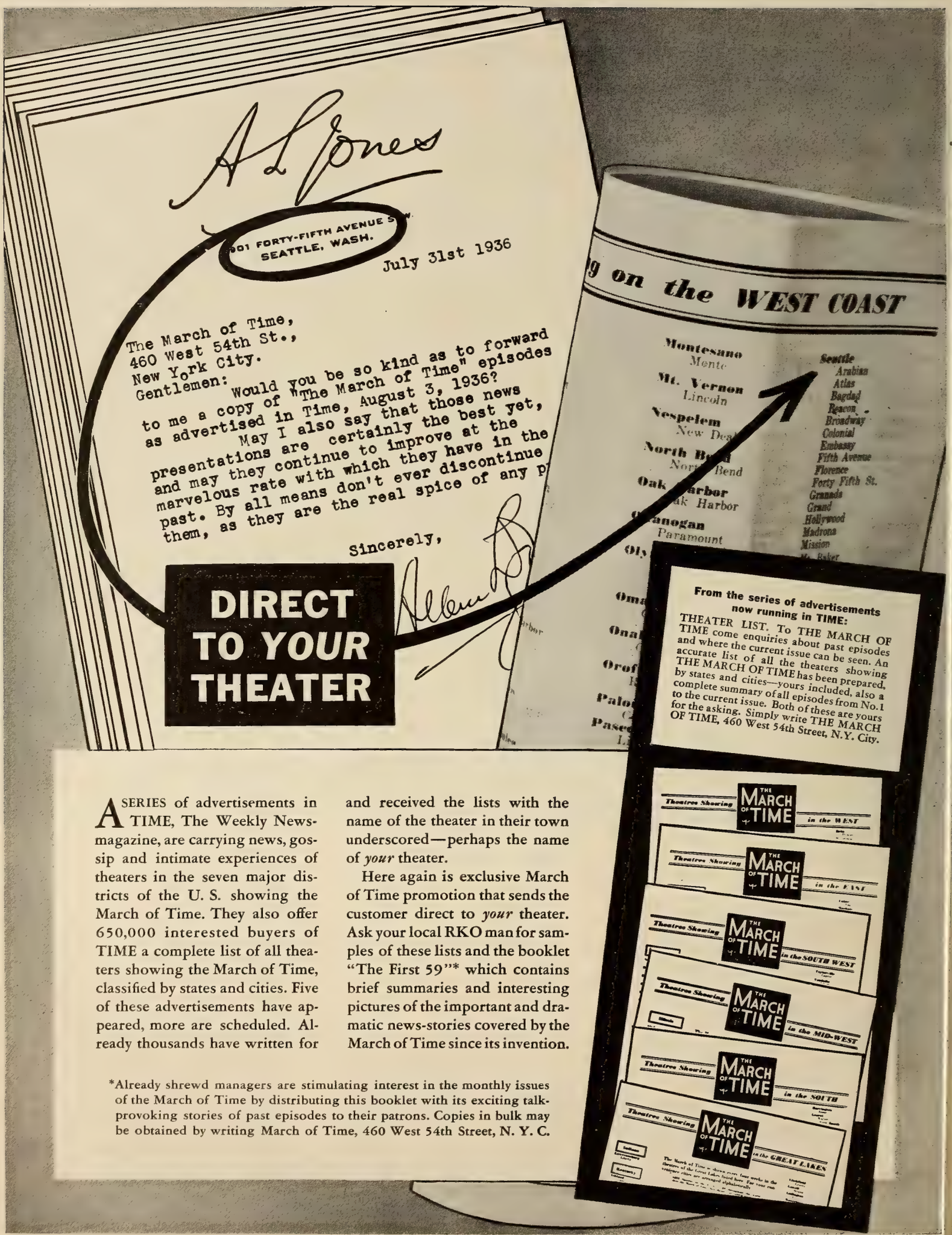
THEODORE J. SULLIVAN,
Business Manager.

Sworn to and subscribed before me this 1st day of October, 1936.

(SEAL)

ANNA MILBERT.

(My commission expires March 30, 1938)



A SERIES of advertisements in TIME, The Weekly Newsmagazine, are carrying news, gossip and intimate experiences of theaters in the seven major districts of the U. S. showing the March of Time. They also offer 650,000 interested buyers of TIME a complete list of all theaters showing the March of Time, classified by states and cities. Five of these advertisements have appeared, more are scheduled. Already thousands have written for and received the lists with the name of the theater in their town underscored—perhaps the name of *your* theater.

Here again is exclusive March of Time promotion that sends the customer direct to *your* theater. Ask your local RKO man for samples of these lists and the booklet "The First 59"* which contains brief summaries and interesting pictures of the important and dramatic news-stories covered by the March of Time since its invention.

*Already shrewd managers are stimulating interest in the monthly issues of the March of Time by distributing this booklet with its exciting talk-provoking stories of past episodes to their patrons. Copies in bulk may be obtained by writing March of Time, 460 West 54th Street, N. Y. C.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 80 NEW YORK, SATURDAY, OCTOBER 3, 1936 TEN CENTS

Deal Is Not Terminated Despite Setback--Schenck

More Delays In Sight for MPTOA Talks

Several Sales Heads Out Of Town or Leaving

Further delays in bringing about a showdown on M.P.T.O.A.'s 10-point trade practice program appeared inevitable yesterday and indications are slight that any decisive action on the part of all major distributors can be had next week.

Ed Kuykendall, M.P.T.O.A. president, arrives from Philadelphia today to press for further action on the program. He conferred yesterday with Lewen Pizor of Philadelphia and O. C. Lam of Rome, Ga., both members of the exhibitor organization's trade practice committee, and will spend the early part of next week conferring with other M.P.T.O.A. officers here, such as Walter Vincent and Frank C. Walker.

No arrangements for meetings with sales heads of the large distribution companies have been made by the M.P.T.O.A. officials for next week and several days may be required before any appreciable number of such meetings can be set. Moreover, John D. Clark, Twentieth Century-Fox sales head, left last night for the coast on a trip of several weeks' duration; Neil F. Agnew, Paramount distribution chief, is planning a trip to the coast, and James R. Grainger, Universal general sales manager, is not expected

(*Continued on page 4*)

Warners Ask Detail In Plagiarism Suit

A motion was made in N. Y. Supreme Court yesterday on behalf of Warners asking a bill of particulars in the suit for $1,000,000 brought by Ferdinand Voteur charging plagiarism. The Intrastate Theatre Corp. was named as a co-defendant.

The plaintiff claimed that prior to January, 1935, he wrote a dramatic work, titled "Resurrection Morning," which he sent to Warners. It was returned after many weeks, he declared,

(*Continued on page 4*)

Deutsch Invades the West End of London

LONDON, Oct. 2.—Oscar Deutsch, head of the Odeon Circuit, probably England's fastest growing chain, will invade the West End of London with acquisition of the Alhambra in Leicester Square. He plans to rebuild it into a deluxe theatre.

Roxy Pays 20th-Fox $62,000 on 2 Films

Film rental paid by the Roxy to Twentieth Century-Fox on two pictures, "Girls' Dormitory" and "Sing, Baby, Sing," totaled $62,000. The first picture was held for two weeks, for which the distributor received $28,500; the second, which wound up a three-week run Thursday night, netted Twentieth Century-Fox $33,500. The gross business for the third week was $36,365.

In both instances the Roxy pulled the pictures, which could have played another week, and waived protection so that RKO and independent circuits in Greater New York could get bookings. The withdrawals were effected in a spirit of cooperation, according to the theatre management, as the Roxy has no circuit or any distributing affiliation.

A similar occurrence took place about 10 days ago when the Paramount yanked "The General Died at Dawn" after it had garnered $36,600

(*Continued on page 3*)

20th-Fox to Stress Multiple Star Casts

HOLLYWOOD, Oct. 2.—Multiple star casts are being stressed by Twentieth Century-Fox in the lining up of talent for "Seventh Heaven," "Wife, Nurse and Doctor" and "The Last Slaver."

Tentatively scheduled for "Seventh Heaven" are Simone Simon and Robert Taylor; for "The Last Slaver," Wallace Beery, Franchot Tone, Loretta Young, and Clark Gable; for "Wife, Nurse and Doctor," Myrna Loy and Warner Baxter.

Dualing Clause Not Restraint, Is Claim

The contention that the use of the anti-double feature clause in exhibition contracts involves no restraint on interstate commerce will be argued by distributors for the first time next week, when a rehearing of the Perelman case attacking the validity of the clauses is held before the U. S. Circuit Court of Appeals in the city of Philadelphia.

The Federal court reconvenes on Monday and indications are that the duals case, which is tenth on the court's calendar, will be reached on Tuesday.

The rehearing was granted to distributors on their plea that the court had misconceived some of the testimony and had been guided in part by other testimony which was either incompetent or improper.

The circuit court found that there was conspiracy among distributors to use the anti-double feature clause, which, unless reversed as a result of the rehearing, would invalidate the

(*Continued on page 4*)

Rodgers Says M-G-M Will Not Quit Ross

Reports M-G-M would break away from Ross Federal Checking Service and branch out with its own checkers were denied yesterday by William F. Rodgers, general sales manager.

The company is now "experimenting" in two spots with its own men on certain ideas it has in mind, Rodgers said. The territories are New York and Boston, where checkers have been working three weeks on a plan which,

(*Continued on page 4*)

Hits Consideration by Ostrers of Maxwell Bid for G. B.

HOLLYWOOD, Oct. 2.—Joseph M. Schenck, chairman of the board of Twentieth Century-Fox, emphatically stated upon his arrival here today that negotiations have not been terminated in the G. B.-Twentieth Century-Fox-M-G-M deal. Schenck, in a sarcastic vein, hit at the Ostrers for their consideration of a competitive bid from a source believed to be John Maxwell, of British International, with the statement that the same opposition concern had offered £1,750,000 for the interest of Twentieth Century-Fox in G. B. But, said Schenck, "we refused, feeling that we had committed ourselves to go through with the original deal."

Schenck said that Isidore Ostrer told him that his (Ostrer's) brother felt that the competitive corcern's offer should be considered inasmuch as they made the higher bid. However, said Schenck, since Twentieth Century-Fox has initialed the final papers, it is ready to carry out the terms of the agreement.

Sidney R. Kent, president of Twentieth Century-Fox, will remain in London to continue negotiations. Schenck will remain here until March

(*Continued on page 4*)

Stanley Revives Its "Early Bird" Price

PITTSBURGH, Oct. 2.—After four weeks at a considerably higher admission, the Stanley here has returned to its regular early bird price of 25 cents, with the opening of "Stage Struck." During the last month, the scale has been 35 cents from opening to 6 P.M., and then 50 cents. The evening price, a 10-cent increase over the scale in effect here for the last year remains, however. The 25-cent

(*Continued on page 4*)

Briefs Set for FWC Bankruptcy Hearing

LOS ANGELES, Oct. 2.—T. L. Talley, through his attorney, Col. William H. Neblett, will file a brief in the San Francisco Circuit Court of Appeals next week in the Fox West Coast bankruptcy rehearing case. Fox West Coast counsel will then have 30 days

(*Continued on page 4*)

Watching 'Adverse' Charts Keeps Warner Men Enthused

By SHERWIN A. KANE

When the sales and publicity departments over at Warners get to talking of "Anthony Adverse" (and when don't they?), they make frequent references to two long lists of figures. One is a chart of the picture's grosses and the other is the number of records of one kind or another which it has broken up to now. Occasionally, in their enthusiasm, they get the lists confused and read off a box car figure from the "records broken" list when what they were hunting for was "Anthony's" first run take in Seattle or Jacksonville. The lists are fairly interchangeable, however, and the

(*Continued on page 4*)

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Editor-in-Chief and Publisher
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Dramatists to Pick Officers on Nov. 10

The second annual election of the Dramatists' Guild is scheduled to be held Nov. 10, at which time 10 new members will be elected to the guild's council to replace the 10 whose terms expire next month. Council members are elected for three-year terms. There are 30 council members and the terms of 10 expire each year.

The nominating committee of the council meets next Wednesday to select candidates for the annual election.

"U" to Do Nobel's Life

Universal has purchased the manuscript of a story based upon the life of Alfred B. Nobel, inventor of dynamite, who, upon his death, established the annual Nobel Awards for peace and literature.

Blackton to Marry

LOS ANGELES, Oct. 2.—J. Stuart Blackton, pioneer producer, and Evangeline Russell, actress, have filed notice of intention to marry.

Purely Personal

DR. A. H. GIANNINI and his son arrive from Hollywood today and will be the guest of GEORGE J. SCHAEFFER at the third World Series game at the Yankee Stadium this afternoon.

•

The EARL OF WARWICK, who has an M-G-M contract to act, will leave for Hollywood by plane on Monday. He will travel on an American Airline sleeper.

•

HAROLD ROBB and ED ROWLEY, Texas circuit operators, will not return to Dallas until they've taken in all of the World Series games.

•

EMANUEL FRISCH, son of LOUIS of the Randforce circuit in Brooklyn, will marry PEARL GLORIA SCHOR at Garfield Temple on Oct. 11.

•

HOWARD STUBBINS of the Olmstead-Stubbins exchange is on a honeymoon in San Francisco with his bride, the former FLORENCE HUNTER.

•

LEW HEARN, former vaudeville star, now of musical comedy has signed a long term management contract with LOU IRWIN.

•

SOL A. ROSENBLATT and FRANK C. WALKER yesterday flanked PRESIDENT ROOSEVELT at the luncheon at the Biltmore.

•

S. N. BEHRMAN, the playwright who has been signed by M-G-M, left yesterday on the Century for the studio.

•

C. J. LATTA, Warner district manager in Pittsburgh, has been made assistant to HARRY KALMINE, zone manager.

•

TED O'SHEA has returned to the M-G-M exchange in Buffalo after spending a few days in town.

•

WILLIAM MALLARD, general counsel for RKO, may accompany LEO SPITZ to the coast Sunday.

•

P. G. WODEHOUSE, British writer, will leave today by train for the M-G-M studios.

•

JACK FLYNN, M-G-M district manager, left last night for Detroit, his headquarters.

•

LARRY BAREN, DuWorld sales representative, has left for Boston on a business trip.

•

CHARLES KOERNER, RKO district theatre head in Boston, is in town for a few days.

•

JOHN D. CLARK left for the coast yesterday. He'll be away several weeks.

•

JAMES R. GRAINGER is scheduled to leave the coast for New York on Monday.

•

HARRY BUXBAUM, JR., has enrolled at the University of Pennsylvania.

•

E. J. O'DONNELL of the Hoblitzelle circuit is due early next week.

•

MILTON HOSSFELD has arrived from the coast and will now make his permanent headquarters at National Theatres with WILLIAM T. POWERS, film buyer for the circuit.

•

CHARLES STERN, U.A. district manager, left yesterday by plane for Buffalo and Washington. He will return Tuesday.

•

JOHNNY WEISSMULLER will reach New York Monday. He will sail on the *Queen Mary* Wednesday for England.

•

J. S. MACLEOD, of the exchange maintenance department visited the M-G-M exchange for three days.

•

CHARLES RUGGLES left for the Paramount studios last night, taking a plane at Philadelphia.

•

CHARLES SKOURAS back from a Wyoming hunting trip with an elk and a moose to his credit.

•

HARRY NACE is in town booking and recovering from a severe attack of rheumatism.

•

GEORGE A. HICKEY, M-G-M western district manager, in San Francisco on a circuit deal.

•

NICHOLAS EMOLIEFF, designer, left for the RKO studios last night via TWA.

•

JACK SULLIVAN still confined by illness to his home and denied to visitors.

•

WILL OSBORNE has been signed by Paramount to make a football short.

•

JEANETTE MACDONALD is heading east from the M-G-M studio.

•

MADGE EVANS, another Hollywooder, coming to the big town.

•

CRESSON E. SMITH has returned from a Dallas junket.

•

. . . Canton

HARRY REINHART of the Mozart, State and McKinley here, has returned from a vacation in California.

E. E. BAIR has taken over the Ritz at New Comerstown. His other houses are the Ohio and State at Uhrichsville and the Palace at Dennison.

PETE WORTHINGTON is now manager of the Bluffton at Bluffton.

PAUL RADER is building a new house at Newark. It will be ready early in the winter.

LOUIS FRISH who owns the Palace at Hubbard, near Youngstown, is reported having plans drawn for a new house opposite the Palace in the same town.

GEORGE MANOS' new Rex at Lisbon is nearing completion.

PRICE CRITCHFIELD Amusement Co. is planning to build a new theatre at London, O.

JOHN PAPULAIS, owner of the Olympia, Steubenville, has returned from a three-month visit to Greece.

Find Lenore Ulric

Lenore Ulric, the elusive thespian for whom M-G-M has been conducting an intensive and concentrated search since she mysteriously disappeared from the lot, has been found by the company's scouts.

She'll leave for the coast Monday by train.

Cox Gets McCarthy Job in Fox Midwest

KANSAS CITY, Oct. 2.—Lon Cox, district manager for Fox Midwest at St. Louis, has been named by Elmer C. Rhoden, divisional manager, to succeed L. J. McCarthy as film buyer for the circuit. McCarthy leaves this month for Hollywood to become assistant to Nat Levine, president of Republic.

Cox formerly was manager at West Frankfort, Ill., for the Reid, Yem and Hayes circuit, which sold out to Fox. When McCarthy was made district manager at Kansas City, Cox succeeded him as district manager at St. Louis.

Fred Souttar, manager for Fox Midwest at Belleville, Ill., for the past three years, goes to St. Louis as Cox's successor.

Max Schauder of Jacksonville, Ill., succeeds Souttar at Belleville, and Ralph Barlett of Benton, Ill., succeeds Schauder at Jacksonville.

Samuels Signs Deal For Projector Sale

Slem Samuels has closed with International Projector to act as local representative in the Dutch East Indies. Similar deals have been concluded with Theatre Screen Corp. and an air conditioning company.

Samuels recently formed Amerasia with Jack Hoffberg for the handling of 16mm equipment and films. He is now working on a number of deals which he hopes to sign before sailing on the *Queen Mary* on Oct. 20, en route to Batavia, his home.

"Brute" Opens on Coast

SAN DIEGO, Oct. 2.—"The Magnificent Brute," opening here at the Spreckles, was accorded a reception which prompted Lou B. Metzger, manager, to wire congratulations to J. R. Grainger, Universal's general manager in charge of distribution. In his message Metzger predicted holdover business for the film.

New Producer in R. C.

The Dramatic Research and Management Ass'n, Inc., described as a producer of films and plays, is setting up headquarters in the RCA Bldg., Rockefeller Center. D. M. Stoner is president of the new company, and I. C. Franklin, vice-president. The company is also establishing a branch office in California.

Para. May Do "Models"

HOLLYWOOD, Oct. 2.—Paramount is considering the production next year of "Artists and Models," provided a suitable script can be evolved from Oscar Serlin's idea on the subject. If plans materialize, William LeBaron will bring Serlin to the coast to produce.

To File Suit Briefs

LOS ANGELES, Oct. 2.—Briefs in the Paramount-Goldwyn suit involving the services of Gary Cooper are scheduled to be filed in Federal Court here next week.

Mirrophonic Orders Up

Erpi reports that 75 orders for the new Mirrophonic sound were received during the week ending Sept. 26.

M. P. Salesmen Add Nine New Members

Nine new members joined M. P. Salesmen, Inc., yesterday at a meeting at Times Square Hotel. In addition, applications were filed by George W. Weeks, Harry Brandt and Sol Kravitz, who will be admitted at the next meeting.

With the newcomers, the total membership is now 130, as compared to 65 a year ago, when Joe Lee of Twentieth Century-Fox was elected president. The new members are Charles Moses, film buyer for Century circuit; Harry Shiffman, president of Isle Theatres; Harry H. Thomas, independent distributing head; Max A. Cohen, president of Cinema circuit; Mike Rudin of Rapf & Rudin; Joseph Seider, head of Prudential circuit; Matty Fox, Twentieth Century-Fox booker; William Sussman, eastern division sales head for Twentieth Century-Fox, and Jerome Jonas, in charge of the checkers at the local M-G-M exchange.

M. P. Salesmen, Inc., on Nov. 25 will hold its annual frolic, dinner and dance at the Astor, the proceeds to go to the local Charity Chest.

Roxy Pays 20th-Fox $62,000 on Two Films

(Continued from page 1)

on the third week. Exhibitors and exchange executives were clamoring for the picture. With this kind of gross, the usual policy of the Paramount is to hold the attraction.

"My Man Godfrey," on its second week at the Music Hall, tallied $73,000, which was good. "Craig's Wife," which opened Thursday, registered a $11,000 day. The Palace was fair with "Swing Time" on a single bill, getting about $7,200 for the week. The second week of "The Great Ziegfeld" at the Capitol was above average with $38,000. "Don't Turn 'Em Loose" finished a 10-day run at the Rivoli with $10,000.

Wall Street

Small Stock Gains

	High	Low	Close	Net Change
Columbia	41½	40¾	41⅜	+ ⅜
Columbia, pfd	47⅞	47⅜	47⅞	— ⅛
Consolidated	4½	4¼	4¼	— ¼
Consolidated, pfd.	17⅞	17⅜	17⅞	+ ½
Gen. T. Equip.	26⅞	26½	26½	.....
Loew's, Inc.	59¼	58¼	59	+1⅛
Paramount	13¼	13	13¼	+ ⅜
Paramount 1 pfd.	97½	96¾	97¼	+1¼
Paramount 2 pfd.	12¾	12⅜	12¾	+ ¼
Pathe Film	8	7¾	8	+ ⅛
RKO	7⅜	7⅛	7¼	+ ⅛
20th Century-Fox.	31⅝	31	31⅜	+ ½
20th Century, pfd.	39⅜	38½	39	+ ½
Warner Bros.	13¾	13¼	13¾	+ ½

Technicolor, Trans-Lux Up

	High	Low	Close	Net Change
Grand National	4	3⅝	3¾	— ⅛
Sentry Safety	11/16	⅝	⅝	—1/16
Sonotone	2⅛	2⅛	2⅛	.....
Technicolor	26¾	26½	26¾	+ ⅜
Trans-Lux	3⅞	3¾	3⅞	+ ⅛

RKO Rises 2 Points

	High	Low	Close	Net Change
Keith B. F. 6s '46	93¾	93¾	93¾	— ¼
Loew's 6s '41 ww deb rights	98⅞	98¾	98⅞	.....
Paramount B'way 3s '55	62	61½	62	+ ½
Paramount Pict. 6s '55	98⅛	97¾	98⅛	+ ⅛
RKO 6s '41 pp	88	87¼	88	+2
Warner Bros. 6s '39 wd	96⅞	96½	96⅞	+ ½

(Quotations at close of Oct. 2)

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Big Broadcast of 1937"

(Paramount)

HOLLYWOOD, Oct. 2.—A wealth of values is included here, resulting in high quality entertainment and nice exploitation potentialties. The picture gives audience or exhibitor all that either looks for in a film. Both the spectacularly mounted celebrity revue and the inside radio station comedy-romance of this new edition under its well-known title sparkle with music, dancing specialties, excitement and fun that make desirable amusement moving with speed and precision.

A thin, but pleasing, story serves as an effective vehicle for a parade of film, radio and concert notables. Burns and Allen, sponsoring a broadcast in Jack Benny's station, order him and Ray Milland, a talent agent, to round up a top-notch program. Thus the ball is started rolling hilariously. Milland brings in Shirley Ross, a kidding hick announcer, to set the stage for a comedy conflict between himself and Benny for the girl's affections. Gracie Allen and Martha Raye gum things up delightfully and Miss Ross goes innocently high hat.

From the celebrity parade that follows these sequences come Frank Forest singing in modern rhumba style and Bob Burns with a running story full of gags characteristically interrupted by Miss Allen and Miss Raye and followed by a Benny Goodman orchestra serenading Benny Fields, the fast-dancing Eleanor Whitney and Louis Dapron. Applause greeted the rendering of a symphonic number by a symphony orchestra under Leopold Stokowski. Photography concentrates on the hands of the conductor to show how he achieves his orchestral effects.

As Benny and Milland chase all over New York in an effort to find the disappointed Miss Ross, the climax is reached in a sumptuously produced radio wedding in which she marries Milland.

With the players listed performing in highly creditable style, the picture does not miss a beat in putting over its amusing entertainment. Five Ralph Rainger and Leo Robin numbers assure plenty of musical content. The topical original by Erwin Gelsey, Arthur Kober and Barry Trivers, adapted by Walter DeLeon and Francis Martin, is a pleasing comedy-romance and light drama aided by the special effects of Gordon Jennings and Paul Lerpae. Theodore Sparkuhl's clever photography and the direction of Mitchell Leisen combine to endow the production of Lewis E. Gensler with plenty of verve and dash.

Production Code Seal No. 2,530. Running time, 95 minutes. "G."

"The Gay Desperado"

(Pickford-Lasky-United Artists)

HOLLYWOOD, Oct. 2.—Here is box-office for any theatre. Original and different, the film's entertainment is there. In its character, the show is a broad farce-comedy melodrama, embellished by lilting music and the interweaving of an intriguing, romantic love-interest thread. It is handsomely mounted and the fact that Lucien Andriot's photography several times stimulated applause, tips off the film's artistic production.

The cast headed by Nino Martini, Leo Carrillo, Ida Lupino, Mischa Auer, Stanley Fields, Harold Huber and James Blakely, does a nice job, the best performances coming from Carrillo and Auer.

Much credit must be given Leo Birinski for his unique, original story; to Wallace Smith for the screen play that is loaded with fun in situation and dialogue; to Rouben Mamoulian for direction technique.

One hilarious surprise, interluded by Martini's singing, follows another in the story. Carrillo, the worst bad man in Mexico, has a passion for music, yet he wants his bandits to emulate up-to-date American gangster methods as they are practiced in films. He makes Martini, a shooting gallery theatre singer, a member of his gang so he can hear his voice. Kidnapping Miss Lupino and Blakely, an eloping couple, Carrillo goes off to make a ransom business alliance with Fields, a Chicago Mobster, leaving Martini to guard the prisoners. The singing Martini and Miss Lupino fall in love in the most approved slapstick, low-comedy fashion, while Blakely escapes.

Fields plots to hi-jack Carrillo and give him the works, but is upset. With the tables turned on Fields' mob, the epitome of all the screen's public enemies, Carrillo delivers them up to the American authorities, gives Miss Lupino to Martini, sends Blakely home and rides off to indulge in more of his old-fashioned Mexican banditry.

With Martini's singing to charm the intelligentsia and the satirical action-backed story probably long enough to amuse the masses, the show has considerable appeal. Certain to benefit by word-of-mouth advertising, the film has an inherent exploitation quality enabling showmen to go to town.

Production Code Seal No. 2,544. Running time, 85 minutes. "G."

Short Subjects

"Wonder Spots of America"

(Carl Sterns Clancy-Columbia)

In effective Cinecolor the scenic points of the Natural Bridge in Virginia, the caverns of the same state and shots of the Niagara Falls are revealed. There is an enlightening running comment, a little entertainment and much of an educational nature. Reviewed without production code seal. Running time, 10 mins. "G."

Bondholders of GTE End K. C. Litigation

KANSAS CITY, Oct. 2.—Six General Theatre Equipment bondholders who sought to intervene in the bankruptcy cases of the Fox Midland and the Fox Rocky Mountain circuit properties in U. S. District Court here April, 1935, have decided against further litigation.

General Theatre Equipment bonds held by the plaintiffs were listed at around $6 and $7 when the litigation was instituted. Shortly after C. A. Randolph and R. R. Brewster filed the action, the Chase National Bank, which, with Fox Film, Fox West Coast and others, was defendant, went into the Wilmington, Del., court which had jurisdiction over the General Theatre bankruptcy, and proposed a settlement of General Theatre claims arising under the two company's previous relationship. The terms of this settlement, accepted by the Delaware court almost a year after its proposal, called for a release of Chase from the claims and granted bondholders of General Theatre certain rights, including the right to exchange bonds for stock in the new Fox company.

This settlement was responsible for a rise in the value of the bonds, now quoted at around $35.

"Our people are satisfied with the results of that settlement," commented Randolph in announcing the abandonment of any further litigation.

McLeod Drops "Ecstacy"

NEW ORLEANS, Oct. 2.—Harry S. McLeod, manager of the Strand, owing to a flood of protests, has cancelled the scheduled showing of "Ecstacy."

K. C. Show Brings Fine

KANSAS CITY, Oct. 2.—Judge Thomas V. Holland in the North Side Municipal Court has fined Breckenridge Fagin and Robert F. Lakenan, Jr., $250 for showing "Ecstasy" at the Royal Sept. 22 without a permit from the city censor.

Roy W. Rucker, attorney for Fagin and Lakeman, appealed the fine to the Circuit Court.

Colbert Has Concussion

HOLLYWOOD, Oct. 2.—Claudette Colbert, who was thought to be suffering from a mild attack of influenza, has a mild brain concussion, according to a new diagnosis. Miss Colbert was knocked unconscious in an automobile accident last week.

Daniel P. Coll Dead

JACKSON, O., Oct. 2.—Daniel P. Coll, exhibitor here for many years, is dead after a long illness. He was owner of the Grand. His widow and four children survive.

More Delays In Sight for MPTOA Talks

(Continued from page 1)

back from a west coast trip until the end of the week. With Warners still refusing to participate in the trade practice confabs, this leaves only the sales heads of M-G-M, United Artists, Columbia and RKO, of the major distributors, available for meetings next week.

It is believed here that Kuykendall will make no decision on the procedure to be adopted in re-visiting the sales heads until after his conferences with other MP.T.O.A. officials. This might mean that no regular schedule of meetings would be attempted during Kuykendall's current visit, but that distributors would be communicated with and asked to make known their final decisions on the trade practice program without further delay.

Warners Ask Detail In Plagiarism Suit

(Continued from page 1)

and subsequently Warners produced a film, "The Walking Dead," which, he he charges, incorporated substantial parts of his work, as well as the entire basic theme.

The defendants have entered a denial to all charges and contend that the film was based on a scenario by four writers who adapted an original story by Ewart Adamson and Joseph A. Fields, and without any knowledge of the plaintiff's work. A hearing on the request for a bill of particulars was set for Monday.

Rodgers Says M-G-M Will Not Quit Ross

(Continued from page 1)

it was held, differs from the Ross system.

"We may be wrong in our plan, but we are trying it out," Rogers asserted. "There is no intention of extending our system of checking, but we want to determine certain things which we cannot do through the Ross agency."

Briefs Set for FWC Bankruptcy Hearing

(Continued from page 1)

in which to file an answer, after which Neblett will be given 10 days to reply.

It is expected that the court will set a date for the hearing after all briefs have been filed but it is not thought likely that this date will be prior to December or January.

Stanley Revives Its "Early Bird" Price

(Continued from page 1)

price is from opening until 1 P.M. and from then until 6 P.M. it goes to 35 cents.

It is expected that the Penn also will return to the early bird price shortly, but not until after the engagement of "The Great Ziegfield."

Watching 'Adverse' Charts Keeps Warner Men Enthused

(Continued from page 1)

resultant discrepancies seldom amount to very much.

Both of the lists are long and the figures impressive. The reader has difficulty in recalling, after laying them down, that the *Normandie*, *Queen Mary* and Empire State Bldg. were pretty big in their day, too.

There are two performances among the picture's many notable ones thus far, however, to which the distributor points with pride. One is that it has and is playing New England circuits on a single feature policy without any contract restrainer to bring that phenomenon about, and the other is that when it played Milwaukee it had the tavern proprietors complaining like an exhibitor mass meeting on the morning after a rainy, Monday night which had an all-Star Hollywood broadcast on the air.

Singled, Even in N. E.

To say that the single featuring of "Anthony" in New England is not remarkable in view of the picture's length—its running time is 139 minutes—is to display a sad lack of knowledge of New England exhibition. True, a second feature on the same program might be mistaken for a short subject, anyhow, but that makes little or no difference to your Yankee audience. Doubling with "Anthony" was discouraged when Grad Sears, Warner general sales manager, refused to make any allowance in terms for the use of a second feature. This is credited with inducing the M. & P. Circuit, which had its first run in the Boston territory, to play the picture alone at the outset, and its performance is said to have done the rest.

The same policy of the distributor in refusing to make no allowance for a second feature on the same program is to apply wherever "Anthony Adverse" is sold. Negotiations are now under way with the RKO metropolitan circuit on that basis. If closed, the picture will play RKO's neighborhood first runs on a single feature basis and for one-week stands. Loew's metropolitan "subway circuit" will follow RKO with the picture, also on a single bill policy.

Advanced Admissions the Rule

The picture was generally released Aug. 29, but had a limited number of pre-release engagements prior to that date. Including those engagements, "Anthony Adverse" had grossed $1,650,000 in 271 first runs up to Sept. 26. Its opening was the signal for advancing the admission scales in a number of the theatres in which it played. Warners point with pride to this circumstance and, also, to the fact that a number of the houses which were enabled to boost admissions on the strength of the picture's draw, maintained them at the higher levels when the run was over. The increases mostly were in houses with a 40-cent top, which was uniformly increased to 55 cents.

The advanced scales, naturally, contributed to the grosses which the picture has turned in, but its records include new attendance figures, as well. In its first run engagements to date, "Anthony" has eclipsed the comparable grosses of "Gold Diggers of 1933," the picture which Warners have been using as the yardstick for measuring maximum gross possibilities in individual theatres and territories. Total gross of "Gold Diggers" was $2,250,000. The distributor anticipates a final gross for "Anthony" well over that figure.

Its individual records are headed by an opening week gross of $17,184 at the Warner, Milwaukee, where it remained for three weeks. The former house record was $13,800, held by "Top Hat." "Gold Diggers" grossed $10,566 in its opening week at the same house.

Closed Box-Offices Frequent

The length of the picture reduces the "spill" at the theatre to such an extent that box-offices of many of the houses playing it have had to be closed for hours at a time after capacity has been reached. The problem thus presented was solved in some instances by booking the picture into large weekly change houses for opening runs instead of into the smaller houses operating on indefinite run policies. This was resorted to in Chicago, where the picture played the 4,400-seat Chicago for a two weeks' gross of $80,000, and then was put into the smaller Apollo for an indefinite run.

It played three and one-half weeks at the Denver, Denver; then continued its first run at the Aladdin and Broadway. Following its three weeks at the Warner, Milwaukee, its first run was continued at the Strand. After two weeks at the Palace, Rochester, the run was continued at the Regent. Its holdover record is a lengthy one and the new house records for both gross and attendance are numerous.

Film's "Head Start" Important

"Anthony Adverse" was, of course, a "natural." The book was one of the most widely read and discussed novels of recent years. It had a tremendous "tailor-made" audience, and, lavishly advertised and publicized, it came from the studio already sold to the public on a grand scale. Had it not been a record-breaker, its failure would have been more difficult to explain than its success now is. And yet its performance is news because it is surpassing in precise and impressive fashion all of the marks which consign a picture to that limitless classification of "just another good one."

As a Warner publicist put it: "Naturally, we weren't expecting 'Adverse' to be a 'stiff,' but we weren't looking for a surprise like this, either."

Show Must Go On (?)

London, Oct. 2.—The sore-beset revue, "International Rhythm," financed by the Woolworth fortune heir, Jimmie Donahue, may continue after all—for a while, at least. The entire cast has decided to stick, with the exception of Ruth Etting, who has walked out, planning to sail on the *Normandie* for home Wednesday.

Deal Unterminated Says J. M. Schenck

(Continued from page 1)

to supervise his company's $4,000,000 expansion program. He stated during today's interview that theatre attendance throughout the country is at its peak.

Darryl F. Zanuck, William Goetz and Lou Anger met Schenck at Pasadena.

Nicholas M. Schenck, president of Loew's and M-G-M, may not sail for London on the M-G-M-Twentieth Century-Fox-G. B. deal after all, it was indicated yesterday. He has not booked passage on any of the Southampton-bound liners scheduled to leave Hudson River piers in the next few weeks, and, as far as it could be learned, he has no plans for sailing.

Arthur M. Loew, head of the M-G-M foreign department, is now in London for the purpose of looking into the deal. He will be there several weeks before heading for the Far East. Whether Loew's presence in London will make unnecessary the ultimate appearance of Schenck on the other side could not be learned.

Para. Combs Studios For Cocktail Party

Paramount fine-tooth combed the Hollywood studio to gather the cast of honor guests for a cocktail party to be held, tossed or poured in Le Perroquet suite of the Waldorf-Astoria on Monday from 5 to 7 P. M., etc.

The cast (definite): William LeBaron, managing director of Paramount production; Wesley Ruggles, producer-director; Ernst Lubitsch, producer-director; King Vidor, producer-director; Irene Dunne, star; George Raft, star; William Frawley, contract player; Travis Banton, fashion designer; Elizabeth Patterson, player; Margaret Perry, player. The cast (possible): Gary Cooper, Randolph Scott, Leopold Stokowski, Benny Goodman.

U. A. Group Converging

United Artists currently is in a dither over a concentration of its own luminaries. Nino Martini, of course, is here and already has had a cocktail party at the Waldorf Thursday.

Dr. A. H. Giannini and his son, Bernard, arrive from Hollywood today. Likewise does Walter Huston, lead in "Dodsworth." Rouben Mamoulian, director of "The Gay Desperado," arrives tomorrow. Tay Garnett, who directed "High Treason," starring Douglas Fairbanks, Jr. for Criterion of London, disembarks from the *Queen Mary* Monday and Fredric March hits town from Hollywood the following day.

Dualing Clause Not Restraint, Is Claim

(Continued from page 1)

clause for the future. With most large circuits using double features to some extent, no attempt has been made by distributors recently to enforce the clause.

The Federal court is expected to reserve decision following the hearing Tuesday, with little indication of when its ruling may be expected.

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B.I.P. Product Deals in U.S. Being Held Up

Action Awaits Ostrers' Decision on Sale

With control of G. B. still in the balance and no definite decision as yet reported to have been reached by the Ostrers to sell their holdings, B. I. P. executives in London are holding up all proposed distribution deals for product in the United States, it was learned Saturday.

Budd Rogers, American representative for the company, is understood to have sent over five different deals for approval in the past few months. No action, it is said, has been taken on any of the proffered offers, the understanding being that if Maxwell is successful in his bid with the Ostrers he will most likely organize a new exchange system here for the handling of the combined product of his producing companies and G. B.

G. B. has its own sales force in this country, but physical distribution is

(*Continued on page 9*)

Legion Approves All Of 11 New Pictures

Of 11 new and reissued pictures reviewed by the National Legion of Decency in its list for the current week, seven were classified as unobjectionable for general patronage and four as unobjectionable for adults, of which group two were reissues. The films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Alibi for Murder," "Bulldog Edition," "The Captain's Kid," "Daniel Boone," "The Gay Desperado," "The Longest Night," "Undercover Man." Class A-2, Unobjectionable for Adults—"Accusing Finger," "Ein Walzer Fuer Dich" (German), "Informer" (Reissue), "Mr. Deeds Goes to Town" (Reissue).

8 Permits Denied by Moss in 18 Months

Applications for eight theatres planned on Park, Madison and Fifth avenues have been denied by Paul Moss, commissioner of licenses, in the last year and a half, it was revealed by the Fifth Ave. Ass'n., which is behind the campaign to keep theatres off these avenues.

The contention of the association is that the tone of the streets would be lowered if new theatres were to be constructed; and that the amusement district should be a unit by itself.

Circuits, Overbuilding Key; Booking Hurdle Seen Licked

By BRUCE ALLAN

LONDON, Sept. 26.—Captain A. C. N. Dixey, organizer of the Independent Exhibitors Distribution Co., Ltd., now in the process of formation, has declared that a legal means exists to meet the possible obstacle to his plan, which lies in the Films Act prohibition of the booking of films which have not been completed. It had been pointed out that the option on planned product which would be held by the exhibitor-shareholders of the new company might be regarded as a contractual commitment on films still unmade.

Dixey, however, gave no indication of exactly how he proposes legally to avoid the booking situation. In a prospectus addressed to exhibitors, Dixey outlined the proposed security split of the £200,000 ($1,000,000)

(*Continued on page 9*)

LONDON, Sept. 26.—The domination of product by the major circuits in the country is viewed here now as the chief obstacle to the eventual conclusion of an agreement relative to the serious problem of overbuilding, which has been a center of attention here for a long time.

It is contended in criticism that the major circuits would be in a position to break down any such arrangement at any time it ceased to be to their advantage, and that in view of the close association with distributors, the establishment of such a joint committee as has been proposed would leave the major theatre units relatively stronger than now, in comparison with the strength of the independent exhibitors.

One important forward step toward

(*Continued on page 9*)

Studio Work Drops With 41 Shooting

HOLLYWOOD, Oct. 4.—Fifteen new pictures went before the cameras last week, but with 17 finished, studio activity dropped another notch from the week preceding. Forty-one features and two short subjects were shooting as compared to 43 features and one short the previous week.

Twentieth Century-Fox registered one of the busiest periods since the Zanuck-Schenck interests took over the studio, with nine pictures in work. This was the high in activity for the majors. Fifty-nine features were being edited and 27 were scheduled for work within two weeks.

New films that went to the sound stages during the week were: "After the Thin Man," "Captain Courageous" and "Nobody's Baby" at the M-G-M, the latter a Roach contribution; "Arizona Mahoney" at Paramount; "Street Girl" and "Quality Street" at Radio; an untitled color film at Re-

(*Continued on page 9*)

Mack D. Weinberger Heads General Sales

Mack D. Weinberger, well known in the independent sales field, has been named general sales manager of General Pictures by Fenn Kimball, president. The company which originally announced a program of 24 features has increased its schedule to 34, including one group of eight outdoor musicals in color. Robert E. Welsh is vice-president in charge of production and is now in Hollywood preparing to shoot the first picture at the RKO Pathe studio.

Dr. Giannini Plans To "Get Acquainted"

Dr. A. H. Giannini, president and chairman of the board of United Artists, arrived from Hollywood yesterday to spend several weeks at the company's headquarters, largely for the purpose of "getting acquainted with the staff," as he put it. This is his first trip to New York since he resigned as chairman of the board of the Bank of America National Ass'n to become the ranking administrative executive of the United Artists Dist. Corp.

On Saturday he and his son, Bernard, undertook their first bit of business by attending the World Series game as guests of George J. Schaefer.

Kuykendall to Talk With MPTOA Leaders

Ed Kuykendall, M. P. T. O. A. president, who arrived here on Saturday, will confer with other officials of the exhibitor organization today on the procedure to be adopted in obtaining formal decisions from distribution companies on acceptance or rejection of the organization's 10-point trade practice program.

Indications are that no further meetings with individual sales heads will be held unless requested by distribution executives. The M. P. T. O. A. officials may simply remind distributors that their final decisions, which were promised the exhibitor trade practice committee early in the summer, are overdue and may ask that they be presented to the M. P. T. O. A. officials within a definite time.

Another Move Coming to End "Early Birds"

Exhibitor Leaders Plan Renewed Discussion

Another effort will be made to bring the Broadway, 42nd St. and 8th Ave. theatres in line and join the parade of units which already have eliminated "early birds" and adopted a 5 P. M. evening price scale, it was learned Saturday. Exhibitor leaders will meet again within the next week or two to try and straighten out the remaining weak spots.

"Too much work has already been done to kick over the plan," a spokesman stated, "and every attempt will be made to have every theatre in the metropolitan area in the move."

Objecting to the inference by MOTION PICTURE DAILY last week that little hope was seen for the Broadway, Eighth Ave. and 42nd St. houses aligning with the others, Max A. Cohen, secretary of the exhibitor committee, in a letter to this publication revealed that it was Harry Brandt, president of the Brandt circuit and the I.T.O.A., who was responsible for holding up the Times Square units from becoming a part of the price-lifting movement. He added that his group of theatres as well as the Mayfair and the Consolidated houses were ready to eliminate the morning price,

(*Continued on page 9*)

Thalberg Will Filed For Probate in L. A.

LOS ANGELES, Oct. 4.—The will of Irving Thalberg was filed for probate here on Saturday. Leaving a fortune unofficially estimated at $10,000,000, the late producer designates as co-executors and trustees without bond, Norma Shearer, Edwin J. Loeb and Bankamerica National Trust Savings Association. The disposition of the estate is as follows:

After 50 per cent community property deductions, the wife is bequeathed

(*Continued on page 12*)

Soskin Coming Here On Hunt for Talent

LONDON, Oct. 4.—Paul Soskin, who heads the producing company bearing his name, will be aboard the *Normandie* which leaves here on Wednesday. He will remain in New York one week and spend three in Hollywood lining up talent for the first of four films he will produce here for Columbia.

Soskin is slated to start shooting Jan. 1 at the Amalgamated Studio.

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Many Dock Here Today

The *Queen Mary,* scheduled to dock here this morning, is bringing in a large delegation of industry personalities. Among those on the passenger list are Jack L. and Mrs. Warner, Noel Coward, Carl Laemmle and Carl Laemmle, Jr., Miriam Hopkins, Joseph and Mrs. Cawthorn and Federal Judge William Bondy. The latter has judicial supervision of the RKO reorganization proceedings.

To Greet Powell-Blondell

Warners plan a royal welcome for Dick Powell and Joan Blondell, newlyweds, on their arrival here tomorrow from the coast aboard the *Santa Paula.* Ships and airplanes are scheduled to be part of the harbor salute to the couple, who will be in town about a month, staying at the Ritz Towers.

Club Reservations In

The Cinema Club reports many reservations coming in for the informal luncheon on Wednesday, at which Grover Whalen will be honor guest.

Insiders' Outlook

By RED KANN

THE things that get in print:

"The legends have been similar for years and Will Hays always remains. . . . However, they say John Boetigger, the President's son-in-law, will succeed Hays when the latter's contract expires shortly."—Walter Winchell in the *Daily Mirror.*

Walter, who is prone to devastate competing columnists by thumbing the files for dates on which he ran the information first, is being told now that on May 16, 1935, MOTION PICTURE DAILY pulled a nifty, little scoop all of its own. That edition carried the exclusive on Hays' new five-year contract, which became effective with the expiration of his old pact in the spring of this year. . . .

▼

Tied by binding agreement, then, until 1941, any talk about an event five years from date becomes ridiculous in any business and more particularly in this. Moreover, the story about Will Hays and exactly how he stands is now an old one. It may achieve some purpose not exactly clear, we admit, to serve it up before you once again. Hays, for some time now, has never stood in better grace with his principals, his position never stronger. When the half-decade contract was offered and accepted by him over a year ago, he had slightly less than twelve months to run. Stories had been breaking the newspapers from time to time and, at that time, in more recurring frequency that Jim Farley or Al Smith were to replace Hays. Covering the ground complete, it is accurate to state that the articles were unfounded in fact and in negotiation and traceable to propaganda or poor reportorial enterprise, probably the former. . .

▼

But among his satisfied employers were several who became disturbed. Not so the Hays Office itself where the frequency with which the fable of "Hays Quitting" or "Hays to Be Replaced" bobs up has stamped the rumors with the aura of an old chromo, no longer worth worrying about and certainly not rating denials. The decision of early '35, however, was to throttle wildcat reporting by the most effective sort of counter-attack—a new contract. It was given to Hays, of course, not to prove the newspapers wrong, but to continue him in a sorely-beset post, well executed. From time to time, on the other hand, Hays has been caught in the middle of conflicting interests and, by that we mean, the opposing views of his own group on given matters. It never was any position to envy and to describe the sensation as uncomfortable is going modest in the extreme. The history of the M. P. P. D. A. includes a number of such chapters; but it must also be remembered well up front that it likewise has, in an unbroken continuity, its identic, central figure. . . .

▼

It was in 1933 when Hays gathered the company heads for a quick trip to Hollywood for the purpose of straightening out many matters which had gummed themselves in the beautiful manner so often achieved in Hollywood. The actual results of that junket have been discussed on several occasions in this column, our recollection being one of faint cheers for the accomplishments. One result, nevertheless, did emerge from those day and night, and generally futile, sessions. Hays was the result. A stronger Hays, a better supported Hays and also a Hays on whom the leaders of the major interests were glad to lean more heavily. From that day on, his position has been more powerful than ever before and his curve of influence in the inner councils a rising one. . . .

▼

Here is the simple truth of the situation. Not quite so simple to comprehend, on the other hand, is why some matters go laggard in and around the Hays headquarters. Many months have passed since Ed Kuykendall and the M.P.T.O.A. held a series of round robins with distributor heads on a program designed to ease the life of the exhibitor. The influence of the Hays organization in that headed by Kuykendall is a well-known equation and, obviously, the exhibitor-distributor conclaves would never had been called at the outset if an earlier planned procedure had not declared for a willingness to do something about them. . . .

▼

For the provinces, no doubt, Kuykendall finally hit the front pages with a statement indicating recourse to legislative means if the distributors continue to fail of their promises. Nobody was kidded, not even a little bit fooled, the known circumstances being what they are. Ed, for publicity purposes, professed readiness to go the hard way which, goodness and Dave Palfreyman know, has been hard enough. So much, as a consequence, has been said about the ten point program and so pitifully little done that the staff here, as others no doubt react, issues forth with a large and oversized groan anytime the situation comes up. Now Kuykendall is back in town, ready to start the whirligig all over again to what end might well be asked of Hays. . . .

▼ ▼

Pleasant and rotund Doug Churchill, amiable Hollywood correspondent of *The New York Times,* furnishes the latest wonder story from Wonderland, to wit:

> Being funny pays in Hollywood. Bob Burns, who likes to think of himself as a male Cinderella, is an example. A year and a half ago with $10 in his pocket and his now famous bazooka under his arm, he appeared on the Rudy Vallee radio show. This week he totaled his income and found that he will receive $180,000 from Paramount, $75,000 from RKO, approximately $30,000 from a cartoon strip for which he will write the dialogue, $100,000 from radio and personal appearances and an undetermined amount in royalties from two firms which are marketing a toy version of the bazooka.

▼ ▼

In his "Today" column in the Hearst newspapers, the same chain which thinks the $4,000 a week Hollywood player is writhing under producer-imposed serfdom, Arthur Brisbane runs this:

> We go up and down quickly in the United States, particularly in new enterprises. William Fox, once one of the most energetic, successful of moving picture men, now a bankrupt, tells the court that in 1930 he was worth one hundred million dollars; now he has only "odds and ends," meaning only a few hundred thousands, here and there.
>
> One other well known, able moving picture man refused sixty million dollars cash for his holdings a short time ago. What was then worth sixty millions melted to nothing.

And so the weekend closed on a note of mystery. . . .

Grainger Starts East

HOLLYWOOD, Oct. 4.—James R. Grainger leaves on the Chief tomorrow for the east. The Universal sales manager, having cancelled his projected trip to Dallas, will stop in Chicago for a day before continuing on to New York.

Canavan Not Candidate

Edward Canavan, present president of Local 802 of the A.F.M., to which post he was appointed, has declared he will not be a candidate for the office at the union's first election, in December. He may join the executive staff of the A.F.M.

M-G-M Re-Signs Three

HOLLYWOOD, Oct. 4.—M-G-M has signed new contracts with Luise Rainer, James Stewart and Una Merkel.

Trade Board Is Endorsed In Australia

By CLIFF HOLT

SYDNEY, Sept. 11 (*By Air Mail via London*).—Nearly 240 theatreowners in New South Wales this week endorsed the principle of the Film Board of Trade, which will quickly take shape now as the tribunal governing trade issues. The Board will be a registered company limited by guarantee and will have legal status.

The articles of association to be prepared for registration will provide for these objectives: theatre license contol, standard film contract, rejection, free gifts, one shilling or higher minimum admission charge, program footage and censorship. A dragnet clause will be added which reads: "Also any other matter that has been referred to it (the Board) with the ratification of the Distributors' Ass'n., the Exhibitors' Ass'n., Hoyts Theatres, Ltd., and Greater Union Theatres, Ltd."

"Most Important Step"

The personnel of the board is expected to be as follows: For distributors, Sir Victor Wilson (president M.P.D.A.), N. B. Freeman (M-G-M), Herb McIntyre (Universal), Ralph R. Doyle (RKO); for the circuits, Stuart F. Doyle and Ken W. Asprey (Greater Union), Charles E. Munro (Hoyts); for independents, W. R. Harrop and J. Cloonan. Dan Carroll will be chairman. The creation of the board is considered the most important and progressive step taken by the industry in Australia for years.

* * *

A preliminary statement issued by Charles E. Munro, managing director of Hoyts, discloses the net profit of the company for the year ended June 30 at £61,089. Proposals for the construction of three new theatres were revealed also.

This figure, which is subject to audit, constitutes a record in respect to operations of the company during the past six years, the annual profit since 1931 being as follows:

1931	£4,341
1932	11,039x
1933	25,283
1934	52,802
1935	50,825
1936	61,089

x Loss.

Out of the latest profit two half-yearly dividends have been declared, making a total distribution of six per cent on the "A" preference shares and five per cent on the "B" preference capital. The amount of the dividend is £46,500.

Progressive Methods the Reason

"The policy of consolidating and improving the company's business by maintaining the theatres on a high plane architecturally, the installation of the latest devices for the comfort of patrons and the establishment of a superior standard of programs and presentations, has enabled this improvement of more than £10,000 to be shown," Munro said.

"The profit position for the past 12 months is also a reflection of the progressive methods adopted in operating. It is proposed to continue the present policy of modernizing all theatres which have not as yet been treated in this manner, and to expand the circuit by the erection of new theatres in a number of situations.

"A sum in excess of £46,000 was expended during 1935-36 in redecorating several theatres while others were completely rebuilt. A new theatre of modern design was erected at Windsor, Victoria.

"Plans for the construction of three additional theatres have already been completed and some contracts have been placed and others are in process of negotiation for their building."

Out Hollywood Way

HOLLYWOOD, Oct. 4. — RICHARD BEACH and CARLTON YOUNG signed for the Republic talent school. . . ROY EILER going to Republic after 10 years with Fox and Twentieth Century-Fox to head the sound effects department, replacing ROY GRANVILLE, resigned. . . . HELEN FLINT, finished with her part in Warners' "Black Legion," to New York for a stage play. . . . KAY FRANCIS tired from fitting on 16 costumes for "Another Dawn."

Sammy White doing a week of personal appearances at the Paramount, starting Oct. 8. . . . MAJOR SAM HARRIS of the British Army signed as technical adviser for "Another Dawn" at Warners. . . . EMANUEL COHEN giving an informal party for cast and crew of "Go West, Young Man," which Director HENRY HATHAWAY brought in on schedule. . . . BOBBY BREEN and the Hall Johnson Choir hard at work on the river boat scene for "Rainbow on the River" when SOL LESSER threw open the set to 200 invited newspaper correspondents who later enjoyed the buffet supper. . . .

VICTOR FLEMING has a private plane to get to the "Captains Courageous" location on a barge off Catalina Island. . . . WILLIAM THALBERG, father of IRVING THALBERG, back to New York. . . . MELVYN DOUGLAS flying to Pittsburgh for the opening of a show starring his wife, HELEN GAHAGAN. . . . GEORGE HIRLIMAN back from Texas. . . . SOL LESSER talking a term contract with ELEANOR HOLM JARRETT.

AUBREY SCOTTO spending an exciting weekend flying over the forest fires on the Oregon-California line. . . . MARY PHILLIPS here for a visit with her husband, HUMPHREY BOGART. . . . DORIS NOLAN in from New York for "Top of the Town" at Universal. . . . MAXINE MARX, daughter of CHICO, off to New York to learn how to be an actress from MME. OUSPENSKAYA. . . . LEW LANDERS and the "Night Waitress" company at San Pedro for a week's work on location.

✚

Casting—TOMMY BUPP in "Captains Courageous," M-G-M. . . . RUTH DONNELLY, LIONEL STANDER, RAYMOND WALBURN and THOMAS MITCHELL in "Safari in Paradise," Columbia. . . . MARION WELDEN and DONALD GRAYSON in "Dodge City Trail," same studio. . . . KAY HUGHES, MAX TERHUNE and ANTRIM SHORT in "The Big Show," Republic.

GEORGE BRENT has been borrowed by Columbia from Warners for "Safari in Manhattan," though the player is only half-way through "Mountain Justice" at his home studio . . . that film will be held up until he returns from the loanout. . . . KENNETH HUNTER in "Another Dawn," Warners. . . . The vaudeville team of SHAW and LEE in "Ready, Willing and Able," same studio. . . . BONITA GRANVILLE in "Quality Street," Radio. . . . LEE TRACY in "Criminal Attorney," same studio. . . . JONATHAN HALE, STANLEY ANDREWS, HARRY HAYDEN, FERN EMMETT in "A Man and a Woman," B. P. Schulberg film for Paramount release. . . . GLORIA and BARBARA BREWSTER, twins from San Diego, in "Hats Off," BORIS PETROFF production for Grand National.

✚

Director—D. ROSS LEDERMAN is substituting for ERLE KENTON on "The Depths Below" at Columbia while KENTON recovers from an illness.

✚

Title—Radio has named the JOE PENNER comedy "Convention in Cuba."

✚

New Contract—GRACE FORD, Oklahoma dancing teacher, re-signed at M-G-M.

✚

Cameraman — DOUGLAS MACLEAN has signed JACK MCKENZIE for the JAMES CAGNEY film, which he is producing for Grand National.

Shift M.P.T.O. Meeting

SEATTLE, Oct. 4.—The annual convention of the M. P. T. O. of Washington has been postponed for one week, to Oct. 23. The date of the Northwest Film Club's annual Movie Ball has been changed also. Club officers have chosen the Eagles' Auditorium as the scene of their party, and have contracted for Tommy Thomas' NBC orchestra.

John R. Odell Dead

DETROIT, Oct. 4.—John Ripley Odell, veteran Detroit exhibitor, died suddenly at his home in Grosse Pointe Farms. He had been suffering from heart trouble for more than a year, but apparently was not seriously ill, as he had visited the Film building the day prior to his death. He was born in Shelby, Mich., Sept. 25, 1879. After being associated with the Campbell Soup Co. for a few years, he came to Detroit and entered the theatre business.

Of late he had operated only the Frontenac here, but in years passed he owned the Harmony, Dunbar, Buchanan and Oakman Boulevard theatres.

He is is survived by his widow, a son, three daughters and a brother. Funeral arrangements have not been completed.

William Schlee Married

BALTIMORE, Oct. 4.—The marriage of William Schlee and Miss Helen Class took place recently in Baltimore. Schlee manages the Gwynn for the Durkee Circuit.

Purely Personal

R. H. COCHRANE returned Saturday from a visit of several weeks at the Universal studio. He went directly to his home following his arrival.

•

EDWARD G. ROBINSON is expected to return from England the latter part of this month to start work on Grand National's "Kid Galahad." He is working on "Thunder" in the City.

•

RUBE JACKTER missed JEROME SAFRON at the World Series games. The entertainment value would be far-reaching, if only SAFRON were here to plague his brother Columbian.

•

BUDDY CANTOR, WMCA's film commentator, is off to the coast on a six-week leave of absence during which he will line up personalities and gather material for future air programs.

•

ELIZABETH PATTERSON plans to leave for New York and a vacation immediately after the completion of "Go West, Young Man," at Paramount.

•

HAROLD BERKOWITZ of the Warner legal staff will be in Philadelphia today for the rehearing in the U. S. Circuit Court of Appeals of the Perleman case.

•

AL BERNIE, young mimic, has been signed for an engagement at the Roosevelt Hotel in New Orleans. LOU IRWIN arranged the deal.

•

BROOKS ATKINSON, drama critic of *The New York Times*, has returned from Russia where he covered the Moscow Theatre Festival.

•

LOUIS FRISCH has invited every local exchange manager and important exhibitor to his son's wedding on Sunday.

•

HARRY M. WARNER says his coast trip was no vacation. He adds there was plenty of work to do and he did it.

•

ABEL CARY THOMAS, former general counsel for Warners, is extending his European vacation.

•

HELEN FLINT has arrived in New York from the coast and is at the Ritz-Carlton.

•

MILT KUSELL is smoking his cigars these days, having dropped his chewing habits.

•

LYNN FARNOL flies to Hollywood Tuesday and expects to return by Friday.

•

BEN ROSENBERG of National Screen left yesterday for Dallas.

•

WILLIAM T. POWERS will take another trip to the coast shortly.

•

EDWARD ALPERSON of Grand National is on the coast.

"Triangle" Re-titled

LONDON, Oct. 4.—"Men Are Not Gods" has been chosen by Alexander Korda as the final title for the Miriam Hopkins vehicle formerly called "Triangle."

Chalk Up ANOTHER M

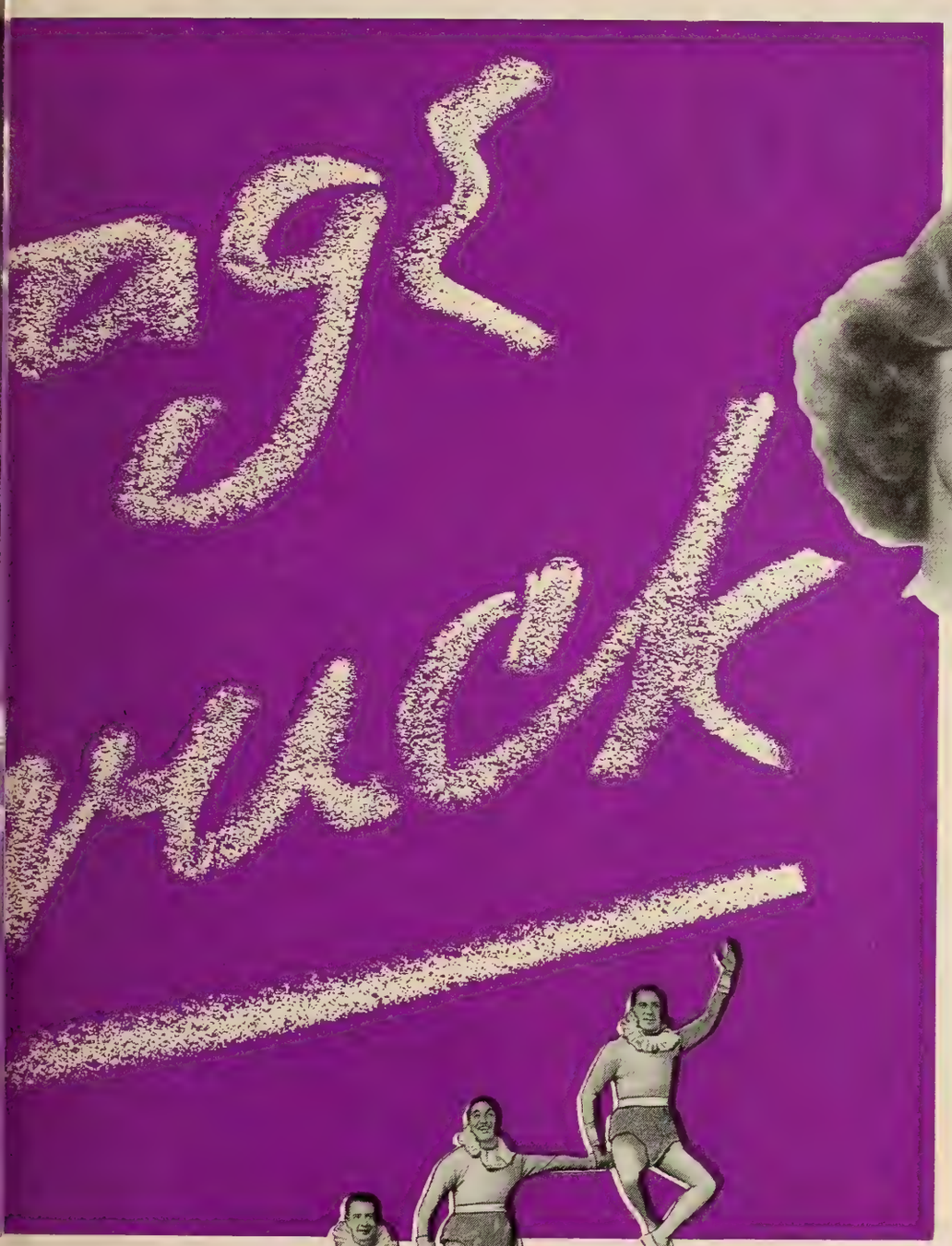


The New York Strand's choice as 'Anthony Adverse's' successor—and AVAILABLE RIGHT NOW!

DICK
POW
FRANK

JEANNE MA
Cavanaugh
The Songs, "Fancy

usical Hit for WARNER BROS.!





Happy Joan and Dick—happier than ever now that everyone knows their new show's a success!

It's cut from the same cloth that made '42nd Street'! N.Y. SUN

Excellent—loaded with good clean fun! In "Stage Struck" as well as out of it, Mr. and Mrs. Powell, team engagingly together. You ought to see them! N.Y. AMERICAN

A great company in a lively musical comedy. A refreshing relief from the extravagant magnitude of the usual girl-and-music spectacle! N.Y. MIRROR

Bright and amusing! The Yacht Club Boys are themselves worth the price of admission! N.Y. EVENING JOURNAL



JOAN

ELL BLONDELL

McHUGH WARREN WILLIAM

YACHT CLUB BOYS

:N • Carol Hughes • Craig Reynolds • Hobart

Directed by Busby Berkeley • A First National Picture

eting You" and "In Your Own Quiet Way" Composed by E. Y. Harburg and Harold Arlen

THE WORLD WILL YOU, VICTOR



For one of the grandest performances ever seen on the screen!

You were the Academy Award Winner of 1935. Now other great honors await you for 1936 because of your masterly partrayal in "The Magnificent Brute"!

PIN A MEDAL ON McLAGLEN!

The New Universal
proudly presents

VICTOR McLAGLEN

in

"The MAGNIFICENT BRUTE"

with BINNIE BARNES
JEAN DIXON
WILLIAM HALL
ANN PRESTON, HENRY ARMETTA, EDWARD NORRIS
Billy Burrud, Charles Wilson, Selmar Jackson
from the Liberty Magazine story "Big" by Owen Francis
EDMUND GRAINGER Associate Producer
Directed by JOHN G. BLYSTONE
CHARLES R. ROGERS EXECUTIVE PRODUCER

CRITICS GO WILD AT PREVIEW!

"Magnificent Brute" is magnificent box office. This is the type of picture that exhibitors cry for. Has mass appeal written all over it. Socks the audience right in the eye. Can take its place on any bill. New Universal has a comedy drama that spells shekels. The whole family will find swell entertainment. Exhibitors will be able to ballyhoo this one without fear!

—Daily Variety

Great entertainment. Splendid box office!

Jimmy Starr,
L. A. Herald & Express

"Dormitory" Doubles Par In St. Paul

MINNEAPOLIS, Oct. 4. — "Girls' Dormitory" led the list of money-makers in the Twin Cities' first run houses this week with "The Great Ziegfield" coming in a close second. The former show doubled a $4,000 average at the St. Paul Orpheum, while M-G-M's musical gave the State a $4,500 gain over a $5,500 par.

"It's Love Again" rang up a gross of $5,000 for a 100 per cent gain at the Minneapolis World and "Kelly, the Second" nearly tied the mark at the Tower with an intake of $2,500 over a $1,500 normal. "My Man Godfrey," in its second week at the Minneapolis Orpheum, did an average business, while the same show opening at the Riviera grossed $5,500, bettering average by $2,000.

Total first run business in Minneapolis was $31,900. Average is $25,500. Total first run business in St. Paul was $19,000. Average is $14,500.

Estimated takings:

Minneapolis:

Week Ending Oct. 1:

"MY MAN GODFREY" (Univ.)
ORPHEUM—(2,900), 25c-40c, 7 days, 2nd week. **Gross:** $6,000. (Average, $6,000)
"THE ROAD TO GLORY" (20th-Fox)
MINNESOTA—(4,000), 25c-55c, 7 days. **Gross:** $10,000. (Average, $10,000)
"THE GREAT ZIEGFELD" (M-G-M)
STATE—(2,300), 25c-40c, 7 days. **Gross:** $10,000. (Average, $5,500)
"HOLLYWOOD BOULEVARD" (Para.)
"I'D GIVE MY LIFE" (Para.)
LYRIC—(1,239), 20c-25c, 7 days. **Gross:** $900. (Average, $1,500)
"IT'S LOVE AGAIN" (G.B.)
WORLD—(400), 25c-35c, 7 days. **Gross:** $5,000. (Average, $2,500)

St. Paul:

"THE GENERAL DIED AT DAWN" (Para.)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $3,000. (Average, $5,500)
"GIRLS' DORMITORY" (20th-Fox)
ORPHEUM — (2,000), 25c-40c, 7 days. **Gross:** $8,000. (Average, $4,000)
"MY MAN GODFREY" (Univ.)
RIVIERA—(1,000), 25c-40c, 7 days. **Gross:** $5,500. (Average, $3,500)
"KELLY, THE SECOND" (M-G-M)
TOWER—(1,000), 15c-25c, 7 days. **Gross:** $2,500. (Average, $1,500)

Raise Petroff Budget

HOLLYWOOD, Oct. 4. — Grand National has increased the budget for the Boris Petroff musical, "Hats Off," so that a ballet sequence may be included. Mae Clarke and John Payne have leading roles, and so pleased is the producer with the rushes that he is planning to team them in a second musical if permission can be obtained from Samuel Goldwyn who has Payne under contract.

Crescent Picks Fourth

HOLLYWOOD, Oct. 4.—Crescent Pictures' fourth historical action drama will be "Star of Empire." Howard Higgin will direct his own screenplay of his own original story which deals with the entrance of Nevada into the Union.

Imperial Opens Two

Imperial Distributing Corp. has opened offices in Seattle and Detroit. Harry Jallen is Seattle manager, and F. Raoul Cleaver heads the Detroit office.

"Ramona" Ace Draw In Cincy, $14,500

CINCINNATI, Oct. 4. — "Ramona was the ace draw in an otherwise sluggish week, made so by opposition of night football, intervention of Jewish holidays and rain. The Indian love opus brought the RKO Albee $14,500, up $2,500 on the average, and it was moved to the RKO Capitol for a second stanza.

"My Man Godfrey" was good for a $450 overage at the RKO Grand, grossing $32,000 on its second downtown week. All of the other houses were in the minus column, bringing the aggregate figure down to the lowest in several weeks.

Total first run business was $52,450. Average is $58,700.

Estimated takings:

Week Ending Oct. 1:

"RAMONA" (20th-Fox)
RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $14,500. (Average, $12,000) Moved to RKO Capitol.
"THE GENERAL DIED AT DAWN" (Para.)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $9,000. (Average, $10,000)
"ANTHONY ADVERSE" (W.B.)
RKO SHUBERT—(2,150), 40c-60c, 7 days, 2nd week. **Gross:** $8,250. (Average at 35c and 55c, $12,000). Held over.
"CRAIG'S WIFE" (Col.)
RKO CAPITOL—(2,000), 35c-42c, 7 days. **Gross:** $4,900. (Average, $6,500)
"PEPPER" (20th-Fox)
RKO LYRIC—(1,400), 35c-42c, 7 days. **Gross:** $5,300. (Average, $6,500)
"MY MAN GODFREY" (Univ.)
RKO GRAND—(1,200), 25c-40c, 7 days, 2nd downtown week. **Gross:** $3,200. (Average, $2,750)
"STRAIGHT FROM THE SHOULDER" (Para.)
RKO FAMILY—(1,000), 15c-25c, 3 days. **Gross:** $1,200. (Average, $1,250)
"POSTAL INSPECTOR" (Univ.)
RKO FAMILY—(1,000), 15c-25c, 3 days. **Gross:** $1,100. (Average, 7 days, $1,200)
"WIVES NEVER KNOW" (Para.)
KEITH'S—(1,500), 30c-40c, 7 days. **Gross:** $5,000. (Average, $6,500)

Seek Columbus Building

COLUMBUS, O., Oct. 4. — Samuel X. Schwartz & Co., Cincinnati realtors, have offered $225,000 to Columbian Bldg. & Loan for the Columbus Auditorium, the negotiations being conducted through real estate brokers.

It is understood several local men are interested in the offer and plans call for the formation of a company to modernize the structure for entertainment purposes.

Singer Takes N. O. House

NEW ORLEANS, Oct. 4.—The Mort H. Singer interests have taken over the Liberty and will reopen it Oct. 23. Victor Meyers, manager of the Orpheum, will manage both theatres. The lease is for 10 years and will involve approximately $125,000.

The Liberty will have the pick of the products of RKO, Columbia, Warners and United Artists.

"Mast" to Start Soon

HOLLYWOOD, Oct. 4.—Colbert Clark is making ready to start "Two Years Before the Mast" at Republic within five weeks. This film has the biggest budget of the year at Republic. A star is being sought.

Dissolve Theatre Firm

ALBANY, Oct. 4. — A certificate has been filed in the office of the secretary of state dissolving Fairport Theatres, Inc., Gloversville.

It Was Eckman

His "best Bronx Piccadilly English" actually was Sam Eckman's at the dinner to William F. Rodgers at the Waldorf earlier in the week and not the "dubbed" voice of Louis Nizer, as reported. Eckman spoke for a wax recording in London and mailed the disc in time for the function.

"Ziegfeld" Pulls $12,000, Houston

HOUSTON, Oct. 4. — A week of rains in Houston, and near floods in adjacent territories failed to halt the fall revival in local theatres, led by "The Great Ziegfeld." The picture pulled $12,000 at Loew's State where average is $7,000, and was held. It grossed $10,000 during its first showing at advanced prices.

"Yours for the Asking" struck popular fancy at the Metropolitan, taking $7,500, but "Stage Struck" at the Majestic fell to $6,700. Average at both theatres is $7,000.

The Kirby had an average $5,000 week with "Secret Agent," "Two Against the World," "A Star for Tonight" and Bank Night.

One small night club opening gave little opposition, and a sudden police and grand jury campaign against gambling helped theatres. Bank Night at the Interstate Theatres was not molested in the police drive.

Total first run business was $31,500. Average is $26,000.

Estimated takings for the week ending Sept. 24:

"SECRET AGENT" (G.B.)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,000. (Average, 7 days, $5,000)
"TWO AGAINST THE WORLD" (W.B.)
KIRBY—(1,450), 15c-35c, 1 day. Bank Night. **Gross:** $1,000. (Average, 7 days, $5,000)
"A STAR FOR TONIGHT" (20th-Fox)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,000. (Average, 7 days, $5,000)
"THE GREAT ZIEGFELD" (M-G-M)
LOEW'S STATE—(2,750), 25c-40c, 7 days. **Gross:** $12,000. (Average, $7,000)
"STAGE STRUCK" (F.N.)
MAJESTIC — (2,250), 25c-50c, 7 days. **Gross:** $6,700. (Average, $7,000)
"YOURS FOR THE ASKING" (Para.)
METROPOLITAN — (2,600), 25c-50c, 7 days. **Gross:** $7,500. (Average, $7,000)

Buys Missouri House

KANSAS CITY, Oct. 4.—J. J. Kametz has purchased the Princess at Bunceton, Mo., from C. A. Woolridge, who opened the theatre about six months ago. Kametz planned to open a house at Burlingame, Kan., several weeks ago, but the deal failed.

Five to Harmon-Ising

HOLLYWOOD, Oct. 4.—Merrill Gibson has been added to the Harmon-Ising staff as animator, and Howard Baldwin, and Paul Murphy have been signed as assistant animators. Maurice Day and Charles McGirl have joined the company's writing staff.

M-G-M Holds Stewart

HOLLYWOOD, Oct. 4.—M-G-M has signed James Stewart to a new term contract. The actor has just finished in "Born to Dance," and has been added to the cast of "After the Thin Man," which W. S. Van Dyke is directing.

"Your Heart," Show, Detroit Top, $25,300

DENVER, Oct. 4.—"Give Me Your Heart," with Borrah Minnevitch heading a stage show, turned in the best showing of a rainy week here. The take at the Michigan was $25,300, which passed par by $5,300.

At the Fox "Craig's Wife" pulled $24,000, with a vaudeville bill headed by Block and Sully. This gross was over normal by $4,000. "The General Died at Dawn" went $1,200 over the line with $11,200 at United Artists.

Total first run business was $68,100. Average is $60,000.

Estimated takings for the week ending Oct. 1:

"THEY MET IN A TAXI" (Col.)
"YELLOWSTONE" (Univ.)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $3,500. (Average, $5,000)
"CRAIG'S WIFE" (Col.)
FOX—(5,100), 15c-75c, 7 days. Stage: Block & Sully, Milton Watson, Harris, Claire & Shannon, Caligary Bros., Rufe Davis, James Evans. **Gross:** $24,000. (Average, $20,000)
"GIVE ME YOUR HEART" (W.B.)
MICHIGAN — (4,100), 15c-75c, 7 days. Stage: Borrah Minnevitch Rascals, Ken Maynard & Tarzan, Dick, Don & Dinah, Beatrice Hagen, Henrietta Schumann. **Gross:** $25,300. (Average, $20,000)
"CASE OF THE VELVET CLAWS" (W.B.)
"A SON COMES HOME" (Para.)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $4,100. (Average, $5,000)
"THE GENERAL DIED AT DAWN" (Para.)
UNITED ARTISTS—(2,070), 15c-65c, 7 days. **Gross:** $11,200. (Average, $10,000)

"Enemy's Wife" and Boles Montreal Best

MONTREAL, Oct. 4.—"Public Enemy's Wife" went to $15,000 at Loew's with John Boles on the stage.

"My Man Godfrey," the main film attraction at the Princess, was good for $9,500, with "Sing, Baby, Sing," top feature at the Capitol, rating $10,000. "The General Died at Dawn" collected $10,000 at the Palace in the face of keen competition and the second week of "Romeo and Juliet" as a roadshow at His Majesty's made $7,000.

The first big local football game of the season and grand opera at the Imperial formed chief opposition. The week's weather bordered on summer heat.

Total first run business was $51,500. Average is $46,000.

Estimated takings for the week ending Sept. 26:

"SING, BABY, SING" (20th-Fox)
"CHARLIE CHAN AT THE RACE-TRACK" (20th-Fox)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $10,000. (Average, $9,500)
"ROMEO AND JULIET" (M-G-M)
HIS MAJESTY'S — (1,700), 50c-75c-$1.-$1.50, 7 days, 2nd week. **Gross:** $7,000. (First week, $8,000)
"PUBLIC ENEMY'S WIFE" (W.B.)
LOEW'S — (3,115), 25c-34c-40c-50c-60c, 7 days. Stage: John Boles in person and vaudeville. **Gross:** $15,000. (Average, $10,500)
"THE GENERAL DIED AT DAWN" (Para.)
"PEPPER" (20th-Fox)
PALACE — (2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $10,000. (Average, $11,000)
"MY MAN GODFREY" (Univ.)
"I'D GIVE MY LIFE" (Para.)
PRINCESS — (2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $9,500. (Average, $7,000) Held over.

Another Move Coming to End "Early Birds"

(Continued from page 1)

but reneged when they learned Brandt would not increase his admissions.

Cohen's letter follows:

"Referring to your article under date of Thursday, Oct. 1, in which it is stated that there is no hope of dropping early birds, the writer, as secretary to the body of exhibitors working toward eliminating this practice, wishes to call to your attention the fact that the Broadway situation is by no means hopeless. With the amount of progress made throughout the metropolitan area, there is every indication that the plan, as originally contemplated, can be carried through for the benefit of all concerned.

Claims Readiness to Boost

"Referring to the statement in which the writer is claimed to have said he would not alter the 10-cent opening price until the Broadway houses tilt their scale, please be advised that Mr. Moskowitz of the Loew organization and Max A. Cohen were ready to tilt the scale at the Mayfair plus the writer's houses if the Brandt houses and Consolidated would follow suit. As a matter of fact, both Mr. Moskowitz and the writer were ready for the tilt on Saturday, Sept. 5, and on Sept. 4, Consolidated Amusement telephoned the writer stating they were ready to tilt, but they understood Mr. Brandt would not tilt his prices because the Mayfair intended remaining at its original A. M. prices.

"The writer informed Mr. Bolignino of Consolidated that he would immediately communicate with Mr. Moskowitz to find out the correctness of the statement and the writer was informed by Mr. Moskowitz that he was prepared to tilt prices at the time set at the Mayfair if the other popular priced houses would follow suit regardless of present A. M. prices at other Broadway first run houses.

Brandt Said to Have Refused

"This information was imparted by the writer to Mr. Bolignino who informed the writer that he had again spoken to Mr. Brandt who, in turn, had informed him that regardless of the Mayfair tilt, Brandt would not increase the morning prices.

"The writer is going into this matter at length because there seems to be an intimation in the article that hopes for eliminating early birds are more or less futile and inasmuch as your paper is in favor of progress in this industry, this thought must be immediately dispelled.

In the event the other houses boost, it is very likely Howard S. Cullman, trustee of the Roxy, will change his opening charge from 25 cents to 35 cents. In a letter to MOTION PICTURE DAILY, he expressed a willingness to discuss "any comprehensive movement for the benefit of the industry."

Cullman's letter in its entirety follows:

"In your issue of Oct. 1, you quote me as 'laconically advising operators of motion picture theatres to mind their own business.' I think the operation of their own theatres is their own business, the same as the operation of the Roxy Theatre is the business of the trustee responsible for the stewardship of same.

"However, may I respectfully suggest that I have never, directly or indirectly, made such a statement as attributed to me in your publication, and that I believe for the best interests of the Roxy Theatre Corp. the existing scale of prices in effect is the proper formula. The results speak for themselves.

"You have from time to time attempted to suggest that the Roxy Theatre was responsible for the 25c-to-1 P. M. price prevalent in first run houses on Broadway. This is not the case. I have been and am willing, and my doors are always open to discuss any comprehensive movement for the benefit of the industry—producer, distributor or exhibitor, and the implications that I have taken a different attitude are not only contrary to fact, but are based on a false assumption.

"In my opinion the only co-operation that the industry has shown in the exhibition field in the metropolitan area, has been to cut one another's throats."

Circuits, Overbuilding Key; Booking Hurdle Seen Licked

(Continued from page 1)

planned capitalization of the company. The division calls for £100,000 in £1 six per cent participating shares and 1,000,000 two-shilling ordinary shares.

Exhibitors are allowed to subscribe for ordinaries, with the promise that applicants for 500 or more shares will have the option of booking the company's product on more favorable terms. Directors are required to purchase shares amounting to at least £500,000. In a covering letter with the prospectus, Dixey reiterated that the board of directors of the company will include four exhibitor representatives, two financiers, a specialist in distribution and a production authority.

Dixey is holding a series of meetings in various key cities explaining the purpose and makeup of the new company and seeking pledges for stock subscription. The minimum requirement is £50 for each theatre. All money thus subscribed is to be held in escrow by Barclay's Bank here until a release is given by the directors of the company when it is legally formed. Nominations have been requested for the exhibitor directorate posts at the meetings.

Meeting Set for Oct. 8

Dixey has promised to hold a second meeting here on Oct. 8, at which time he is expected to announce the total number of theatres from which subscriptions have been received thus far.

The prospectuses outlined as well a production program, listing films with Bebe Daniels and Ben Lyon, by Alfred Zeisler, to star Anna Sten; by Roy W. Neil, with players including Roland Young, Jean Hersholt and others; by Gitta Alpar, John Craig and Thomas Whitely; Franco-London; E. Roditi, who is said to have Douglass Montgomery and Jane Baxter contracts in negotiation; Vogue Prod., and Bigum-Carls Prod. Arrangements for other product are under way, it is understood.

(Continued from page 1)

a solution of the problem was taken when major circuit representatives, in a meeting with the redundancy committee of the CEA, or exhibitor unit, agreed that a new appeal should be made to the KRS, distributor organization, to appoint a subcommittee to confer with an exhibitor subcommittee with the object of formulating a definite plan.

The KRS had rejected an earlier appeal from the CEA for cooperation on the ground that all exhibitors, majors and independents, had not agreed among themselves. The CEA-circuit meeting served as an answer to that point.

The meeting, in effect, confirmed the belief that the problem must be handled by action within the industry. The basic principle of attack, as outlined at the summer conference at Eastbourne, is that all building plans be submitted to a joint CEA-KRS committee. In the event of promoters continuing with their plans despite committee disapproval, all distributors would withdraw product from the exhibitor.

Still to be decided is a formula upon which to base a determination of the necessity of a new theatre in a given situation. One suggestion is for a population-seating ratio.

Urge Building Information

WASHINGTON, Oct. 4. — Plans are being urged in England to provide that licensing authorities which pass on new theatre building adopt a method by which existing exhibitors may know when a new theatre is planned, as one means of combatting the problem of overbuilding, it is pointed out in a report to the U. S. Dep't of Commerce from Henry E. Stebbins, assistant trade commissioner in London.

It is urged also that the licensing authorities, of which there are 750 in the country, acquaint the secretary of the local branch of the C. E. A. in advance when plans of a new theatre are to be submitted.

Fourteen Days' Notice Required

The trade commissioner cites one method in use, which, it has been suggested, would enable all interested parties to be informed beforehand. The procedure is followed by the Warwickshire County Council, and provides for the submission of the application 14 days before the meeting of the licensing authority, in addition to actual building plans. Further, the applicant is required to post prominently on the site involved a sign recording the intention of building a new theatre.

The report declared that there are now plans and applications being made for the construction of 59 new theatres in Great Britain and nine in northern Ireland. In the 17 cases where seating capacity is known the total is 23,882 seats.

Blackstone Adds Two

The Blackstone Agency has added Carl Laemmle, Jr. and George Hirliman to its accounts. Ruth Schwerin, who handles the film end of the company's business, will personally contact both new interests.

Studio Work Drops With 41 Shooting

(Continued from page 1)

public; "Stowaway" and "One in a Million" at Twentieth Century-Fox; "You Only Live Once," Walter Wanger film for United Artists; "Ready, Willing and Able," "Penrod and Sam" and "Another Dawn" at Warners and "House of Secrets," Chesterfield, and "Hats Off," Grand National, among the independents.

Columbia had three features shooting, seven preparing and seven in the cutting rooms. Samuel Goldwyn had one, zero and zero; M-G-M, four, two and 13; Paramount, four, two and nine; Republic, two, two and three; Radio, five, five and seven; Roach, two, zero and one; Selznick International, zero, zero and one; Twentieth Century-Fox, nine, three and five; Universal, one, two and two; Warners, six, one and eight; independents, four, three and three.

In the short subjects division Columbia had one in work, none preparing and none editing. M-G-M had zero, two and 12; Radio, zero, two and three; Roach, zero, one and one; Warners, one, zero and zero, and the independents, zero, one and zero.

BIP Product Deals Are Being Held Up

(Continued from page 1)

handled through Twentieth Century-Fox exchanges.

A number of B. I. P. pictures last season were distributed on this side of the ocean by First Division. The company is being liquidated by Grand National, which recently completed negotiations with Associated British Film Distributors for the release of one film, and possibly more later on, through its domestic exchanges. This deal leaves B. I. P. without a distributing outlet for the time being.

Wall Street

Stocks Continue Upward Trend

	High	Low	Close	Net Change
Columbia	41⅞	41⅜	41½	+ ⅛
Columbia, pfd.	47⅛	47⅛	47⅛	— ¾
Consolidated Film	4½	4½	4½	+ ¼
Consolidated, pfd.	17⅞	17⅞	17⅞	.....
Eastman Kodak	172	170½	172	+2½
General Theatre Equipment	26⅞	26⅝	26⅝	+ ⅛
Loew's, Inc.	59⅞	59½	59⅝	+ ⅜
Loew's, Inc., pfd.	106½	106½	106½	+ ½
Paramount	13⅝	13¼	13⅜	+ ⅛
Paramount 1 pfd.	98⅜	97½	98	+ ¾
Paramount 2 pfd.	12⅞	12½	12⅝	— ⅛
Pathe Film	8¼	8	8	.....
RKO	7¾	7¼	7¼	.....
20th Century-Fox	31⅞	31¼	31⅜	.....
20th Century, pfd.	39⅜	39	39¼	+ ¼
Warner Bros.	14	13¾	13¾	.....
Warner Bros., pfd.	63	62	63	+1

Curb Gains Slightly

	High	Low	Close	Net Change
Grand National	3⅞	3⅝	3⅞	+ ⅛
Technicolor	26⅞	26½	26⅞	+ ⅛
Trans Lux	3⅞	3¾	3¾	— ⅛

Fractional Bond Rises

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	98⅞	98⅞	98⅞	.....
Paramount Broadway 3s '55	62⅝	62¼	62½	+ ½
Paramount Pictures 6s '55	98¼	97¾	98¼	+ ⅛
RKO 6s '41 pp	88¾	88¾	88¾	+ ¾
Warner Bros. 6s '39 wd	96½	96½	96½	— ⅜

(Quotations at close Oct. 3.)



A GREAT ADVENTURE STAR PORTRAYS THE GREATEST HERO OF THE PIONEER TRAIL!

GEORGE O'BRIEN

A George A. Hirliman Production . . Directed by David Howard
Associate Producer Leonard Goldstein..Screen play by Daniel Jarrett
Story by Edgecumb Pinchon . . RKO RADIO PICTURE



SHOW the great wagon-train trek through the uncharted wilderness — Westward to Kentucky! . . . Fearless men and dauntless women, carving a road to glory . . . fighting side by side through storm and flood and sudden death!

SHOW a frontier village hewn from the virgin forests —a stockade built by the blood and sweat of stalwart heroes who knew no fear!

SHOW Boone captured by the warring redskins...His spectacular escape from the searing flames of the torture fire!

SHOW the stockade under siege! . . . Thousands of yelling savages—riding devils—shooting flaming death against the thinning band who fought an epic battle for home and country!

SHOW the end of the crimson siege, with a small boy hero paying the price of a renegade's treachery!

SHOW a red-painted paleface brought to terrific justice, in one of the most thrilling hand-to-hand fights you've ever had on your screen!

"DANIEL BOONE"

with **HEATHER ANGEL** JOHN CARRADINE • RALPH FORBES • CLARENCE MUSE

Dickinson Circuit Theatres in Drive

KANSAS CITY, Oct. 4.—A direct attack on political competition is being made by the 25 Glen W. Dickinson theatres.

In an effort to keep people showminded through pre-election speeches and other fanfare of the presidential election's home stretch, the circuit is conducting "Movie Month" which will last until Nov. 7.

Substantial prizes will go to the five managers showing the best percentages over quota, which is 10 per cent over a year ago. Standing will be estimated by taking both gross and net profits and dividing the total by two.

Managers have a free hand in developing ideas. The home office will make only a few suggestions as the campaign goes along.

Raise Price in Houston

HOUSTON, Oct. 4.—For the first time since 1930 a major Houston theatre has raised admission prices. Loew's State's top price has been increased to 50 cents from 40 cents, in effect after 3 P. M. Tickets bought before that hour are 35 cents, and the balcony remains at 25 cents all day.

Meriden Houses Up Scale

MERIDEN, Conn., Oct. 4.—Admission prices have been raised five cents all along the line at Loew's Palace and Leo Ricci's Capitol here.

Delay Hartford Opening

HARTFORD, Oct. 4.—Harris Bros. have set Oct. 16 as the new opening date for the State. The early part of the week will be confined to two all film changes, with stage shows added on Thursday, Friday and Saturday, admission for the latter to be increased from the 20-cent top to 30 cents. Paramount product will be shown second run with the vaudeville. Bank Night will also be used, to start Oct. 20, with a $100 stake. To date the house has booked Paramount, G. B. and Columbia product.

Shift Seattle Manager

SEATTLE, Oct. 4.—Roy Bialkowski has been appointed assistant manager of Hamrick-Evergreen's Fifth Avenue, moving over from the circuit's Blue Mouse. He succeeds Monte Norman, who is moving to California where he will remain in the theatre field.

Form New Fox Units

DOVER, Oct. 4.—Fox Great Falls Theatre Corp. and Fox Western Montana Theatre Corp. were formed here, listing a capital of $1,000 each. The incorporators are Ethan Allan Hitchcock, H. Blackmar Johnson and William Wilkinson of New York.

Brandt Has Conn. Spot

Harry Brandt has bought a site in Malden, Mass., on which he will build a new theatre. Brandt has six other sites in the state. He now operates 68 houses in New York, New Jersey and Connecticut.

To Remodel Plaza

Plaza Development Corp., which has leased the Plaza in the Bronx, damaged by fire several years ago and never reopened, and will rehabilitate the house for reopening shortly.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Ladies In Love"

(Twentieth Century-Fox)

HOLLYWOOD, Oct. 4.—Novel in its plot and with a similarly unique character alignment, this one proves an interesting departure from the usual in film fare and, by reason of cast names alone, seems destined for box-office returns. The picture, basically, will appeal to the feminine contingent, but it is produced with skillful showmanship to draw general patronage, as well.

Sincere performances and keen direction embellish production values. Janet Gaynor, Loretta Young, Constance Bennett and Simone Simon are the motivating personalities in the plot which usually carries through romantic interludes of equal importance without concentrating on one individual more than another. Miss Gaynor is a tie vendor, Miss Young a cabaret dancer, Miss Bennett a model and Miss Simon a youngster who grows up over night to compete in love.

The theme centers on the hopes, dreams and aspirations of the three first mentioned who share an apartment together in glamorous Budapest. One wants a home and babies, another a wealthy husband and the other independence and her own business. Miss Gaynor gets her wish for a home-loving husband by becoming the fiancee of Don Ameche, a young doctor, only after an amusing situation with Alan Mowbray, a great stage magician, who believes himself irresistible. Miss Young loses a tempestuous love bout with Tyrone Power, Jr., a handsome count who weds royalty, and Miss Bennett playing with Paul Lukas for fun falls in love too late, losing him to Miss Simon.

The roles are all played sympathetically with understanding and simplicity. Edward H. Griffith directed with fine, human feeling. Hal Mohr's photography colors the story. B. G. Sylva mounted the production handsomely. Melville Baker provided an excellent screen play with smart dialogue from the Ladislaus Bus-Fekete play.

Production Code Seal No. 2,563. Running time, 90 minutes. "G."

"Along Came Love"

(Rowland-Paramount)

HOLLYWOOD, Oct. 4.—Sentiment rather than story is the appeal herein, and the picture should receive its best response from audiences who favor that type of entertainment.

Essentially the story concerns Irene Hervey, department store basement clerk, who falls in love with the ancient conception of the constellation Orion at an astronomy lecture and finds her idol personified by Charles Starrett, a medical student.

The lovers, facing the usual problem of poverty, are aided in a solution when Miss Hervey's mother, Irene Franklin, marries Ferdinand Gottschalk, owner of the store, but not until after H. B. Warner, as Starrett's sponsor, has persuaded Irene that giving up Starrett is best for his protege's career.

Bert Lytell's direction appeared handicapped by technique of the screen, being at best only in sequences which could have been played on the stage. The original screenplay by Austin Strong is augmented by additional continuity by Arthur Caesar. The supporting cast includes Doris Kenyon, Charles Judels and Frank Reicher. Suitable chiefly as a supporting feature, the picture should please in some situations.

Production Code Seal No. 2,685. Running time, 67 minutes. "G."

Cinema Arts Issued

A "Preview" issue of *Cinema Arts*, new de luxe publication of film activities and interests, made its appearance over the weekend. According to its sponsors, A. Griffith Grey, president, and E. A. Tropp, publisher, the publication "aims to reflect the new mode of motion pictures" and will be a quality motion picture magazine for discriminating readers.

A painting of Jean Arthur gets the cover and 19 pictures receive special editorial treatment. In addition, there are articles by Rouben Mamoulian, Ralph Rolan, Benjamin De Casseres, Homer Croy and Norman Anthony, among others. Executive personalities receive attention, as well as professionals.

Mrs. Fox Loses Point

CAMDEN, N. J., Oct. 4.—Federal Judge John Boyd Avis in Federal District court has ruled that Mrs. Eva Fox, wife of the former producer, must place all records of the All-Continent Corp. in a neutral place, preferably a safe deposit box, where they are to be available to Referee Robert Steedle who is conducting the bankruptcy hearings in Atlantic City. The court ruled, however, that they must be opened by Steedle only in the presence of a Fox representative.

Buys Yiddish Musical

Ken Murray has acquired the English speaking rights to the Yiddish musical show, "Shlemiel," which he will stage on Broadway this fall.

Thalberg Will Filed For Probate in L. A.

(Continued from page 1)

the residence occupied at the time of Thalberg's death together with all furniture, automobiles, jewelry, boats and personal effects. Bequests of $10,000 each are left to Hattie Heck, Abe Heymann, Dora Heymann, Jetchen Maier and Morris Heymann. The will states that a trust fund has been created for William and Henrietta Thalberg, the producer's parents, and that this trust will be enlarged to have a value of $150,000. This is in addition to other generous life endowments for the parents.

The residue estate is to be divided into several funds which will be administered by the trustees. A fund consisting of the income on property valued at $100,000 will be paid monthly to Silvia Weingarten, Thalberg's sister, as long as she lives.

Large Fund to Miss Shearer

Fund two, consisting of property equal to one-third of the entire balance after the establishment of the first trust fund, will be paid to Norma Shearer as long as she lives.

A third fund will consist of equal allocations to each of the Thalberg children living at the time of the distribution of the estate, and another fund to the descendants of any child dead but survived by descendants.

The net income of each fund will be paid monthly or quarterly.

The witnesses to the will were Goldie Appleby of Culver City, Vivian Newcomb of Hollywood, and Earl R. Levy of Los Angeles. The will was dated June 12, 1935, and was drawn by attorneys Loeb, Walker and Loeb.

Music Drive May Be Extended to Phila.

A music union picketing drive, similar to that being conducted in New York by Local 802 of the American Federation of Musicians, is expected to get under way in Philadelphia within a week, it was learned Saturday.

A. Tomei, president of Local 77 on the A. F. M. in Philadelphia, was in New York for several days last week conferring with executives of Local 802 and studying the picketing drive and the reaction to it. A mass meeting of Local 77 is scheduled to be held on Tuesday in Philadelphia for consideration of the extension of the drive to that city. It is anticipated here that approval will be voted and that the campaign will start there a few days after the meeting. Jacob Rosenberg, secretary of Local 802, will be the chief speaker at the Philadelphia meet.

It was said that the local affiliates of the A. F. M. in 21 cities have contacted Local 802 here for information relative to the campaign. However, no definite commitments on participation have been received with the single exception of Philadelphia.

Two more have been added to the list of theatres being picketed in New York by union members. The additions are the Victoria, a Loew house, and the Regent, an RKO theatre.

It was said at Local 802 that there is no intention of relaxing the drive to attempt to induce the reemployment of union musicians in film houses which are equipped with stage or orchestra pit, and that the campaign will be continued indefinitely.

Data for Cut In Tokyo Tax Is Requested

By TETSUYA MORI

Tokyo, Sept. 13.—The Tokyo Chamber of Commerce and Industry has addressed letters of inquiry to the theatres of the city, designed to gather material on which to base suggestions for the reform of the taxation system as it affects the film business.

The Japanese Government is planning virtually a complete reformation of the tax policy in general, to be effective next year. The inquiry instituted by the local chamber is regarded as very necessary, since the majority of the exhibitors here, in the country's leading entertainment center, have found business so poor that they are protesting vigorously against the present tax rate.

* * *

Under discussion here is a plan whereby S-Y and Takarazuka, the two leading first run circuits showing foreign product, would arrange joint purchases of foreign product in order to obtain the films at a more favorable figure. Prior to this discussion was a joint declaration to the 10 foreign distributors here that the two circuits would not be interested in mediocre product.

The distributors countered with a plan for joint action to counteract the circuit arrangement. As far as can be learned, the two circuits are splitting the foreign distributors into two units, each circuit to buy only from one group, thus eliminating competition and possible higher rentals which might result therefrom.

Indicative of the conclusion of some arrangement between the two circuits is the fact that "Modern Times" and "Things to Come," both United Artists releases, will be shown simultaneously in the houses of both circuits.

A deal of outstanding importance in the business has been completed here in the merger of the distribution activities of the Toho Film Distributing Co., which was formed only a few months ago and has since increased its capital from 500,000 yen to 1,000,000 yen, and Nikkatsu, a producing firm.

The move makes the new combination a strong competitor of Shochiku-Shinko Co., a producing-distributing company which controls an important theatre circuit.

Nikkatsu has begun the production and distribution of 16mm. cultural and educational films, in cooperation with equipment manufacturers. The 16mm. material has become increasingly popular in governmental and educational circles.

* * *

Shochiku, Toho and Nikkatsu, the three leading Japanese producing companies, are concentrating intensively on the production of films designed for the international market, including the United States. Superimposed English subtitles are part of the plan.

* * *

As a means of promoting the use of cultural and educational films throughout the country, the Japan M. P. Assn. plans a national film festival to be held probably in mid-October, with the cooperation of the Home Office of the Government. With that as a starting point, it is expected that within a year a Government requirement will compel all theatres to show educational subjects as part of their programs.

* * *

Theatre receipts in Tokyo, showing a marked and normal increase over the totals of the summer months, were at least 20 per cent higher during the first week in September than for the same period last year.

Short Subjects

"False Alarms"

(*Columbia*)

Applying their antics to a story set in a fire house, the Three Stooges do their familiar stuff, which, although somewhat standardized, still manages to get laughs. Missing out on alarms and back-talking to the station's captain the boys are saved by the soft spot in their superior's heart and ordered to wash the hose. Curly rolls it out into the street where it is cut up by passing trolleys. A bucket is heaved and its contents hit the captain. They spoil his suit cleaning him up and are kept on only until they can pay for it. The second reel is given to their cutting up while they are trying to beat the engine to a fire in the captain's car. They do, only to find that Curly rang the alarm to introduce them to a couple of girls. Again taking the captain's car, they speed it back, smashing into a light pole. The car runs away and with the chief after them they lure it up and into a truck and disappear up the road. It is fairly good slapstick stuff. Production Code Seal No. 2,288. Running time, 20 mins. "G."

"Musical Airways"

(*Mentone-Universal*)

Sibyl Bowan, as the publicity director of a dirigible company is at her wit's end when Marlene Dietrich, Greta Garbo, Beatrice Lillie and Mae West fail to show up for the airship's floor show. But when the show goes on Miss Bowan does her string of impersonations in excellent fashion and the result is clever bits of mimicry. Miss Bowan, in the various characters, introduces Cappy Barra's Harmonicas, Audrey and Wesley Catri, juvenile tap dancers and the Four Eton Boys. It unreels as effective farce. Production Code Seal No. 01,140. Running time, 11 mins. "G."

"Gus Van's Garden Party"

(*Mentone-Universal*)

A nicely turned offering. The entertainers to be seen include Miller and Massey, modern dancing, a double quartet of girls and a few numbers by the chorus. Van steals the show doing, in his distinctive manner, a dialect number. Fairish entertainment. Production Code Seal No. 01,149. Running time, 11 mins. "G."

"In My Gondola"

(*Columbia*)

Plenty of imagination went into this Scrappy cartoon. The result is good entertainment with much spectacular excitement. Set on the Venetian canals the story has Scrappy boating with his girl. Scrappy's dog gets involved with a musical lobster and while chasing him along the canal bottom annoys a swordfish. Here a cleverly drawn chase is worked in with the pup being rescued just as he is about to be run through. A comic, spaghetti eating sequence concludes. Production Code Seal No. 2,482. Running time, 8 mins. "G."

"Camp Meetin'"

(*Radio*)

Using a camp meeting background, the Hall Johnson choir, acting in a slight story of raising funds to send their pastor to a Birmingham conference work in their fine choral singing. The resounding, throaty numbers injected into the script on various occasions include "Swing Low Sweet Chariot," "Standin' in the Need of Prayer," "Great Day" and "Dere's a Jubilee." It captures the negro actors' inherent capacity for comedy and enthusiasm for church singing. A fairly good number. Production Code Seal No. 2,508. Running time, 16 mins. "G."

"Going Places No. 27"

(*Universal*)

The variety and good photography of subject, as usual in the series, makes a fine grade of informative entertainment. In its three parts the reel shows glimpses of the tuna fishing industry in Italy, a champion bubble blower of Buffalo and a collection of superb shots of Crater Lake in Oregon. Lowell Thomas narrates in interesting fashion. Production Code Seal No. 01,165. Running time, 10 mins. "G."

"Football Flashes"

(*Columbia*)

An appropriate item to play for the approaching football season. Starting with shots of rigorous training, the piece continues with some of the most outstanding plays that featured last year's games. Ford Bond narrates. Production Code Seal No. 01162. Running time, 10 mins. "G."

Interstate Shifts Collins

Houston, Oct. 4.—E. E. Collins, city manager of Interstate Theatres, Inc., here for eight years, has been transferred to San Antonio in the same capacity for Interstate. Al Lever, manager of the San Antonio Majestic, will assume Collins' duties.

Dickinson Men Shifted

Kansas City, Oct. 4.—Several managerial shifts have been made by the Glen W. Dickinson circuit.

R. S. Helson has been named manager of the Dickinson at Osage City, Kan. Ralph Kiefer, formerly in the booking repartment goes to the Dickinson at Parsons, Kan. F. P. McGinnis, who has been assistant manager, takes over the State at Larned, Kan.

Ted Siler recently with National Theatre Supply, gets the Dickinson at Lawrence, Kan.

Howard Sexton has replaced Glen W. Dickinson, Jr., as manager of the Dickinson at Junction City, Kan. Young Dickinson has returned to Kansas University. Bob Parker is managing the Chief at Marceline, Mo.

N. E. Business Rises by 27% Reports Show

Boston, Oct. 4.—The continued upward trend of business throughout New England is indicated by the report that retail sales for 1935 amounted to $2,700,000,000, 27 per cent higher than the 1933 total. The figures are taken from Government reports issued to the Boston conference on distribution.

The total number of employes has increased 13 per cent, from 290,649 in 1933 to 327,443 in 1935, the report showed.

Wisconsin Index Jumps

Madison, Wis., Oct. 4.—Factory payrolls and the per capita weekly earnings of factory workers reached new post-depression high points during August, being higher than in any previous month since June, 1930, the State Industrial Commission reports.

Wisconsin factory workers averaged weekly earnings of $23.01 in August, 1936, compared to $20.88 in 1935, $13.97 in 1932 and $26.51 in August, 1929.

Factory employment increased in 21 out of 31 of the principal industrial cities of the state during the monthly period, July 15 to Aug. 15. In August, 1936, there were 1.5 per cent fewer workers on factory payrolls than in August, 1929, but total factory employment in August, 1936, was 1.7 per cent greater than in August, 1935.

Kentucky Employment Gains

Louisville, Oct. 4.—A decided improvement in business conditions in Kentucky was reflected in the report of the state director of the National Reemployment Service, showing that 1,355 persons were placed in private jobs during August.

Private employment during August brought the total for the first eight months of 1936 to 7,788, against 5,238 for the same period last year. Of the 1,355 given jobs, 335 were reemployed in Louisville. Total placements during the month for Louisville and the state were 4,782. A total of 9,163 drought victims have been given WPA jobs in the state. Two more counties, Edmonson and Lyon, have been designated drought areas in Kentucky, and efforts are being made to obtain an increase in the WPA quota of 10,000 jobs.

Talk Deal in Louisville

Louisville, Oct. 4. — Negotiations are under way for the Brown here to be taken over and operated jointly by the Fourth Avenue Amusement Co. and Loew's. The Brown has been closed all summer. The Fourth Avenue Amusement Co. operates the Strand and Rialto.

FWC Buys at San Jose

San Francisco, Oct 4.—F.W.C. has purchased the Padre at San Jose from W. L. Gleason. This gives F. W. C. three first runs there.

Hyman Levin's General Theatres will reopen the West Portal after remodeling which cost $30.000. The house will be renamed the Empire. New sound has been installed.



A double treat for your patrons . . .

A glorious romance, and Arliss, as a fascinating woman-hating Rajah . . .



GEORGE ARLISS
EAST meets WEST

with LUCIE MANNHEIM • Godfrey Tearle • Romney Brent

Directed by Herbert Mason • Story by E. Greenwood

TOPS 'EM ALL

GB

Canada Distributors

General Gain In Ohio Sets Theatre Pace

COLUMBUS, O., Oct. 4.—Business in practically every line in Ohio and nearby territories is at the highest point since 1930, with department stores materially increasing their commitments in anticipation of the heaviest holiday trade in years, a survey by MOTION PICTURE DAILY reveals. Industries in many situations are operating at capacity, with production lagging behind orders. A large number of industries are operating on a three-shift basis or extending their hours considerably in excess of normal.

This general improvement is reflected in the number of new theatres already completed or under construction, representing the greatest activity in the past five years. The same applies to modernization and reopenings.

Allison A. Abel has just opened the 375-seat Oak, local neighborhood house, which he converted from the site of a former post office sub-station.

The Parsons, also a local neighborhood, operated by W. H. Rowland, has a new marquee of the latest type.

The Berea, a new modern house at Berea, has been opened by P. E. Essick and associates, of Cleveland.

J. L. Hatcher has a new $100,000 house under construction at Xenia.

A new 490-seat house, to be known as the Roxy, is being built by George Swisher, at Massillon, at an estimated cost of $25,000.

Plans $100,000 House

The Price-Critchfield Co. has been organized at London to build a new house, the site for which already has been acquired.

The Liberty Amusement Co., Wellsville, has resumed work on the construction of a house at Salineville, which was started last spring. It will have 400 seats.

The Rex Theatre Co., Steubenville, headed by W. B. Urling, is converting the Kohler Building into a 600-seat theatre.

Loew's Broad here has a new marquee and 70-foot upright electric sign, claimed to be the tallest in this section, recently completed at a cost of $25,000.

Circuits Are Active

Air conditioning and other improvements recently were completed at the Strand, Cincinnati independent, also Libson's Gifts and the Hollywood, suburban, the latter house being a unit of the Libson-White circuit formed a few months ago.

The Americus and Park, Cincinnati, neighborhood units of Affiliated Theatres, have been modernized completely.

The Columbia, Alliance, has reopened after being dark for six weeks to permit extensive backstage alterations.

Scores of houses have been redecorated throughout and improvements made.

The Grove, Lorain, formerly known as the Standard, has been reopened by B. S. Curtis after having been dark for many years.

In the immediately adjacent territory, the Beckley is being built at Beckley, W. Va., by Crawford and Peters. The house will have 1,000 seats, and cost around $300,000.

The Strand, at Cumberland, Ky., is under construction by Walter McCurry, owner. It represents a $50,000 investment.

H. Tallen is building a $30,000 house at Prestonburg, Ky., to be known as the Abigail, with completion scheduled for Nov. 1.

The Drift, at Drift, Ky., seating 300, owned by E. Turner, was opened recently, as was also the Vienna, at Vienna, W. Va., likewise a 300-seat house, owned by J. Cassel.

The Circle at Akron, O., has been taken over and reopened by Dan Coleen and A. J. Reeves. It had been dark since the advent of sound.

The RKO Majestic at Columbus has reopened after remodeling.

The Penn Square has resumed its foreign picture policy. The Hanna, legitimate house, has opened with "Boy Meets Girl."

Reopenings in South

Among the houses reopened and being improved in the south are the Georgia, Atlanta, a Lucas & Jenkins house; The Pal, Louisville, Ga., which will be housed in a new two-story brick structure, work to start shortly.

In Pine Bluff, Ark., the Simmons Bank Building is being remodeled into a modern theatre for Malco, at a cost of $20,280. Jefferson Amusement will take over operation of the Lyric at Port Neches, Texas, Oct. 1. The Annex at Gardenville, Mo., has been reopened by John Murphy after extensive remodeling. The Rivoli, a United house at New Orleans, has been completely remodeled.

A new theatre, seating 900, will be started shortly at Atmore, Ala., by the Martin interests, on the site of the present building.

The Prince at Everglades, Fla., is being extensively remodeled.

The new Ritz is nearing completion at Newberry, S. C.

The Gloria at Senatobia, Miss., has installed entirely new equipment.

The Nashville at Nashville, Ga., is undergoing extensive renovation.

The Cochran at Cochran, Ga., will be remodeled with new sound equipment installed.

The Academy of Music in Charleston, S. C., is to be demolished to make way for a new theatre to be erected by the Pastime Amusement Co.

National Theatres, Inc., will build a new house, to be called the Carolina, at Asheboro, N. C.

The Rogers at Shelby, N. C., nearing completion, has been leased to W. H. Webb, who also operates the Webb there.

The Rivoli in New Orleans has been reopened after remodeling. It is a United theatres house.

J. E. Adams is erecting new theatres at Cotton Valley and Ida, La., new oil towns. It is said that a Saenger affiliate has bought a site in Cotton Valley.

Florida Remodeling by Sparks

TAMPA, Fla., Oct. 4.—An extensive program is under way by the Sparks Florida circuit, which operates 93 houses in the state. At Bartow, the Ernanda has been completely remodeled and the name changed to the Ritz. The Beacham at Orlando is being repainted. The Vero at Vero Beach, Eustis at Eustis and Lyric at Daytona Beach are being improved for winter visitors. The Park at Tampa is being redecorated in connection with the repair of water damage caused by the sprinkler system during a recent slight fire in the booth.

The circuit has taken over the Aladdin in Cocoa, Fla., from Fred Bryan and H. M. Cogswell. Jack Hodges is manager for the circuit. Several transfers of house managers include shifting Jack Fitzwater from St. Petersburg to the Eustis, with Vernon Wooten, from Palatka, placed in Fitzwater's former post. Earl Murray moved from the Franklin, Tampa, to Wooten's place. Harry Jaudon has replaced Murray at Tampa, and Strobie Lander is in Jaudon's former place in Sulphur Springs.

Several in New England

The Easton at North Easton, Mass., has reopened under the management of John Uston.

The Embassy in Waltham, Mass., has installed a new air-conditioning system.

Edward M. Fay closed the Carlton in Providence to permit redecorating and new sound equipment.

Henry Sperling, formerly of Century Films, Boston, has opened his Capitol in Mannville, R. I.

Three RKO houses in Boston, the Memorial, Boston and Bijou, are installing new equipment. The Exeter booth is being remodeled. New equipment is being installed also in the Larkum at Beverly, Mass.

The Wallingford is being remodeled.

The new Waldoboro at Waldoboro, Me., will open shortly under the management of Harry Smith.

Levine & Jacobson's Rialto in Bridegport is being remodeled.

Renovate in Iowa

DES MOINES, Oct. 4.—The Central State Theatre Corp., has reopened the Grand in Estherville, Ia., after extensive remodeling. Equipment for the hard of hearing has been installed.

The Empress at Fremont, Neb., has been reseated.

The Model at Bancroft, Neb., has been reopened after the installation of new seats and other equipment.

The Maryland at Omaha has been reopened following renovation.

Harry Schiller has closed the Grand at Grand Island, Neb., which will be razed to make way for a new theatre, to seat 850, and costing $85,000.

The new 800-seat Urban at North Mankato, Minn., has been leased by Harry E. Gilbert to Phil Gillman.

New House for Detroit

Ground has been broken for a 1,800-seat house to be called the Congress, in Detroit, for Associated Theatres. It is expected to be opened by Jan. 1.

The Tivoli at Jasper, Ind., has reopened after remodeling.

No Amateurs

Santa Barbara, Oct. 4.—The professional stars came to the rescue of professional extras here when casting was going on for a picture being directed by Frank Tuttle. When the stars, who included Jack Benny, Mary Boland, George Burns and Gracie Allen, heard that society girls were being hired as extras, they served an ultimatum: hire professional extras instead of society amateurs, or we walk out.

Needless to say, they won.

Theatre Work Is Stepped Up In K. C. Area

KANSAS CITY, Oct. 4.—Openings, reopenings and improvements continue actively in this territory.

Glen W. Dickinson is spending approximately $10,000 in new equipment and extensive remodeling for the Booth, Independence, Kan. The circuit has reopened the Uptown at Parsons, Kan.

J. J. Kametz will open a new theatre, the Rex, at Burlingame, Kan., about Oct. 1, seating approximately 240.

M. M. Swant has bought new equipment for the Nova, Stockton, Kan.

J. D. Wineland, operator of the Mystic at Picher, Okla., is building a new house at Carthage, Mo.

C. E. Esterly, operator of the State, Kansas City, is installing a new screen.

Ray Miner is installing a new amplifier and other equipment in the Ralston at Moran, Kan.

The Parama, new theatre built in Kingman, Kan., by F. S. and F. W. Meade, has been opened.

Louis Sutter, head of Athens Theatre Corp., will open the Princess, new colored theatre, in Kansas City, Kan., shortly. The house seats 782 and will be managed by George Ellis.

J. D. Wineland plans a new house at Carthage, Mo., to seat 850 and to cost approximately $15,000.

Paul Bloomer and Lloyd Lee are remodeling a building in Ozark, Mo., into a theatre which will cost about $3,500. It will be the town's first theatre.

Glen Caldwell is building the New Caldwell at Aurora, Mo., at a cost of $5,000. It will seat about 300.

The Royal in Kansas City is being dismantled and will be converted into stores. Schoenberg Realty Investment Co. has leased the property for 30 years to Legate, Inc.

Remodel in St. Louis

ST. LOUIS, Oct. 4.—The Circle here has been opened by the Kaimann Circuit. Formerly the Easton, the house has been completely redecorated.

Ferd Midelburg plans a new theatre at Logan, W. Va., which will seat 1,000, and will cost $150,000. The stage will accommodate vaudeville.

Building in Pittsburgh

PITTSBURGH, Oct. 4. — Warners are building a modern 1,000 seat theatre in the Squirrel Hill district here. Construction work will get under way next month, according to Harry Kalmine, zone manager. The circuit is at present operating another house, the Manor, in that district.

Plans Spokane House

SEATTLE, Oct. 4.—F. J. Weskil, local exhibitor, plans a new theatre in Spokane, to seat 1,000 and to cost approximately $150,000.

Reopen Paterson

PATERSON, Oct. 4.—Warners have reopened the Garden after an overhauling which cost about $60,000 and included new sound.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

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MPTOA Moves To Be Charted In Day or Two

Kuykendall Confers with Exhibitor Leaders

The course to be adopted by the M. P. T. O. A. to obtain action by distribution companies on the exhibitor organization's 10-point trade practice program will be decided today or tomorrow following conferences between Ed Kuykendall, M.P.T.O.A. president, and other officials of the organization.

Kuykendall conferred with Lewen Pizor of Philadelphia, and O. C. Lam of Rome, Ga., in Philadelphia last week, and with other M. P. T. O. A. officers earlier. Yesterday he met with Frank C. Walker and Walter Vincent, and additional conferences are being arranged for today or tomorrow.

The M. P. T. O. A. president reiterated yesterday that officers of the organization are of the opinion that the next move in connection with the proposed trade practice program should be made by the distribution companies to whom the program was presented for consideration and action

(*Continued on page* 5)

Dual Rehearing in Philadelphia Today

PHILADELPHIA, Oct. 5.—The rehearing of the Perelman action against major distributors, attacking the validity of the anti-double featuring clause in exhibition contracts, will be heard tomorrow by the U. S. Circuit Court of Appeals here. The court reconvened today and the Perelman action is tenth on the calendar.

The new hearing had been granted on the distributor plea that the court had misconceived some of the testimony and had been influenced in part by

(*Continued on page* 5)

Lesser Gets Rights To Burroughs Works

HOLLYWOOD, Oct. 5.—Sol Lesser has acquired the rights to all of the published works of Edgar Rice Burroughs, author of the Tarzan stories, as well as to his published works for the next five years. For the next five years Lesser will produce one Tarzan feature a year to be released through Twentieth Century-Fox.

Burroughs remains a director of the Burroughs-Tarzan Co., which will continue to produce original material supplied by the author in addition to its other product.

Laemmle, Jr., Planning 3-4 In First Year

One Play Acquired and James Whale Signed

Carl Laemmle, Jr., plans to produce from three to four pictures the first year under his own company name, Laemmle Prod., Inc., which is to be formed shortly, he revealed yesterday when he returned on the *Queen Mary* with his father after a four-month vacation in nine foreign countries.

The first play has been purchased, options have been obtained on three other literary pieces and James Whale has been signed to direct at least one picture. "Nine Officers," a play dealing with the Boxer rebellion, by George Frasier, is the initial acquisition. This also may be put on as a play in New York, but Laemmle said he wasn't certain at the moment. Options have been taken on Alfred

(*Continued on page* 4)

Strand 25c Opening Price Is Restored

After a five-week try at 40 cents, the Strand has reverted to a 25-cent morning price. During the time the higher admission was in effect, Byron Moore had hoped the other Broadway houses would follow suit, but, similar moves failing to materialize, he changed the price back to its former figure.

"Stage Struck" tallied $19,500 at the

(*Continued on page* 5)

Competition

Case of a distributor entering competition with an exhibitor:

Phil Meyer is sales manager of the Principal exchange. Louis Frisch is one of the partners in Randforce. Frisch's son, Emanuel, on Sunday weds Pearl Gloria Schor. Meyer's daughter, Berenice, on the same day marries Jack Weprin.

Film men have been invited to both functions.

Minneapolis Bill Seeks to Halt Building

MINNEAPOLIS, Oct. 5.—An ordinance restricting the building of new theatres until the Minneapolis population has reached 550,000 and which would put film houses in a sort of public utilities class, was introduced at a public hearing before the City Council Committee on Ordinances and Legislation.

Following heated debate, the matter was referred to the legal department for an opinion as to constitutionality. Further discussion of the matter will be held at the next committee meeting in two weeks.

Provisions of the proposed ordinance stipulate:

The number of theatre licenses be

(*Continued on page* 5)

"U" Will Have 52 Next Year, Says Cochrane

Studio Progress Assures Releases, He States

Universal will increase its production schedule to 52 pictures for the 1937-'38 season, R. H. Cochrane, president, said yesterday following his return from a three and one-half weeks' visit at the company's studio. The list will be comprised of 46 features and six westerns.

Cochrane was enthusiastic over the progress made at the studio under the direction of Charles R. Rogers, vice-president in charge of production, and William Koenig, general manager. He said that the efficient functioning of the studio organization during the first six months of the present regime was what decided the company on stepping up next year's production schedule to a picture a week.

"The studio completed 24 pictures in the past six months of operation," Cochrane said. "In addition, 22 scripts are complete and ready for shooting. We will meet every release date this season, something that Universal has been unable to do for the last four or five years, principally because the company had not been properly financed. Last year, for example, we announced 36 features, but delivered only 22. This

(*Continued on page* 4)

Warners to Make Twenty in Britain

Warners will produce 20 pictures at the Teddington studios in England next season, Sam E. Morris asserted when he debarked from the *Queen Mary* yesterday after a five-week trip to England and France.

The program is now being lined up by Jack Warner and Irving Asher, he said. A number of American stars and directors will be sent over to appear in the British-made films, he

(*Continued on page* 4)

Name Executives in Warners-Saxe Pool

MILWAUKEE, Oct. 5.—Tom Saxe, head, and A. D. Kvool, general manager of Saxe Amusement Management, Inc., will represent Saxe in the Warner-Saxe Theatres, formed to operate the recently completed pool of Warner and Saxe theatres in the state, Kvool has revealed. Representing Warners in the executive control will

(*Continued on page* 4)

New Play Has Film Idea, But Hollywood Could Do Better

***Motion Picture Daily,* with this edition, extends its function to embrace reviews of plays on Broadway with both eyes definitely turned toward possibilities in vehicles, players and treatment for ultimate motion picture use.**

Somewhere in the plot essentials behind "Lend Me Your Ears" lurks a motion picture. The play, which opened at the Mansfield last night, however, merely pointed the way and yet it was not even a new way, for already from time to time travesties on the American political scene have been essayed in Hollywood with variable results, most of which have been unsatisfactory.

The comedy by Philip Wood and Stewart Beach and offered to a public which, it is hoped, will be indulgent, by Peters, Weenolsen and Field ties in newspapers, their circulation, a small town hardware merchant who spouts Bartlett's quotations by the mile, in pretty broad strokes that would have been better if they had been as effective as they were wide, depicts how club-forming women, newspaper publicity and the radio can lead by the nostrils the dumb herd, sometimes known as the public, on a

(*Continued on page* 5)

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Charity Fund Gains From $500 to $600

From $500 to $600 will be added to the $2,000 check given to William F. Rodgers at the testimonial dinner tendered him last week at the Waldorf when all outstanding checks are marked off the books, it was indicated yesterday by a member of the committee.

The proceeds which are being turned over to Rodgers will be donated to charity, or a fund to be designated by the M-G-M sales manager.

Berg Wins Golf Prize

Frank Berg was low gross golfer at the Columbia tournament at Bayside and Bill Bentley made the low net score. Other prizewinners were: Hole-in-one contest, Ray Williams; longest drive, Frank Begg; putting contest, Dan Heiss; chipping contest, Jerry Kerr; novice putting, Al Duggy.

Cohn on Normandie

LONDON, Oct. 5.—Jack Cohn sails on the *Normandie* for New York Wednesday.

Purely Personal

N. L. NATHANSON and his wife at "21" yesterday. Others there: ROUBEN MAMOULIAN with LYNN FARNOL, the latter all set for his coast air trip today; RALPH ROLAN, WILLARD MCKAY, BUDD ROGERS, CHARLIE PAINE, HERB YATES, NOEL COWARD, BETTY FURNESS, IRVING HOFFMAN, HERB CRUIKSHANK, CHARLES HANSON TOWNE, WESLEY RUGGLES and AL WILKIE, who hurried away to the Waldorf to check on arrangements for the cocktail party Paramount threw later in the afternoon.

•

LEONARD FIELD is one of the triumverate known as PETER, FIELD and WEENOLSON, who presented "Lend Me Your Ears" at the Mansfield last night with WALTER C. KELLY in the lead. HAROLD FIELD of the Pioneer Theatres of Iowa came in from Minneapolis for the performance. To the unitiated, both FIELDS were born FINKELSTEINS, sons of MOE FINKELSTEIN, of FINKELSTEIN and RUBEN, in their day among America's most prominent exhibitors.

•

MONTE PROSER didn't sleep Sunday night, having spent it watching the clock so he wouldn't miss the cutter going out to meet the *Queen Mary*, on which were CARL and JUNIOR LAEMMLE.

•

MRS. BEN GOETZ is in from the coast awaiting the arrival of her husband. Both will leave for England shortly after his arrival.

•

JOE HORNSTEIN won a set of Bobby Jones irons and a dozen golf balls Sunday at Glen Oaks, Great Neck, L. I.

•

HAROLD ROBB and ED ROWLEY have gone back to Dallas after a two-week visit here.

•

HARRY COHN, president of Columbia, plans to leave for Hollywood the end of the week.

•

LESTER ABBOTT, general sales manager of Motiograph, is in town from Chicago.

•

GILBERT GOLDEN's brother is again in the hospital seriously ill. GILBERT handles trade ads for Warners.

•

PEGGY WOOD, now a playwright, is en route to the coast by car, and will return in about a month.

•

NORMA and NATALIE TALMADGE are in town, staying at the Madison.

•

WILLIAM PHILLIPS has returned from his European honeymoon.

•

KAY KAMEN returned yesterday from a five-week tour of the country.

•

JOHN W. HICKS, JR., is due from England the latter part of the month.

•

EDWIN MORRIS is expecting the stork at his home any moment.

•

FREDRIC MARCH will get into town this morning for a short holiday.

•

NOEL COWARD arrived yesterday on the *Queen Mary*, without any film commitments, which he said he was leaving open. However, he plans to appear in short plays, three-a-night, with Gertrude Lawrence. He will open in Boston the end of the month, and after two weeks there the plays will be shifted to Washington and then New York, which he expects to hit about Nov. 24.

•

JOSEPH CAWTHORN, who went abroad for a vacation and got a job to appear in "Crime Over London" for Criterion Films, was one of the long list of passengers arriving yesterday on the *Queen Mary*. He said he managed to get in a short trip on the Continent. Next week he plans to visit his brother in Washington and from there head to the coast where a Warner assignment awaits him.

•

JASPER D. RAPOPORT, Paramount manager in Cuba, who has been honeymooning here, starts his return voyage to Havana on Thursday.

•

L. M. MCKECHNEAY, treasurer of Tri-States circuit in Des Moines, is en route here for conferences with A. H. BLANK.

•

JOHN BOLES will leave for the coast today where his next film will be "Twenty-four Hours a Day" for Universal.

•

M. VERLINSKY and N. NAPOLI of Amkino return today from a tour of key cities in New England and the midwest.

•

JAMES MELTON is on his way back to New York after finishing in Warners' "Melody for Two."

•

ANITA LOUISE is scheduled to arrive at Newark Airport tomorrow morning.

•

AL O. BONDY, distributor of industrial films, is on a tour of the midwest.

•

HELEN KANE arrives today on the *Santa Paula.*

•

. . . San Francisco

LOUIS R. LURIE has returned from a European trip, flying the last stage from New York, while his wife and son chose the more leisurely boat route via Panama.

LAWRENCE BORG vacationed at Catalina while JOHN PETERS, his partner in the Crystal in Salinas, took a three-week sea voyage to the Canal Zone and back.

WALLY ARMSTRONG, Golden State purchasing agent, also went to Catalina. He sent a 340-lb. swordfish to WILL KING.

KATHARINE HILL, *Chronicle* drama editor, is taking a leave of absence. JOHN HOBART, assistant drama editor, is holding down the job.

Has Voice Stand-In

Hollywood, Oct. 5.—Lily Pons has introduced something new—a voice stand-in. She found the vocal tests for the sound men tiring, so she hired Armanda Chirot, a coloratura soprano, to do this work.

Paramount Holds An All-Star Party

Paramount got the fall cocktail season off with a bang yesterday in the Le Pirroquet suite at the Waldorf-Astoria. Celebrities were scattered all over the place.

William LeBaron, managing director of production was there, and the interviewers for fan magazines, syndicates and daily columns dashed around between hors d'ouvres and drinks to talk to Wesley Ruggles, Ernst Lubitsch, King Vidor, George Raft, William Frawley, Travis Banton, Margaret Perry, Randolph Scott, Bernie Goodman and others.

Murphy Coming Here On a Talent Search

LONDON, Oct. 5.—Dudley Murphy leaves for New York on the *Normandie* Wednesday in search of three stars and two directors for the program planned for Associated Artists in which Leslie Howard is a principal. He will also seek a lead for "Bonnie Prince Charlie" and "The Martyr."

It is understood Associated has closed a deal with United Artists for distribution.

Wants Summons Quashed

A motion will be made in N. Y. Supreme Court this morning before Justice William P. Collins to set aside the service of a summons in a $3,000 breach of contract action brought by Mascot Pictures Corp. against Rafael Ramos Cobian, theatre operator in San Juan, P. R. In his application to have the paper dismissed Cobian alleges that on Sept. 15 he was invited to a conference by Maurice Goodman, export manager of Mascot Pictures Corp. and that on leaving the confab in company of Harvey Pergament, a process server served a summons on his friend and not on him.

Lunch Guest List Grows

Will H. Hays, M. H. Aylesworth, Frank C. Walker, J. Robert Rubin and W. G. Van Schmus will be among the guests at the round table luncheon at the Cinema Club Wednesday at which Grover Whalen will be present.

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Ace sports scribe **Paul Gallico** had a brainstorm about a newspaper lad who handed his gal a three alarm fire for a wedding present. **The Saturday Evening Post** grabbed it, published it. Millions of Post fans clapped hands, cheered. **B. P. Schulberg** grabbed it,





filmed it with ace romantic comedy team, **JOAN BENNETT** and **CARY GRANT.** Directed by Richard Wallace . . . . Now you get what the critics call "swellest romance-comedy in months"



. . . Paramount's "WEDDING PRESENT" to prove for the millionth time

Paramount Pictures

It Pays to Play a Paramount Picture!

"U" Will Have 52 Next Year, Says Cochrane

(Continued from page 1)

year we will deliver every one of the 36 features and six westerns which have been announced, and we will deliver them on schedule," the Universal president said.

Cochrane's studio visit was the longest he has ever made in Hollywood.

"I learned a lot, myself," he said, "and was able to give the studio some of the viewpoints of exhibitors."

Cochrane was impressed by the number of new personalities at the studio being groomed for featured work and sees the solution of the company's casting problems and the loss of time and money resulting from them. He reported that 72 new personalities have been added to the Universal roster. He added that the company has 11 ranking directors under contract, as compared with three under contract six months ago.

"The studio is also ahead on stories for the first time in several years," Cochrane said. "All this means economy of operation, insurance against waste and deliveries according to schedule. I am grateful for the fine spirit of cooperation shown the company by other studios and also by the theatres. Our studio reorganization has been completed and its executive personnel is on a permanent basis except for the fact that an assistant to Rogers and Koenig will be named in the near future in order to relieve them of some of the excess work both are doing. They are working night and day and they shouldn't have to."

"Delay in Sun" for "U"

HOLLYWOOD, Oct. 5.—Universal will produce "Delay in the Sun," from the novel by Anthony Thorne, as a special. The story, which has a Spanish background, is being adapted by Robert Presnell, who will also produce, and is being rewritten to bring in scenes of the present revolution. The cast will include Alice Brady, Charles Winninger, Wendy Barrie, Cesar Romero and Louis Hayward.

Team Doris Nolan-Dunne

HOLLYWOOD, Oct. 5.—Universal will team Doris Nolan and Jack Dunne, skating champion, in the leads of "St. Moritz." The production will be on a lavish scale. Walter Lang will direct under the supervision of Morrie Ryskind. Production will start as soon as Miss Nolan finishes in "Top of the Town."

Heineman Makes Tour

LOS ANGELES, Oct. 5.—W. J. Heineman, west coast district manager for Universal, has left on a tour of Universal exchanges in the United States and Canada. Heineman's first stop will be Dallas.

"U" Contracts Hinds

HOLLYWOOD, Oct. 5.—Universal has signed Samuel S. Hinds to a long-term pact.

Baker Is Wanger Guest

HOLLYWOOD, Oct. 5. — J. Stewart Baker, chairman of the Bank of Manhattan board, is in town as a guest of Walter Wanger, U. A. producer.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Libeled Lady"

(M-G-M)

HOLLYWOOD, Oct. 5.—Elements presaging box-office popularity are skillfully blended in this semi-sophisticated, hokum-tinged farce comedy. Following the "cheating cheaters" premise, the story is briskly fresh, sparkling with fun in dialogue and situations. Presenting stellar names in the leading roles, the show is elaborately mounted and Jack Conway's sensible direction keeps things moving at a rapid pace.

Spencer Tracy, an editor, gets in hot water when his paper prints a wild scandal yarn concerning Myrna Loy, a socialite. He engages William Powell, a libel suit quasher, to boil down the legal menace, meanwhile marrying him to Jean Harlow, his girl. The suave Powell, in dealing with Walter Connolly, Miss Loy's father, plays upon that gentleman's fishing phobia, thereby establishing himself in the good graces of the family. Miss Loy, suspicious that Powell is a sharpshooter, is first coldly aloof, but gradually succumbs to his charm. Meanwhile Miss Harlow, who married for the sake of the paper, is getting sore because Tracy is giving her the perpetual run around and demands that Powell be husband in name as well as in fact.

Comedy suspense which gives the story a unique and punchy climax, brings the four together following Powell's marriage to Miss Loy. The complications of the situation are explained away by a hilarious, action-laden sequence in which it is revealed that Miss Harlow's several divorces make the marriage to Powell illegal. Miss Loy calls off her suit against the paper and Miss Harlow starts Tracy toward the altar.

In adapting the Wallace Sullivan original, Maurine Watkins, Howard Emmett Rogers and George Oppenheimer have provided the principals with intriguing situations and dialogue. Powell, Miss Loy, Tracy and particularly Miss Harlow build entertainment values and realism in colorful and exciting fashion. While this quartet carries the brunt of the story, their actions are dextrously aided by Connolly, Charley Grapewin and Cora Witherspoon. In producing the picture Lawrence Weingarten has stressed the comedy angle.

A laugh-fest for class-mass audiences, the film is rife with commercial qualities in personalities, story and production values that should make selling it a pleasure.

Production Code Seal No. 2,585. Running time, 95 minutes. "G."

"We Who Are About To Die"

(Radio)

HOLLYWOOD, Oct. 5.—Suggested by David Lamson's highly publicized book, this is stark drama produced with grim realism. It cuts scathingly at crooked politics and depicts the inhumanity of prison existence, refraining at the same time from any preachment. It suggests that crime itself rather than capital punishment should be deterred.

The story concerns the plight of John Beal, framed by payroll thieves and convicted of a killing. Ann Dvorak, his sweetheart, enlists the aid of Preston Foster, a detective, to establish Beal's innocence. After adventures in which Foster is fired by politicians and several counterplots are introduced, Beal is saved when a death row riot gives the added seconds needed to save him from the gallows.

Christy Cabanne concentrates the direction to vividly picture the psychology of the condemned and builds intense suspense by cleverly spacing the action between the happenings in the prison and outside. The supporting roles are expertly handled by Russell Hopton, J. Carroll Naish and Ray Mayer as crooks, also by Landers Stevens, Bryant Washburn and Wilfred Lucas, as police, and Howard Hickman and Willie Fung as death row inmates. The screen play by John Twist is a workmanlike job and the dialogue rings true from beginning to end. Because of the sombre nature of the picture it should be played with a lighter subject, but it can stand alone as a main attraction.

Production Code Seal No. 2,490. Running time, 80 minutes. "A."

Feist, M-G-M Denials In

Answers setting up general denials to the allegations were filed by Leo Feist, Inc., and M-G-M Corp. to the copyright infringement and injunction suit brought by Harms & Co. in Federal Court against them over the song, "Do I Remember," the song as used in "Suzy." Both defendants also set up a defense in the form of an admission that "Feist exercised certain rights with respect to the composition."

Warners Sell a House

LYNCHBURG, Va., Oct. 5.—Warners have sold the Trenton here to the syndicate operating the Paramount. W. A. Thompson will become manager of the Trenton.

Kohn Back from East

HOLLYWOOD, Oct. 5.—Ralph Kohn, B. P. Schulberg's partner, is back from another air trip to New York.

Laemmle, Jr., Planning 3-4 In First Year

(Continued from page 1)

Neuman's next novel, a new play to be written by Thomas Mann, winner of the Nobel award, and "Soul Without a Face," an anti-war story by Friges Karinthy.

Laemmle, Sr., will not be associated with the company, it was stated. He has retired and will leave for his coast home in about a week. The impression around the trade is that Laemmle is financing his son.

Distribution has not been set, according to Laemmle, Jr., who said he was negotiating with several companies and hoped to close a deal before he returns to Hollywood in six to eight weeks.

No stars were signed while he was abroad, but he has options on several, Laemmle, Jr., stated. Each production will cost about $500,000 and will be "A" type product. While abroad, he said he saw from 40 to 50 plays and interviewed about 100 authors. He also attended the film festival in Venice, he added.

Jerry Horwin, who accompanied him, has been named scenario editor for the new enterprise. He will make his offices on the coast. John Wildberg is attorney and New York representative, with the Blackstone Agency handling publicity.

Studio space will be rented, Laemmle added. He said he didn't know where he would make his headquarters.

Warners to Make Twenty in Britain

(Continued from page 1)

added. Morris could not state whether any of the pictures would be shipped over for American release.

No changes in the distribution setup were made while he was abroad, Morris declared. In England everything is fine, but the Continent is disturbed over the devaluation of currency, he said.

Warner has extended his vacation a few weeks. He's visiting W. R. Hearst at St. Donat's Castle, Switzerland.

Name Executives in Warner-Saxe Pool

(Continued from page 1)

be James E. Coston, Chicago, and Harold Mirisch, Milwaukee.

The pool follows a similar arrangement entered into more than a year ago between the two companies, and covering several south side neighborhood houses here and in Oshkosh. Kvool has been named general manager under the new arrangement, which involves about 20 houses in six cities, including Milwaukee, in the state.

Pope Back in Detroit

DETROIT, Oct. 5.—Clem Pope has returned to this city and will reopen the Downtown on Oct. 15, with a policy of first run films and vaudeville. The house formerly was operated by RKO. Pope resigned from RKO in Providence last week.

MPTOA Moves To Be Charted In Day or Two

(*Continued from page 1*)

last June. Methods of hastening distributor action are being weighed, but Kuykendall said that it was unlikely that any additional meetings with sales executives would be held unless requested by the distribution companies.

"If distributors fail to act on the proposals which have been made," Kuykendall said, "or if they act unfavorably, I will call a special meeting of the M.P.T.O.A. board to define a further course of action. We are sincere in our belief that the program we are seeking involves no concessions which are unfair or unreasonable. If the program cannot be attained by the procedure we have followed, the M.P.T.O.A. definitely will call for legislation which will provide the same or greater trade practice reforms. The directors' meeting would define our procedure under this policy."

Decision Within a Week

The exhibitors' program calls primarily for the elimination of the score charge, an increased and unconditional cancellation privilege and the establishment of local conciliation boards for the settlement of local trade problems.

Kuykendall plans to remain here for about a week, by the end of which time he expects the fate of the trade practice program will be known.

Strand 25c Opening Price Is Restored

(*Continued from page 1*)

Strand in the seven days preceding the opening of "A Midsummer Night's Dream." For the first two days of the run, the "early bird" charge on "Stage Struck" was 40 cents, following which the former quarter sign was put up.

"Cain and Mabel' is slated to follow the two-week run of "A Midsummer Night's Dream." After that "Charge of the Light Brigade" has been dated for an indefinite run.

The seventh week of "Romeo and Juliet" at the Astor was good for $14,588, which is $2,665 less than the previous week.

Dual Rehearing in Philadelphia Today

(*Continued from page 1*)

other testimony which was either improper or incompetent. The distributors will argue that the anti-dual clause is not restraint on interstate commerce.

Duals Case Up In Philadelphia

Louis Phillips and Edwin L. Weisl, attorneys for Paramount, left last night for Philadelphia where they will represent that company today in the rehearing of the Perelman double feature case in the U. S. Circuit Court of Appeals there. Other defendant distributors in the case will be represented by Morris Wolf, Philadelphia attorney.

Looking 'Em Over

"Cavalcade of the West"

(Futter-Grand National)

A minor epic of the west, with the initial ride of the pony express as its basic theme and a tale of the lost son returning to the fold worked in for dramatic effectiveness, this western will be liked by the action film fans.

The smiling and hard-riding Hoot Gibson, the moving force of the film, makes things move along with proper action and pace. Marion Shilling is the heroine and Rex Lease the lost outlaw son, who returns to the more peaceful aspects of pioneer life on the frontier.

Incidents of the exciting era are handled well in the direction of Harry Fraser. The screenplay was executed by Norman Houston.

Production Code Seal No. 2,459. Running time, 65 minutes. "G."

New Play Has Film Idea, But Hollywood Could Do Better

(*Continued from page 1*)

political barnstorming tour with Congress as one terminus and the presidency, beyond and perhaps.

Walter C. Kelly, "The Virginia Judge"—40 years on stage, in vaudeville and in an occasional film—plays the lead in the sort of role which, by this time, must be like log-rolling to him. He was slightly nervous at the debut, but in the casual exigencies of the role acquitted himself neither with blame nor with particular distinction. The rest of the cast, including Jane Seymour, Mary Holsman, Bertha Thorn and Robert Williams, was what might be described as routine. Clyde Franklin tussled valiantly with a Republican boss part and did the best he could, which was ahead of the others.

In one set, but in three acts with the designing credited to Cirker and Robbins and the stage direction to Leo Bulgakov, "Lend Me Your Ears" drew its title from "Julius Caesar" by that up and coming playwright, W. Shakespeare. But right then and there, all resemblance ceased.

McGuinness a Producer

HOLLYWOOD, Oct. 5.—James K. McGuinness will function temporarily as an associate producer for M-G-M in order to relieve pressure on other producers. McGuinness, a contract writer, will start immediately to look for material for an undetermined number of pictures.

Alperson, Rowland Talk

HOLLYWOOD, Oct. 5.—Edward Alperson, president of Grand National, met with Richard Rowland tonight for conferences on their proposed deal.

Rowland will vacate his educational quarters Tuesday, after which Sherman Prod. will take over the premises.

Miss Michael Improving

Bulletins from the Doctor's Hospital at an early hour this morning reported Gertrude Michael as "a little bit better."

Gives System to Church

BEEVILLE, Tex., Oct. 5. — Henry Hall, local theatre owner, donated a complete air-conditioning plant for the proposed new $30,000 Baptist church here.

Spencer Worried

Hollywood, Oct. 5.—Spencer Tracy is taking singing lessons and, while assiduously at the task, expresses the fear that he will be hailed as a "sissy" at any minute.

Bank Night Actions Brought in Denver

DENVER, Oct. 5.—Bank Night as operated by the Lucky Seven theatres here will soon get its day in court following the filing of suits by two dissatisfied customers. Frank Hickey, attorney for the theatres, said that the action will be fought to the finish, because they claim that the registrants did not comply with the conditions.

Mrs. M. C. Morain, who claims that she was represented on Sept. 8 by a so-called courtesy registration card given her at the matinee performance, is suing for $1,000 which she asserts that she won. The management denies that it has or has had in its possession a courtesy card registration for Mrs. Morain.

The other defendant, Robert L. Voth, says that he was standing outside one of the theatres, June 16, when the name was called as "Roth" and that he did not answer because he did not know that his name had been drawn. His suit is for $200. Trial has been set for Oct. 19.

B. D. Cockrill, manager of the Denham, says that these are the first complaints he has had since the plan was started by them in August, 1935. Since then $92,000 has been given away in amounts from $500 to $2,400. The Lucky Seven have 62,000 registrations.

Bank Night Case Up Soon

KANSAS CITY, Oct. 5.—The Supreme Court of Kansas on Oct. 7 is scheduled to hear the quo warranto proceedings brought early last spring by Clarence V. Beck, attorney general, against Fox Midwest on a charge of operating a lottery in the use of Bank Night.

Roland Boynton, former attorney general, is representing Fox and Affiliated Enterprises, Inc., the latter owner of Bank Night patents.

Minneapolis Bill Seeks to Halt Building

(*Continued from page 1*)

limited to 62 until the population reaches 550,000 and that thereafter licenses be limited to one for each 10,000 population increase. (At the present time, there are 62 theatre licenses outstanding although several of the buildings are closed.)

Theatres must be not less than 1,200 feet from church or school.

Parking space for patrons must be provided as follows: up to 400-seat capacity, parking space for 200 cars; 400 to 600 seats, 300 cars; in excess of 600, at least 400 cars. No theatre will be permitted to operate unless it has the required parking space available for patrons.

Suggested by "Theatre Men"

These provisions, however, apply to theatres and licenses established in the future. Present theatres would be unaffected.

Alderman Edwin I. Hudson, chairman of the committee, introduced the proposed ordinance. In reply to the question of who proposed and prepared the action, Hudson said that "a group of people went to the theatre men" and started the idea. The proposal is reported to have sprung "from this group of theatre men."

Theodore Hayes, representing the Minnesota Amusement Co., told the group that while his firm was not active in the promotion of the ordinance, it was "in sympathy with it." He argued that the more theatres there are, the more the theatre standard is reduced. In addition he endorsed provisions concerning schools and churches.

Monopoly Charge Made

Asked what he thought of the measure, Assistant City Attorney John F. Bonner said that if the only motive of the measure was to restrain competition, the council would have no power to enact it. That, however, he added, was not the whole problem, since the council does have the right to supervise theatres with respect to police and fire hazards.

Protesting the ordinance, speakers declared that to restrict the number of theatres to 62, is to provide a monopoly and that it would hamper building trades and company expansion.

Supporters declared "there are too many theatre seats in Minneapolis now," and that it was "inadvisable to add film houses in suburban districts."

Dinner for McCarthy

KANSAS CITY, Oct. 5.—The local Variety Club will honor L. J. McCarthy, film buyer for Fox Midwest and an organizer of the local club, at a dinner tomorrow at club quarters. He will leave this month to become assistant to Nat Levine of Republic on the coast.

Dinner for Bragin

CHICAGO, Oct. 5.—Saul Bragin was given a farewell dinner at the Hotel Sherman by B. & K. executives. He has resigned as booker to join Warners Theatres in Cleveland as assistant to Nat Wolff.

"Dodsworth" $18,000 Hit In Cleveland

CLEVELAND, Oct. 5.—"Dodsworth" was the big noise of the week. It went $6,000 over average on an $18,000 take at Loew's State.

Three of the downtown first runs had repeat shows, it was cold and rainy and new competition was introduced with the opening of the Hanna for legitimate shows.

"Don't Turn 'em Loose" was good for $6,755, up by $2,755. "The Great Ziegfeld," in its third week at Loew's Stillman, held up to $7,500. "The Girl on the Front Page," with "Folies Parisienne" on the stage, was strong at $19,000, over par by $4,000.

Total first run business was $63,530. Average is $46,000.

Estimated takings for the week ending Oct. 2:

"DON'T TURN 'EM LOOSE" (Radio)
ALLEN—(3,800), 30c-35c-42c, 7 days. **Gross:** $6,755. (Average, $4,000)

"DODSWORTH" (U. A.)
LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $18,000. (Average, $12,000)

"THE GREAT ZIEGFELD" (M-G-M)
LOEW'S STILLMAN—(1,900), 35c-42c-56c, 3rd week, 7 days. **Gross:** $7,500. (Average, $6,000)

"THE GIRL ON THE FRONT PAGE" (Univ.)
RKO PALACE—(3,300), 35c-42c-60c, 7 days. Stage: Second week of "Folies Parisienne." **Gross:** $19,000. (Average, $15,000)

"SWING TIME" (Radio)
WARNERS' HIPPODROME—(3,800), 30c-35c-42c, 7 days, 2nd week. **Gross:** $12,275. (Average, $9,000)

"Adverse" $7,000 2d Portland Week

PORTLAND, Oct. 5.—"Anthony Adverse," in its second week at the Paramount, grossed $7,000, or $2,000 in excess of normal.

"Swing Time" was held at the Orpheum for a second week and took $7,000, over par by $2,000.

The stage show at the Mayfair, "La Vie Paree," with "Kelly the Second," had a take of $7,200, over average by $4,200.

Total first run business was $34,200. Average is $24,700.

Estimated takings for the week ending Sept. 26:

"CHINA CLIPPER" (F. N.)
"CASE OF VELVET CLAWS" (F. N.)
BROADWAY—(1,912), 30c-35c-40c, 7 days. **Gross:** $6,000. (Average, $5,000)

"MR. DEEDS GOES TO TOWN" (Col.)
"TILL WE MEET AGAIN" (Para.)
BLUE MOUSE—(1,700), 30c-35c-40c, 7 days, 21st D. T. week. **Gross:** $2,000. (Average, $2,700)

"KELLY, THE SECOND" (M-G-M)
MAYFAIR—(1,700), 30c-45c-55c, 7 days. Stage: "La Vie Paree." **Gross:** $7,200. (Average, $3,000)

"SWING TIME" (Radio)
ORPHEUM—(1,700), 30c-35c-40c, 7 days, 2nd week. **Gross:** $7,000. (Average, $5,000)

"ANTHONY ADVERSE" (W. B.)
PARAMOUNT—(3,000), 35c-40c-55c, 7 days, 2nd week. **Gross:** $7,000. (Average, $5,000)

"GREAT ZIEGFELD" (M-G-M)
UNITED ARTISTS—(945), 30c-35c-40c, 7 days, 4th week. **Gross:** $5,000. (Average, $5,000)

Western Changes Name

PORTLAND, Oct. 5.—Western Sound Equipment Co., of Portland has changed its name to Western Theatre Equipment Co.

Paramount Expands Far East Activities

Paramount's activities in India have been expanded, Charles Ballance, general manager for the company, stated upon his arrival yesterday on the *Queen Mary* on his first trip in two years. He plans to be here three weeks during which time he will visit his brother, Harry G., in Atlanta, and the studios on the coast. He will depart Friday for the south and later return to sail on the *Rex*.

The company has had only an office in Calcutta. It recently opened one in Bombay where new headquarters have been set up. In addition, representatives have been added at Lahore, Punjab, Rangoon, Burma, and Colombo, Ceylon, he said.

"Business has picked up," Ballance asserted, adding he was sure improved conditions will be reflected throughout the world. There is a lot of native production going on in India and a good number of the 600 theatres in the country play the home made product. Most of the company's releases are scheduled for Indian distribution, the Paramount executive declared, and big plans are on foot for "The General Died at Dawn."

"We are developing a fine organization in India," Ballance said. "S. Ganguli is general manager in Calcutta and Frank Kennebeck is manager of the Bombay office." En route from India, Ballance met Fred Lange, head of Continental activities for the company, in Paris, and John W. Hicks, Jr., head of all foreign affairs at Paramount, in London.

Name Convention Head

CLEVELAND, Oct. 5.—Mrs. W. J. MacLachlan, former president of the Cleveland Cinema Club and vice-president of the Ohio M. P. Council, has been named chairman of the convention committee of the Ohio M. P Council, which will meet here Oct. 28-29-30. Convention headquarters will be at the Cleveland Hotel, but business sessions will be held in the Chamber of Commerce.

Asks Injury Damages

PITTSBURGH, Oct. 5.—Mrs. Elizabeth W. Coey has filed suit for $10,000 in Common Pleas Court here against the Northside Amusement Co., operating the Garden, as damages for injuries she alleges she suffered during an explosion in the house on May 21, 1934, as the result of a union battle. Improper protection for patrons is charged against the theatre.

Midland to Run Dual

KANSAS CITY, Oct. 5.—Loew's Midland, for the second time in its history, will show a double feature beginning Oct. 9. The films are "Craig's Wife" and "Adventure in Manhattan." On a recent day, 41 out of 44 subsequent runs advertising in the newspapers were showing double bills, a new high for the practice here.

Two Charge Plagiarism

LOS ANGELES, Oct. 5.—Dorothy Farnum and Margretta Cort, writers, have filed suit in Superior Court here, seeking an injunction against Radio, alleging plagiarism in the production of "I Dream Too Much," film starring Lily Pons. They ask further showing of the film be halted and seek a financial accounting.

Mailbag

Lois Jacoby of the Goldwyn office recently parted with her appendix. Taking her pen in hand, she writes from her home:

"Thanks so much for *The Daily* which cheered me immensely during my stay in the hospital. Even without my appendix, it was good to learn what 'My Man Godfrey' grossed in Minneapolis."

"Ziegfeld" $14,000 Lead in Providence

PROVIDENCE, Oct. 5.—Another week of above-par grosses caused exhibitors to grin and predict the coming season will be a banner one. In its second week at Loew's State, "The Great Ziegfeld" upped the usual $12,000 take by $2,000 and the Albee caught a neat $8,500 with "My Man Godfrey," which was held over.

"Sing, Baby, Sing" at the Majestic took in $7,500, which was $500 to the good and the Strand was a like amount over par with "The General Died at Dawn," which garnered $7,000. Fay's, with a revival of "State Fair" and vaudeville, caught $7,200. The usual gross is $7,000.

The weather was crisp and fair and the only major opposition came from the start of the football season.

Total first run business was $44,200. Average is $39,500.

Estimated takings for the week ending Oct. 1:

"THE GENERAL DIED AT DAWN" (Para.)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $7,000. (Average, $6,500)

"THE GREAT ZIEGFELD" (M-G-M)
LOEW'S STATE—(3,400), 30c-55c, 7 days. **Gross:** $14,000. (Average, $12,000)

"SING, BABY, SING" (20th-Fox)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $7,500. (Average, $7,000)

"MY MAN GODFREY" (Univ.)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $8,500. (Average, $7,000)

"STATE FAIR" (20th-Fox)
FAY'S—(1,600), 15c-40c, 7 days. Stage: Five acts of vaudeville. **Gross:** $7,200. (Average, $7,000)

K. C. House Sets Record

KANSAS CITY, Oct. 5.—The Plaza, Fox Midwest's ace subsequent here, broke all attendance records last Sunday, when "Rhythm On The Range" played to 6,000 people. This was in spite of rain and of the Jubilesta, the $125,000, eight-day show with which Kansas City introduced its new Municipal Auditorium.

U. A.-National Deal Set

Signatures are scheduled to be affixed either today or tomorrow on the master contract between National Theatres and U. A. for the showing of the distributor's 29 features next season over the entire circuit. Spyros Skouras will sign for National while George J. Schaefer will do likewise for U. A.

Hits Proposed Texas Tax

AUSTIN, TEXAS, Oct. 5.—Gov. James V. Allred's recommendation for a 10 per cent state tax on film admissions would require theatre owners to pay one-fifth of their gross intake in taxes, former Senator J. J. Strickland, theatre attorney, declared here. He cited the Federal levy of 10 per cent on tickets over 40 cents.

"Godfrey" Is 4th Week Top In Pittsburgh

PITTSBURGH, Oct. 5.—In spite of World Series broadcast opposition and an appearance here of President Roosevelt, "My Man Godfrey" held up to $7,800 in its fourth week at the Fulton. This was $3,300 over a first week normal.

"Dodsworth" pulled a strong $13,000, up by $2,000, at the Penn. "Swing Time" held up to $7,000 in its second week at the Warner, and "Craig's Wife" was strong at the Alvin with $7,250.

Total first run business was $47,050. Average is $37,500.

Estimated takings for the week ending Oct. 1:

"CRAIG'S WIFE" (Col.)
ALVIN—(2,000), 25c-40c, 8 days. **Gross:** $7,250. (Average, for 7 days, $5,500)

"MY MAN GODFREY" (Univ.)
FULTON—(1,750), 25c-40c, 7 days, 4th week. **Gross:** $7,800. (Average, $4,500)

"DODSWORTH" (U. A.)
PENN—(3,300), 35c-50c, 7 days. **Gross:** $13,000. (Average, $11,000)

"GENERAL DIED AT DAWN" (Para.)
STANLEY—(3,600), 35c-50c, 7 days. **Gross:** $12,000. (Average, $11,500)

"SWING TIME" (Radio)
WARNER—(2,000), 35c-50c, 6 days, 2nd week. **Gross:** $7,000. (Average, 7 days, $5,000)

Coast Technicians Have Busy Schedule

HOLLYWOOD, Oct. 5.—Studio technicians enlisted in the Academy Research Council cooperative technical program will have a heavy schedule of meetings, tests and demonstrations during the coming two weeks.

Starting with a meeting of the committee on industrial education, under the chairmanship of Dr. J. G. Frayne, Monday, the week's schedule includes a series of demonstrations of the Hawkins Safety Projector Device at the Roosevelt Hotel, Tuesday; a meeting of the sound recording committee Wednesday to continue discussion of sound reproduction characteristics and possible standardization of reproduction in the theatre; an all night meeting of the sound test group of the Silent Camera committee, under the chairmanship of Virgil Miller, at M-G-M Thursday for a series of camera noise analysis tests and the first meeting of the council's advanced class in sound recording next Monday evening.

The schedule calls for a series of film preservative projection tests later in the week at various theatres and a meeting of the council during the next 10 days to consider matters of policy in connection with the cooperative technical program.

Brin Gives Up House

LOS ANGELES, Oct. 5.—The Arrow on Main St., has been returned to Mrs. L. Menard, original owner, by L. K. Brin who has been operating it. The policy of the house will not be changed.

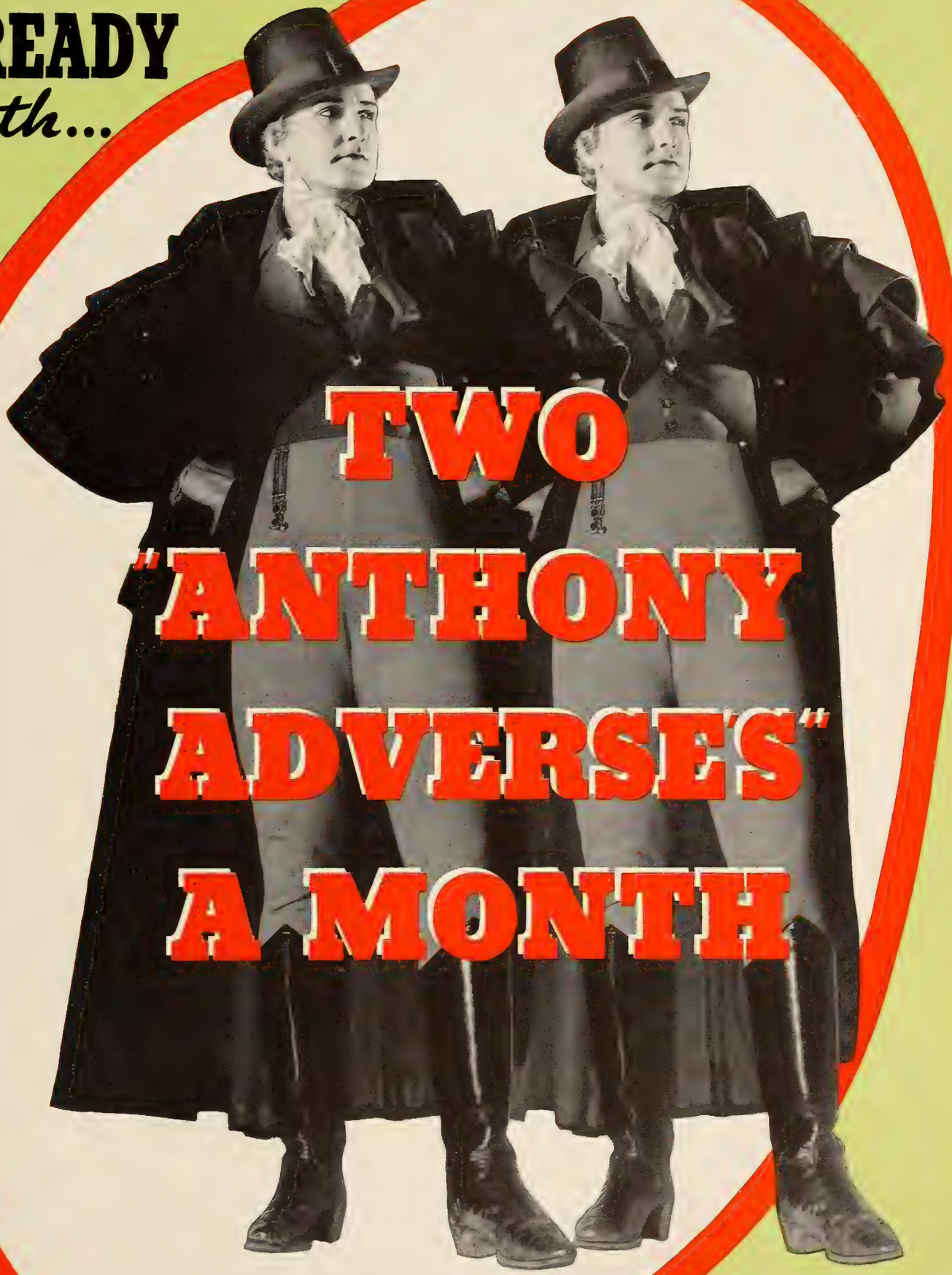
Film Sugar Production

CLEWISTON, FLA., Oct. 5.—Camera and sound crews are here to take background shots of sugar production in Florida's "sugar bowl" area in the Everglades. A two or three-reel subject on the industry is planned.

Warner Bros.

ARE READY

with...



TWO "ANTHONY ADVERSES" A MONTH

FOR THE NEXT SIX MONTHS!



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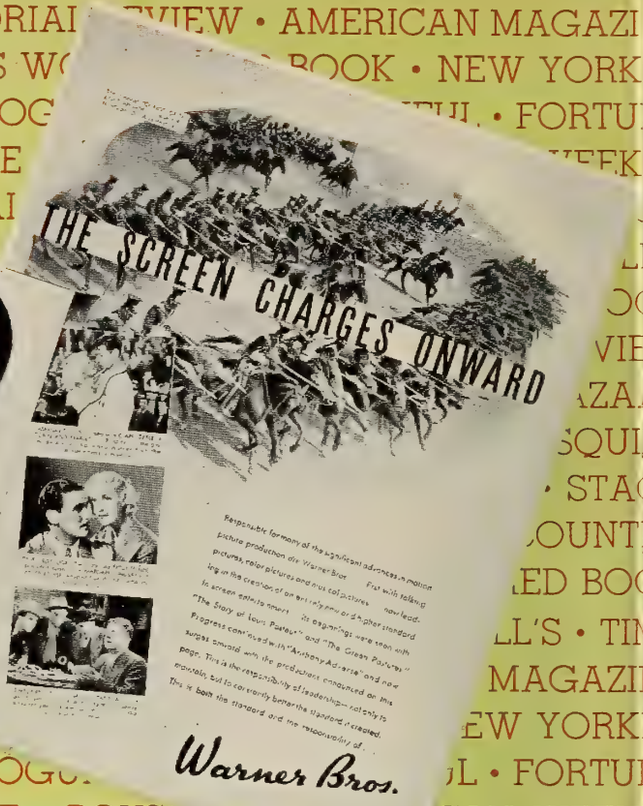


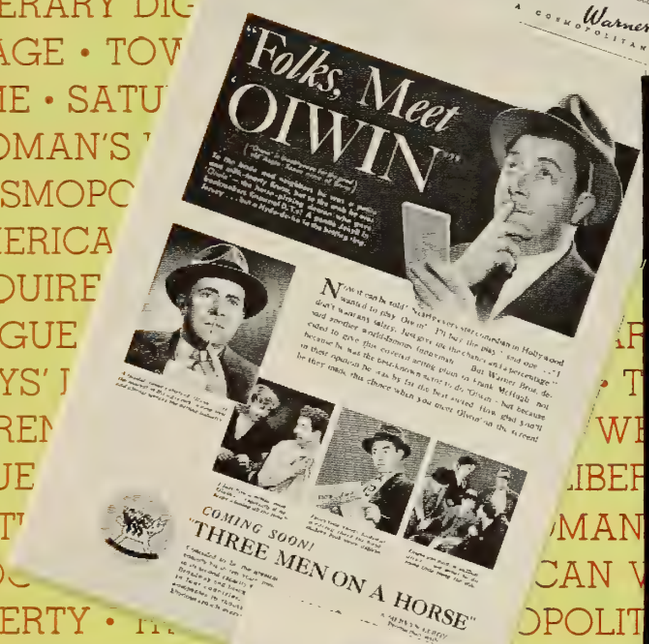
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Steadily advertised and solidly sold to every person in the United States with the biggest magazine space-buying campaign ever given to one company's product—thanks to

Warner Bros.

"Heart" with Show $33,000 Boston Smash

BOSTON, Oct. 5.—"Give Me Your Heart," with John Boles and Fred Allen and his Town Hall Tonight troupe on the stage at the Metropolitan, were the big noise of the week. The $33,000 gross was over normal by $11,000.

"The Great Ziegfeld" also went into the money in a big way with $14,500, up by $3,500 at Loew's State, and $18,500, up by $6,500, at Loew's Orpheum.

The RKO Boston, with "Don't Turn Em Loose" and with a stage attraction, "Glorified Follies of 1936" featuring the Three Stooges, took $18,000, which was $7,000 above average. The other RKO theatre, the Memorial, went $500 above average with $11,500 on the fourth week of "Swing Time."

The two Loew's theatres combined grossed $33,000 on the week. The Loew's State did $14,500 which is $3,500 above average playing "The Great Ziegfeld" for the first time at popular prices. The Loew's Orpheum playing same program grossed $18,500 for the week which was $6,500 above average for the house.

"Romeo and Juliet," in its fifth and last week at the Colonial, did a low $6,000.

"China Clipper," with "Love Begins at Twenty," at the Paramount and Fenway, had a combined gross of $13,500.

Total first run business was $115,000. Average without the Colonial is $79,500.

Estimated takings for the week ending Oct. 1:

"CHINA CLIPPER" (F.N.)
"LOVE BEGINS AT 20" (F.N.)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $5,500. (Average, $4,500)

"SWING TIME" (Radio)
RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days, 4th week. **Gross:** $11,500. (Average, $12,000)

"THE GREAT ZIEGFELD" (M-G-M)
LOEW'S ORPHEUM—(2,970), 35c-45c-65c, 7 days. **Gross:** $18,500. (Average, $12,000)

"THE GREAT ZIEGFELD" (M-G-M)
LOEW'S STATE—(3,537), 35c-45c-65c, 7 days. **Gross:** $14,500. (Average, $11,000)

"GIVE ME YOUR HEART" (W.B.)
METROPOLITAN—(4,332), 25c-50c-65c, 7 days. Stage: John Boles in person and Fred Allen's Town Hall Tonight. **Gross:** $33,000. (Average, $22,000)

"CHINA CLIPPER" (F.N.)
"LOVE BEGINS AT 20" (F.N.)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $8,000. (Average, $7,000)

"DON'T TURN 'EM LOOSE" (Radio)
RKO BOSTON—(3,246), 25c-50c-65c, 7 days. **Gross:** $18,000. (Average, $11,000)

"ROMEO AND JULIET" (M-G-M)
COLONIAL—(1,600), 55c-83c-$1.10-$1.65, 7 days. **Gross:** $6,000.

Northwest Club Elects

SEATTLE, Oct. 5.—Officers of the Northwest Film Club elected at a business session here, are: L. J. McGinley, president; Roy Cooper and Leroy V. Johnson, vice-presidents; Ed Lamb, secretary-treasurer; Ben F. Shearer, Al Rosenberg, Al Bloom, Neal East, Fred Mercy, Jr., and Neal Walton, trustees.

Oregon Bans Dart Game

SALEM, ORE., Oct. 5.—The Oregon Supreme Court has declared unconstitutional the 1935 act authorizing the licensing of dart games.

"Dodsworth" Philadelphia Hit, $19,000

PHILADELPHIA, Oct. 5. — "Dodsworth" cleaned to a record-breaking $19,000 at the Aldine. The picture started big and kept up all week. It may go three weeks easily.

Finishing the second week of its first grind engagement, "The Great Ziegfeld" left the Stanley with a strong $18,000 for eight days. "Romeo and Juliet" winds up its roadshowing at the Chestnut with $8,500 for the fifth and last week.

At the Earle, "Lady Be Careful" and a stage show drew $13,500. This was the last stage show program for some time, as the musicians and Warners have not yet reached an agreement. Both the Earle and Fox are without flesh entertainment, and will probably remain that way for some time.

The weather break on the whole was good, except for one rainy day.

Outstanding competition of the week was furnished by the Detton-Levin wrestling match and a legitimate show, "Stage Door."

Total first run business was $97,900. Average, without the Chestnut, $81,560.

Estimated takings for the week ending Oct. 1:

"DODSWORTH" (U. A.)
ALDINE—(1,300), 40c-55c-65c, 7 days. **Gross:** $19,000. (Average, $8,160)

"YOURS FOR THE ASKING" (Para.)
ARCADIA—(600), 25c-40c-50c, 6 days, 2nd run. **Gross:** $1,600. (Average, 7 days, $2,800)

"RAMONA" (20th-Fox)
BOYD—(2,400), 40c-55c, 7 days. **Gross:** $13,000. (Average, $14,000)

"ROMEO AND JULIET" (M-G-M)
CHESTNUT—(1,500), 55c-87c-$1.14-$1.71, 7 days, 5th week, roadshow. **Gross:** $8,500.

"LADY BE CAREFUL" (Para.)
EARLE—(2,000), 25c-40c-55c, 6 days. Stage: Benny Maroff band and revue. "Miss America 1936." **Gross:** $13,500. (Average, $12,000)

"STAGE STRUCK" (F. N.)
FOX—(3,000), 40c-55c-65c, 7 days. **Gross:** $13,000. (Average, $14,000)

"SWING TIME" (Radio)
KARLTON—(1,000), 25c-35c-40c, 7 days, 2nd run-2nd week. **Gross:** $3,100. (Average, $4,000)

"GIVE ME YOUR HEART" (W. B.)
KEITH'S—(2,000), 30c-40c-50c, 7 days, 2nd run. **Gross:** $2,700. (Average, $4,000)

"GREAT ZIEGFELD" (M-G-M)
STANLEY—(3,700), 40c-55c, 8 days, 2nd week. **Gross:** $18,000. (Average, 7 days, $14,000)

"DON'T TURN 'EM LOOSE" (Radio)
STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $5,500. (Average, $7,000)

Polishing for "Adverse"

BALTIMORE, Oct. 5.—Wilbur Brizandine, manager of the Preston, in the Associated chain here, is preparing to close the house Oct. 18 so that extensive renovations and remodeling work can be done. The house will reopen to the public with "Anthony Adverse."

Patrician Pictures Quits

SACRAMENTO, Oct. 5.—Dissolution papers for Patrician Pictures were filed with the secretary of state here today by Emil Jensen, vice-president, and Frederick H. Stokes, secretary of the company.

Crosby Leaves Hawaii

HOLLYWOOD, Oct. 5.—Bing Crosby sailed from Honolulu for Los Angeles Saturday.

"Hussy" at $9,000 Is Milwaukee Top

MILWAUKEE, Oct. 5.—"The Gorgeous Hussy" with a $9,000 take at Fox's Wisconsin, $1,000 above average, was the week's high. "My Man Godfrey" and "Second Wife" at the Warner placed second with a $6,500 gross, also $1,000 to the good.

With the exception of "The Great Ziegfeld," playing its third week downtown at Fox's Strand, where it grossed $1,800, just $300 above par, other business was off. This was laid partly to the return of the Milwaukee Brewers playing the first three games in the Little World Series playoff here over the week-end to more than 35,000 fans.

Weather for the most part was fair and cool.

Total first run business was $26,200. Average is $24,500.

Estimated takings:

Week Ending Sept. 31:

"ADVENTURE IN MANHATTAN" (Col.)
"THREE MARRIED MEN" (Para.)
PALACE—(2,400), 25c-35c-50c, 6 days. **Gross:** $4,100. (Average, $5,000)

Week Ending Oct. 1:

"TWO FISTED GENTLEMAN" (Col.)
RIVERSIDE—(2,300), 20c-25c-30c, 7 days. Stage: Bo Brummels, Florence Mayo, William Ebbs, The Duffins. **Gross:** $4,800. (Average, $5,000)

"MY MAN GODFREY" (Univ.)
"SECOND WIFE" (Radio)
WARNER—(2,400), 25c-35c-50c, 7 days. **Gross:** $6,000. (Average, $5,000)

"THE GORGEOUS HUSSY" (M-G-M)
WISCONSIN—(3,200), 25c-35c-50c, 7 days. **Gross:** $9,000. (Average, $8,000)

Week Ending Oct. 2:

"THE GREAT ZIEGFELD" (M-G-M)
STRAND—(1,400), 25c-35c-50c, 8 days. **Gross:** $1,800. (Average, $1,500)

Mixed Film, Show Bill Lincoln's Best

LINCOLN, Oct. 5.—A mixed bill at the Orpheum which consisted of three pictures, "Back to Nature," "The Iron Man" and "Doughnuts and Society," with a colored revue for three days and a Major Bowes unit one day made the best showing of the week. The $3,400 take was $1,650 over normal.

"The Gorgeous Hussy" was $1,000 to the good on an eight-day stay at the Stuart with a gross of $4,100. "Ramona" was strong at the Lincoln with a stage bill headed by Jay Clarke. The $2,800 take was $600 over the line.

Total first run business was $12,875. Average is $9,000.

Estimated takings:

Week Ending Sept. 30:

"TRAILIN' WEST" (W. B.)
"BUREAU OF MISSING PERSONS" (W. B.)
"DOWN THE STRETCH" (F. N.)
"KENNEL MURDER CASE" (W. B.)
LIBERTY—(1,200), 10c-15c, 7 days, first two pictures 3 days. **Gross:** $875. (Average, $850)

Week Ending Oct. 1:

"RAMONA" (20th-Fox)
LINCOLN—(1,600), 10c-20c-25c, 7 days. Stage: Jay Clarke, mentalist. **Gross:** $2,800. (Average, $2,200)

"BACK TO NATURE" (20th-Fox)
"THE IRON MAN" (Univ.)
"DOUGHNUTS AND SOCIETY" (Mascot)
ORPHEUM—(1,350), 10c-15c-20c-25c-40c, 7 days. Stage: First three days, "Shuffle Along," all-colored unit; last day, Major Bowes Transcontinental Revue. **Gross:** $3,400. (Average, $1,750)

"CRAIG'S WIFE" (Col.)
VARSITY—(1,100), 10c-20c-25c, 7 days. **Gross:** $1,700. (Average, $1,100)

Week Ending Oct. 2:

"GORGEOUS HUSSY" (M-G-M)
STUART—(2,000), 10c-25c-40c, 8 days. **Gross:** $4,100. (Average, $3,100)

"Hussy" Gets Seattle High With $7,100

SEATTLE, Oct. 5.—"The Gorgeous Hussy," on a dual with "Star for a Night," was the high grosser of the week with a take of $7,100, over the line by $1,100, at the Paramount. It was held.

The only other two attractions to make the grade were "Girls' Dormitory" and "My American Wife" which pulled $6,200 at the Orpheum and "Sitting on the Moon," with vaudeville, at the Palomar where the take was $4,600. The Orpheum dual was moved to the Blue Mouse for an extended run.

Total first run business was $35,100. Average is $36,500.

Estimated takings for the week ending Oct. 2:

"SING, BABY, SING" (20th-Fox)
"I'D GIVE MY LIFE" (Para.)
BLUE MOUSE—(950), 25c-40c-55c, 7 days, 2nd week, extended run from Orpheum. **Gross:** $3,300. (Average, $4,000)

"RAMONA" (20th-Fox)
FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days. **Gross:** $6,800. (Average, $7,000)

"CRAIG'S WIFE" (Col.)
"TWO FISTED GENTLEMAN" (Col.)
LIBERTY—(1,800), 15c-25c-40c-55c, 7 days. **Gross:** $3,900. (Average, $5,000)

"MY MAN GODFREY" (Univ.)
MUSIC BOX—(950), 25c-40c-55c, 7 days, 4th week, extended run from Fifth Avenue. **Gross:** $3,200. (Average, $4,000)

"GIRLS' DORMITORY" (20th-Fox)
"MY AMERICAN WIFE" (Para.)
ORPHEUM—(2,450), 25c-30c-40c, 7 days. **Gross:** $6,200. (Average, $6,000)

"SITTING ON THE MOON" (Republic)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Vaudeville headed by Fay Courtney. **Gross:** $4,600. (Average, $4,500)

"THE GORGEOUS HUSSY" (M-G-M)
"STAR FOR A NIGHT" (20th-Fox)
PARAMOUNT—(3,050), 25c-30c-40c, 7 days. **Gross:** $7,100. (Average, $6,000)

"Ramona" a $6,000 Draw, Indianapolis

INDIANAPOLIS, Oct. 5.—"Ramona" did excellent business, $6,000, at the Apollo, $2,000 above the line, and was held over.

Business generally was on the way toward the exceptional mark, but five days of rain cut into it, hurting grosses materially on Monday, Tuesday and Wednesday, when the downpour was heavy.

"The Great Ziegfeld" held its smash pace well in its second and final week at Loew's, turning in $7,500, $1,500 into the black. At the Lyric "Down the Stretch," with Phil Spitalny and his All-Girl Band, did $8,700, $1,700 up, and "My American Wife," plus "A Son Comes Home," at the Circle pulled $3,600, $400 downstairs.

Total first run business was $25,800. Average is $21,000.

Estimated takings for the week ending Oct. 2:

"RAMONA" (20th-Fox)
APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $6,000. (Average, $4,000)

"MY AMERICAN WIFE" (Para.)
"A SON COMES HOME" (Para.)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $3,600. (Average, $4,000)

"THE GREAT ZIEGFELD" (M-G-M)
LOEW'S—(2,800), 35c-55c, 7 days, 2nd week. **Gross:** $7,500. (Average, $6,000)

"DOWN THE STRETCH" (F. N.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: Phil Spitalny and all-girl band. **Gross:** $8,700. (Average, $7,000)

"Ziegfeld" Is Washington's Top, $18,000

WASHINGTON, Oct. 5.—With admissions up a dime, but number of shows cut from six to four, "The Great Ziegfeld" led Washington theatres, taking $18,000 to go over the 55-cent-top average by $2,100, and went into a second week at Loew's Palace.

"Anthony Adverse," playing the second week on a continuation run at the Metropolitan, took $6,000, with admissions increased from a 40-cent top to a 55-cent. The gross was $1,700 over average. At Loew's Columbia, "The Gorgeous Hussy," on a return engagement, took $5,300, to pass par by $1,700.

First runs fared somewhat less well, "The Texas Rangers" taking $18,000 at the Earle, where average is $18,400, and "My American Wife" getting $19,500 at Loew's Capitol, where $20,900 is the average. Both houses have stage shows.

The Belasco dropped $200 under par, for a take of $2,800 on "Friday the Thirteenth." "Swing Time," in five days of its fourth week, took $3,600, or $7,000 under the first week average.

Opposition included: "Saint Helena," at the National; "Babes of Broadway," at the Gayety (burlesque).

Total first run business was $73,200. Average is $76,700.

Estimated takings, exclusive of tax:

Week Ending Sept. 28:

"FRIDAY, THE THIRTEENTH" (G. B.)
BELASCO—(1,140), 25c-65c, 7 days. **Gross:** $2,800. (Average, $3,000)

Five Days Ending Sept. 29:

"SWING TIME" (Radio)
RKO-KEITH'S—(1,836), 25c-55c, 5 days, on 4th week. **Gross:** $3,600. (Average, first week, $10,600)

Week Ending Oct. 1:

"THE TEXAS RANGERS" (Para.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Leo Carrillo, Five Deguchis; Jean, Jack Joe; Donatella Brothers & Carmen. **Gross:** $18,000. (Average, $18,400)

"MY AMERICAN WIFE" (Para.)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Major Bowes' Amateurs, with Ted Mack & Orchestra, Sid Raymond, Hartford Swing String Quartet, Frances White, Fritzi Robbins, Virginia Hams, Frank Matalane, Lightning Three. **Gross:** $19,500. (Average, $20,900)

"THE GORGEOUS HUSSY" (M-G-M)
LOEW'S COLUMBIA—(1,264), 25c-40c, 7 days (return engagement). **Gross:** $5,300. (Average, first run, $3,600)

"THE GREAT ZIEGFELD" (M-G-M)
LOEW'S PALACE—(2,370), 35c-65c, 7 days. **Gross:** $18,000. (Average, 55-cent top, $15,900)

"ANTHONY ADVERSE" (W. B.)
METROPOLITAN—(1,591), 25c-55c, 7 days, 2nd week. **Gross:** $6,000. (Average, first run, 40-cent top, $4,300)

Jack Flanagan Hurt

SALT LAKE CITY, Oct. 5.—Jack Flanagan, manager of Tri-State M. P., Inc., Cleveland, was seriously injured here today while filming Ab Jenkins' speed endurance run. He was swept from the top of his own car by a guy wire. He is in the Latter Day Saints Hospital here.

TWA to Open New Office

TWA will open an office in the Paramount Bldg. about Oct. 15 to handle theatrical plane reservations. This will be an adjunct to the branch opposite the Grand Central Station.

Fish in Theatre

Dallas, Oct. 5. — Irwin Waite, manager of the Melba, sponsored the second annual exhibit of the Dallas Aquarium Society on the theatre's mezzanine, but admits he could find no tie with picture, "Sworn Enemies."

He happens to be addict to the hobby of keeping tanks of tropical fish around the house. All the previous week he gave trailer announcements using "es" on "fish" for plural of word, viz., "Rare fishes which fight, etc."

"Swing" a $10,000 New Haven Grosser

NEW HAVEN, Oct. 5. — "Swing Time" at the Poli swung to the fore of business this week, with a $10,000 gross, up by $3,000 from par. The feature moved over to the College for a repeat week.

Drawing consistently good houses, "Last of the Mohicans" and "Walking on Air," Roger Sherman dual, exceeded the usual $4,700 by $2,100. The Paramount, with "Wives Never Know" and "Straight from the Shoulder" dipped $300 under the $4,800 line; while the second week of "The Gorgeous Hussy" at the College, at prices 10 and 15 cents above the established admissions for this house, just made an average $2,800. Only one rainy night was unfavorable. The Shubert continued to cut in to film attendance with successful runs of "First Lady" and "Boy Meets Girl."

Total first run business was $24,100. Average is $19,300.

Estimated takings for the week ending Oct. 1:

"THE GORGEOUS HUSSY" (M-G-M)
COLLEGE—(1,499), 35c-50c, 7 days, 2nd week. **Gross:** $2,800. (Average, $2,800)

"WIVES NEVER KNOW" (Para.)
"STRAIGHT FROM THE SHOULDER" (Para.)
PARAMOUNT—(2,348), 35c-50c, 7 days. **Gross:** $4,500. (Average, $4,800)

"SWING TIME" (Radio)
POLI—(3,040), 35c-50c, 7 days. **Gross:** $10,000. (Average, $7,000)

"THE LAST OF THE MOHICANS" (U.A.)
"WALKING ON AIR" (Radio)
ROGER SHERMAN — 35c-50c, 7 days. **Gross:** $6,800. (Average, $4,700)

"Kelly" Leader in Oklahoma's Pickup

OKLAHOMA CITY, Oct. 5.—"Kelly, the Second" made the best comparative showing in a week of generally good business among the first runs. The take at the Capitol was $2,800.

"Ramona" was $400 up on a take of $5,400 at the Criterion and "Give Me Your Heart" was $600 to the good on a take of $4,600 at the Midwest.

Total first run business $15,700. Average is $13,500.

Estimated takings for the week ending Oct. 3:

"RAMONA" (20th-Fox)
CRITERION—(1,700), 10c-25c-35c-55c, 7 days. **Gross:** $5,400. (Average, $5,000)

"GIVE ME YOUR HEART" (W. B.)
MIDWEST — (1,500), 10c-25c-35c-55c, 7 days. **Gross:** $4,600. (Average, $4,000)

"KELLY, THE SECOND" (M-G-M)
CAPITOL—(1,200), 10c-20c-26c-40c, 7 days. **Gross:** $2,800. (Average, $2,000)

"MARIHUANA" (Road Show Att.)
LIBERTY—(1,500), 10c-25c-35c, 7 days. **Gross:** $2,900. (Average, $2,500)

"Mohicans" Is Frisco's Best Bet at $9,000

SAN FRANCISCO, Oct. 5.—In a week of dull grosses here "The Last of the Mohicans" went out front on a take of $9,000 at the United Artists. This was $2,000 up.

"My Man Godfrey," on a dual with "Yellowstone," in its third week at the Orpheum, was the only other attraction to get into the profit division. The gross was $9,000, $1,500 to the good. "Swing Time" fell off to $12,500 in its third week, and the Embassy had two re-issues, "Cavalcade" and "Renegade."

Total first run business was $88,800. Average is $96,500.

Estimated takings:

Week Ending Sept. 29:

"CAVALCADE" (20th-Fox)
"RENEGADE" (20th-Fox)
(Re-issues)
EMBASSY—(1,400), 10c-25c-35c, 5 days, 2nd week. **Gross:** $3,000. (Average, $4,000)

"SWING TIME" (Radio)
GOLDEN GATE—(2,850), 15c-35c-40c-55c, 7 days, 3rd week. Stage: vaudeville. **Gross:** $12,500. (Average, $16,000)

Week Ending Sept. 30:

"MY MAN GODFREY" (Univ.)
"YELLOWSTONE" (Univ.)
ORPHEUM—(2,440), 15c-30c-35c-40c, 7 days, 3rd week. **Gross:** $9,000. (Average, $7,500)

"PICCADILLY JIM" (M-G-M)
"PEPPER" (20th-Fox)
PARAMOUNT—(2,740), 15c-30c-35c-40c, 7 days, 2nd week. **Gross:** $10,000. (Average, $13,000)

"LAST OF THE MOHICANS" (U. A.)
UNITED ARTISTS—(1,200), 15c-30c-35c-40c-65c, 7 days. **Gross:** $9,000. (Average, $7,000)

Week Ending Oct. 1:

"RAMONA" (20th-Fox)
"HOLLYWOOD BOULEVARD" (Para.)
FOX—(5,000), 15c-30c-35c-40c, 7 days. **Gross:** $17,000. (Average, $18,000)

"GIVE ME YOUR HEART" (W. B.)
"WIVES NEVER KNOW" (Para.)
ST. FRANCIS—(1,470), 15c-30c-35c-40c, 7 days. **Gross:** $7,000. (Average, $7,000)

"OLD HUTCH" (M-G-M)
"NINE DAYS A QUEEN" (G. B.)
WARFIELD—(2,680), 15c-30c-35c-40c, 7 days. **Gross:** $13,000. (Average, $13,000)

Week Ending Sept. 2:

"YOUTH OF TODAY" (Swedish)
CLAY—(400), 15c-35c, 7 days. **Gross:** $800. (Average, $1,000)

"ROMEO AND JULIET" (M-G-M)
GEARY—(1,400), 55c-87c-$1.10-$1.65, 7 days, 4th week. **Gross:** $7,500. (Average, $10,000)

WPA vaudeville picked up strongly in third week at Columbia, with bills changed each week. "Meet My Sister," New York musical comedy, moderately good business in opening week. Weather fair, with two rainy days.

Omaha Paramount Opens

OMAHA, Oct. 5.—Business has picked up so well in Tri-States houses that the company has decided to reopen the Paramount Oct. 22. The house has been dark a year.

"The Great Ziegfeld" will be the first attraction with a scale from 25 cents to 55 cents. Ted Emerson, Omaha manager, will have charge of the house. Jimmie Schlatter, Orpheum assistant, will be made Orpheum manager, and Orville Rennie, Omaha assistant, will move over to the Orpheum as assistant.

"Desperado" at Tucson

TUCSON, ARIZ., Oct. 5.—"The Gay Desperado" opened at the Fox last night with Governor Moeur and a number of city and state officials present.

Ballot Error Leads To New Sunday Vote

PITTSBURGH, Oct. 5.—Because the Sunday film vote in nearby Waynesburg, Pa., was not submitted to the voters on a separate ballot, Judge Challen W. Waychoff of County Court has held the ban on Sunday films illegal. According to his decision, the local option results in Waynesburg cannot stand and another vote must be taken at the election next month.

Judge Waychoff ruled that placing the question on a separate ballot was mandatory. Thus Waynesburg will vote again on the question next month instead of waiting five years, as usually required by law.

Edward E. Murphy Dead

Edward E. Murphy, manager of Warners' copyright department, died Saturday at the Hackensack Hospital. Funeral services will be held this morning at 11 o'clock at St. Mary's Church, Gloucester, N. J.

Murphy is survived by a widow and three children.

John Lynch Passes

HOLLYWOOD, Oct. 5.—John Lynch, 66, editorial supervisor for M-G-M, and a veteran screen writer, is dead here of pneumonia. He began his career as theatre owner in upstate New York, and went to Hollywood as a writer for Thomas Ince.

Chris Dale Dies

SAN FRANCISCO, Oct. 5.—Chris Dale, young shipper for the local Universal exchange, died here last week. Dale recently underwent a major operation.

Hagemann with Fawcett

Walter Hagemann has been named western advertising manager of Fawcett Publications, with headquarters in Chicago. He replaces J. C. Godfrey, Jr., who resigned last week.

Wall Street

Board Issues Off

	High	Low	Close	Net Change
Columbia	40⅞	40	40⅛	—1⅜
Columbia, pfd	47⅛	47⅛	47⅛	.....
Consolidated	4¾	4½	4¾	+ ¼
Consolidated, pfd. 18		17⅝	17⅝	— ¼
Eastman Kodak	174½	172⅞	174¼	+2¼
Eastman, pfd	163½	163½	163½	.....
Gen. T. Equip	26½	25½	26	— ⅝
Loew's, Inc.	59½	58	58¼	—1⅜
Paramount	13½	13⅛	13⅛	— ¼
Paramount 1 pfd.	97½	96¼	96¼	—1¾
Paramount 2 pfd.	12⅝	12½	12½	— ⅛
Pathe Film	8¼	8	8	.....
RKO	7⅜	7¼	7¼	.....
20th Century-Fox.	31¾	31⅛	31⅛	— ¼
20th Century, pfd.	39¼	38⅝	38⅝	— ⅝
Universal, pfd	105	103	103	—2
Warner Bros.	13⅞	13½	13½	— ½

Little Activity on Curb

	High	Low	Close	Net Change
Grand National	3¾	3¾	3¾	+ ⅛
Sentry Safety	5⅝	5⅝	5⅝	.....
Sonotone	2¼	2⅛	2⅛	.....
Technicolor	27⅜	26¼	26⅜	— ½
Trans-Lux	3¾	3¾	3¾	.....

Bonds Inactive

	High	Low	Close	Net Change
Loew's 6s '41 w w deb rights	99	98½	98½	— ⅛
Paramount B'way 3s '55	62½	62½	62½	.....
Paramount Pict. 6s '55	98⅜	98	98¼	.....
Warner Bros. 6s '39 wd	97½	96½	97	.....

(Quotations at close of Oct. 5)

SMASH FOLLOWS SMASH!

First it was "MY MAN GODFREY"! Now it's "The MAGNIFICENT BRUTE"

That's the New Universal for you!

RECEIVED BY PRIVATE WIRE FROM
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Postal Telegraph
THE INTERNATIONAL SYSTEM
Commercial Cables · All America Cables · Mackay Radio
TELEGRAMS CABLEGRAMS RADIOGRAMS

This is a full rate Telegram, Cablegram or Radiogram unless otherwise indicated by signal in the check or in the address.

DL	DAY LETTER
NL	NIGHT LETTER
NM	NIGHT MESSAGE
LCO	DEFERRED CABLE
NLT	NIGHT CABLE LETTER
	RADIOGRAM

16 P.W.

SA250 45 NL=K SANDIEGO CALIF OCT 1 1936

J R GRAINGER=

UNIVERSAL STUDIOS UNIVERSALCITY CALIF=

THANKS YOUR CONFIDENCE PERMITTING ME WORLD PREMIERE MAGNIFICENT BRUTE STOP BUSINESS OPENING DAY INDICATES LONG RUN ENGAGEMENT WITH MARVELOUS SUCCESS STOP AUDIENCE REACTION GRAND STOP KNOW YOU FEEL HAPPY ACCOUNT FOLLOWING GODFREY WITH ANOTHER HIT STOP PLEASE EXTEND CONGRATULATIONS ENTIRE COMPANY FOR GREAT PRODUCTION REGARDS=

LOU B METZGER SPRECKLES THEATRE SANDIEGO.

1126P..



THE PRESIDENT'S MYS

CONCEIVED BY FRANKLIN D. ROOSEVELT AND WRITTEN FOR LIBERTY

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MYSTERY"

BUZZING" says the New York Times

ALL IMPORTANT CIRCUITS AND INDEPENDENTS HAVE BOOKED IT IN OCTOBER AND NOVEMBER

Albee	Providence, R. I.
Lafayette	Buffalo, N. Y.
Embassy	Reading, Pa.
Colonial	Allentown, Pa.
Colonial	Richmond, Va.
Grand	Columbus, Ohio
Downtown	Detroit, Mich.
Kincey Circuit	Charlotte, N. C.
Broadway	Tampa, Fla.
Riverside	Milwaukee, Wisc.
Majestic	San Antonio, Tex.
Kirby	Houston, Tex.
Melba	Dallas, Tex.
Liberty	Fort Worth, Tex.
Ybor City	Ybor City, Fla.
Rialto	Beatrice, Nebr.
Newton	Newton, Iowa
Iowa	Ft. Madison, Iowa
Avon	Burlington, Iowa
Amusu	Muscatine, Iowa
Ritz	Corpus Christi, Texas
Wigwam	El Paso, Texas
Queen	Austin, Texas
Mission	Amarillo, Texas
State	Wichita Falls, Texas
Palace	Corsicana, Texas
Lamar	Paris, Texas
Tivoli	Loretto, Texas
Texas	Sherman, Texas
Texas	Palestine, Texas
Queen	Galveston, Texas
Liberty	Tyler, Texas
Orpheum	Waco, Texas
Tower	Bremerton, Wash.
Warners	Aberdeen, Wash.
Roxy	Everett, Wash.
Avalon	Olympia, Wash.
Yakima	Yakima, Wash.
Liberty	Toppenish, Wash.
Liberty	Sunnyside, Wash.
Roxy	Walla Walla, Wash.
Liberty	Kenemich, Wash.
Rialto	Deer Lodge, Mont.
American	Roundup, Mont.
Rialto	Butte, Mont.
Bluebird	Anaconda, Mont.
Heilig	Eugene, Ore.
Capitol	Salem, Ore.
Niles	Bakersfield, Cal.
Liberty	Kelsa, Wash.
Family	Kirksville, Mo.
World	Minneapolis, Minn.
Capitol	Oklahoma City, Okla.
Palomar	Seattle, Wash.
Rio	Albuquerque, N. M.
Lincoln	Cheyenne, Wyo.
Embassy	San Francisco, Cal.
St. Charles	New Orleans, La.
Palace	Wichita, Kans.
Strand	Emporia, Kans.
Orpheum	Topeka, Kans.
Electric	Springfield, Mo.
Orpheum	Davenport, Iowa
Erie	Erie, Pa.
Cambria	Johnstown, Pa.
Plaza	Great Bend, Kans.
Arbo	Nevada, Mo.
Howard	Arkansas City, Kans.
State	Hutchinson, Kans.
Lyons	Lyons, Kans.
Granada	Lawrence, Kans.
Webster	Ottawa, Kans.
Dodge	Dodge City, Kans.
Uptown	Iola, Kans.
Royal	Atchison, Kans.
Watson	Salina, Kans.
Eris	Eldorado, Kans.
Fox	Joplin, Mo.
Liberty	Sedalia, Mo.
Grand	Moberly, Mo.
Kansan	Osawatomie, Kans.
Plaza	Trenton, Mo.
Royal	Hoisington, Kans.
Sherman	Goodland, Kans.
Palaza	Kinsley, Kans.
Lee	Clinton, Mo.
Gillioz	Monett, Mo.
Cozy	Norton, Kans.
State	Waterville, Me.
Onset	Onset, Mass.
Genesee	Mt. Morris, N. Y.
Grand	Ironton, Ohio
Orpheum	Nelsonville, Ohio
Iowa	Knoxville, Iowa
Lake	Clear Lake, Iowa
Pastime	Maquoketa, Iowa
Temple	Mt. Pleasant, Iowa
Forum	Los Angeles, Cal.
Lyric	Havre, Mont.
Rose	Glendive, Mont.
Granada	Philipsburg, Mont.
Iowa	Cedar Rapids, Iowa





RY

ZINE BY

N ERSKINE

with

HENRY WILCOXON

BETTY FURNESS

and a stellar supporting cast

directed by PHIL ROSEN • produced by NAT LEVINE

A REPUBLIC PICTURE

REPUBLIC PICTURES



GENERAL PICTURES CORP.

ANNOUNCES:

A New National Production And Distribution Organization

Establishing its own exchanges in certain key centers; franchising distributors elsewhere.

Producing and distributing twenty-six feature productions a year; and eight all color outdoor musical features.

NEW YORK OFFICES:

R K O BUILDING
ROCKEFELLER CENTER
NEW YORK CITY

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President

ROBERT E. WELSH
Vice-President
in charge of production

MACK D. WEINBERGER
General Sales Manager

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 83 NEW YORK, WEDNESDAY, OCTOBER 7, 1936 TEN CENTS

England Hears Government Is Stopping G. B.

Reported Behind Maxwell Offer to the Ostrers

By BRUCE ALLAN

LONDON, Oct. 6.—The British Government is reliably reported to have taken a hand in the G. B. situation by requesting John Maxwell of British International to step in and thus prevent the company from passing to American control. The Government, it is further reported, has promised to extend its aid to help Maxwell attain this objective.

This angle is obviously impossible to confirm, but, if it holds water, it is entirely conceivable that the original Twentieth Century-Fox, Loew deal will collapse on the angle of British control. This has led to financial speculation if Twentieth Century-Fox, therefore, will not consider a sale of its 49 per cent interest in Metropolis and Bradford Trust in

(*Continued on page 5*)

Hollywood, Oct. 6.—Joseph M. Schenck said here today: "Twentieth Century-Fox will not sell any part of its interest in G. B."

National Completes Deal for Magnalite

National Screen Service has completed its deal for world rights on Magnalite and has set up the Magnalite Sales Corp. to handle it with Sam Dembow, Jr., in charge as vice-president and general manager. Temporary offices have been opened in the RCA Bldg., while permanent quarters are being prepared on the 19th floor of the International Bldg.

Herman Robbins is president of

(*Continued on page 10*)

Loew's to Dissolve 50 of Subsidiaries

In a revision of the corporate setup to benefit under the new Federal tax law, Loew attorneys are now working on plans to dissolve about 50 individual theatre operating companies in the country, it was learned yesterday.

With more than 100 corporations now on the books, approximately half

(*Continued on page 4*)

Giannini Meets the Press; A Good Time Is Had by All

By SHERWIN A. KANE

Dr. A. H. Giannini, making his first visit to the United Artists home office since becoming president of the company three months ago, was discovered in such a genial mood yesterday by a large delegation of trade paper reporters who had come to interview him that, perhaps fearful of dispelling such warm humor, only a few, half-hearted attempts to turn the conversation to crass, commercial subjects were made. However, when that happened, it was not long before the Giannini wit had returned the discussion to the loftier plane from which it had descended, and the monotony of business affairs was again forgotten.

For example, some warped reportorial mind which was unable to forget that it had come to get a story, whether or no, sought to discover what Giannini thought of the so-called "problem" which is said to result when everyone in Hollywood gets on a radio program and most every one who should be in a theatre stays home to listen.

Giannini asserted that he was not

(*Continued on page 4*)

Three Plans Pending for Roxy Theatre

With at least three plans of reorganization for the Roxy promised on Friday, Federal Judge Francis G. Caffey is expected to appoint a referee to study each plan and report back in due time, it was intimated yesterday as the date for filing drew near.

In addition to a rehabilitation program planned by the bondholders' protective committee, two important exhibitors, one with a small circuit of his own and the second representing a national theatre company, are expected to vie for operation control.

For the past few weeks, reports have been current the bondholders will recommend approval of a management contract to run for a number of

(*Continued on page 4*)

Distributors To Take Stand On 10 Points

Distributors are expected to notify M.P.T.O.A. officials here of the position they will take in connection with the exhibitor organization's trade practice program by the end of the week, it was learned yesterday. Indications are that definite concessions will be forthcoming from a majority of companies on the three main phases of the program, which are an increased and unconditional cancellation program, elimination of score charges and the establishment of at least a small number of experimental conciliation boards for the settlement of local trade problems.

Ed Kuykendall, M.P.T.O.A. president, conferred yesterday with influ-

(*Continued on page 4*)

Evans, Excellent Napoleon In a Splendid "St. Helena"

It is a very young season so far and its blossomings have not been exactly over fruitful, but last night witnessed the premiere of the outstanding play of the new theatrical year. That may sound like a dubious compliment and, indeed, it might be were it not for the fact that "St. Helena," competition if it had any notwithstanding, would emerge as a distinguished play on its own account.

The first in the eminently successful Max Gordon's endeavors so far this fall, it sets him off to an auspicious seasonal beginning again and made his nervous meanderings alongside and down the sides of the theatre

(*Continued on page 5*)

This is the second of *Motion Picture Daily's* reviews of Broadway stage plays from the film angle.

Speculate on Price Control For Pictures

Patman Promises Bill to Regulate Retailing

WASHINGTON, Oct. 6.—Considerable speculation over the possibility that the Robinson-Patman Anti-Price Discrimination Act may eventually be extended to films has been aroused in Washington by announcements that Representative Patman of Texas, co-author of the bill, will introduce a measure next winter prohibiting manufacturers from engaging in retail business, with specific provision to include films.

The Federal Trade Commission issued its first citations under the law, indicating its intention of demanding full compliance with the act, and industry generally is now watching to see if the constitutionality of the measure will be met by a challenge in the courts.

It is pointed out by observers in Washington that if Congress enacts legislation prohibiting manufacturers from engaging in retail business proposed by Congressman Patman as a companion measure to the Price-Discrimination Act—it is logical to expect that the latter also will be interpreted by the commission to cover films.

As yet, the commission has given

(*Continued on page 5*)

Deny Plan to Oust Myers from Allied

Minneapolis, Oct. 6.—Prominent members of Northwest Allied today denied all knowledge of the movement allegedly under way to oust Abram F. Myers, national Allied general counsel.

Despite recent reports that opposition had developed because of Myers' interests in other companies which he represents, W. A. Steffes, national Allied leader and a Myers supporter,

(*Continued on page 4*)

Reserve Decision in Perelman Rehearing

PHILADELPHIA, Oct. 6.—Vigorously denying that the anti-double features clauses in contracts constitute anti-trust violations, major company defendants in the rehearing of the Perelman action against the validity of the anti-double featuring clauses today went before the judges in U. S

(*Continued on page 10*)

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Dick and Joan are Greeted By Planes, Tugs, Banners

By J. M. JERAULD

Richard Powell and Mrs. Powell—Dick and Joan to most everybody—arrived yesterday on the *Santa Paula.* New York harbor was the first to know about it. The late sleeping passengers at Quarantine probably would have been just as well satisfied if Charlie Einfeld had let the newlyweds slip into town quietly.

By the time the U. S. doctors had decided there were no epidemics aboard ship planes were buzzing around at a great rate. Three of them had long signs—45 feet long to be exact—reading: "Welcome Dick and Joan." One big Douglass flagship plane of the American Airlines had no streamer, but it contributed to the general excitement.

Aboard were the flying ace of the Warner publicity department, Sid Rechetnik, and a group of newspaper men and a blue-eyed stewardess. Only the stewardess was nonchalant as the plane caromed off the edge of a white cloud and swooped down so the boys could peek into the *Santa Paula's* smokestacks.

Good Views of Ship Funnels

They would have waved their handkerchiefs at Dick and Joan, but the windows were closed and by the time they discovered the plane was still under control they were over Brooklyn. On the next curve they passed the left eyebrow of the Statue of Liberty and took a five-second detour over the Brooklyn Navy Yard. Sid looked out of the window again and thought the *Santa's* green stacks had turned red. He was directly over the *Queen Mary.*

He was about to say something about it when he shot through a cloud and came out over Weehawken.

Somebody asked the stewardess how high the plane was, but before she could answer it was again aiming at the *Santa's* smokestacks and Dick and Joan. On the next turn the boys had a fine view of Jamaica Bay. The Woolworth Bldg. looked like a white toothpick with a green tip a moment later and Aviator Rechetnik pointed out five tugs with welcoming banners messing up the calm water around the *Santa.*

"They're blowing their whistles," he explained, pointing.

He may have been right. The starboard wing shot up at a 45-degree angle and there were the Jersey meadows stretched out beneath, but they didn't stay put. In no time at all the Empire State Bldg. was pointing upwards beneath the plane like a shiny toy.

This went on for more than an hour.

Real Welcome at the Waldorf

Sid was just getting a look at the George Washington Bridge when the hostess—her name was Bernardine McDade—asked him if he was fastened in. He wasn't, but he got the straps buckled across his lap in no seconds flat as the Newark Airport came up out of the mist.

A quick trip back to New York by car brought the aerial welcomers to the Waldorf-Astoria about the same time that Dick and Joan arrived and were greeted by Gloria Blondell, Joan's sister, and Regis Toomey.

They'll be in town at least a week and will go to see "Boy Meets Girl."

On Friday Warners will introduce them to cocktails and the newspaper and magazine writers at the Ritz Towers. Then they'll go back to California to rest and make pictures.

Some honeymoon!

Lewin Is Signed as Paramount Producer

HOLLYWOOD, Oct. 6.—Albert Lewin, who resigned as associate producer for M-G-M two weeks ago, has signed a long term producer contract with Paramount. He will assume his post at Paramount on March 1, following a four-month trip to Europe. He will serve in an executive advisory capacity, in addition to handling production.

Lewin's resignation, which followed very shortly after the death of Irving G. Thalberg, was based on the clause in his M-G-M contract which stipulated that he had the right to cancel the agreement if Thalberg no longer was available. At that time it was indicated his resignation was to be effective on the completion of "The Good Earth," which he had been supervising, and on which production has been completed.

Shift Streimer Dinner

The Monday Knighters have switched the testimonial dinner for Moe Streimer from the Astor to the Tower Club at the Park Central Hotel on Oct. 20.

Supply Dealers Set Back Discount Talks

The Independent Theatre Supply Dealers' Ass'n has set back the Chicago meeting, scheduled for a discussion of the Robinson-Patman Law on discriminatory discounts, from Oct. 14 to Oct. 17 at the Congress Hotel. Instead of three days, the sessions will be cut to two.

Various dealers have had different interpretations of the Law. The conclave is to be held for the purpose of clearing up any wrong impressions.

General Sets Second

HOLLYWOOD, Oct. 6.—"Let's All Sing," based on the current community songfest vogue, will be General Picture's second picture, and follows "Three Legionnaires." Robert E. Welsh, in charge of production, has closed a deal with Abe Meyer to line up songwriters.

Flynn In Adventure

Errol Flynn has written an account of a voyage he took with a friend in a 44-foot boat across 3,000 miles of the South Seas and requiring seven months, which is published in the October number of *Cosmopolitan* under the title "Beam Ends."

"Dodsworth" Pulls $38,000, 2nd Week

"Dodsworth" garnered $38,000 in its second week at the Rivoli, ending last night. The figure is the same as the initial stanza and indicates the picture will run two to three more weeks.

The Rivoli is the only Broadway house charging 35 cents for "early birds." The State has a 25-cent morning price with loges scaled at 40 cents before 1 P. M.

"Ramona" opened last night at the Criterion following "Give Me Your Heart," which played a little more than three weeks. "Ramona" was reviewed in MOTION PICTURE DAILY from Hollywood on Sept. 14.

Guaranteed Closes Deal

Guaranteed Pictures has closed a deal with Adams Film Exchange for distribution of "Just My Luck" and "Women in White" in Texas, Oklahoma and Arkansas.

Retitle French Film

The French film which opened at the Filmarte as "Kermesse Heroique" has been retitled "Carnival in Flanders." It is in its third week at the Filmarte.

Akron ITO Dual Ban Placed on Two Films

AKRON, Oct. 6.—The single feature committee of the Akron I. T. O. A., named to designate which of the 1936-37 pictures are banned for double featuring, elected "The Great Ziegfeld" and "Anthony Adverse" for single billing only. The committee announced that these were the only two of the 1936-37 features so far released that merited single feature designation.

An effort to sponsor a drive for an increase of five cents over existing admissions was nipped by Robert Menches, president, who claimed such a move would be folly in the face of unsettled Akron labor conditions, double featuring of all pictures at first run houses, and the established first run 40-cent admission price.

Newsreel Suits Settled

Stipulations were filed in N. Y. Supreme Court yesterday in connection with the settlement and discontinuation of two suits alleging wrongful use of the plaintiffs' photographs in newsreels. One was an action of Sidney Franklin, bull fighter, against Fox Film and Fox Movietone News, and the other was a suit brought by Siegfried Steinwall, a ski jumper, against Movietone News, Inc. Notice discontinuing the actions was filed by Attorney Percy Heiliger on behalf of Movietone News.

Golden Host to Allied

Edward Golden, general sales manager of Chesterfield-Invincible, yesterday played host to a number of members of Allied of New Jersey at a luncheon at the Lincoln Hotel, which was followed by a screening of "Missing Girls" at RCA's projection room on Fifth Ave.

Mrs. P. J. Nolan Dies

OTTAWA, Oct. 6.—P. J. Nolan, former mayor of Ottawa and owner of three local theatres, suffered a bereavement in the death of his wife following a stroke in her 60th year. Two sons and two daughters, all of Ottawa, also survive.

Bernard Granville Dead

HOLLYWOOD, Oct. 6.—Bernard Granville, 50, film comedian and best known as a New York stage player years ago, was found dead of natural causes in his apartment here last night.

Para. Has Toledo Shots

Paramount News, in its issue of Oct. 14, will include shots of the recapture of Toledo, in Spain, by the rebel forces. Al Richards, editor, has been advised by Arthur Menken, cameraman in Spain, that the films were shipped out of Spain uncensored.

Souland to Produce Here

J. M. Souland has completed arrangements for eastern production in his "Broadway Dance Parade." The "Flapper Pirate Series," a part of this program, is to be started shortly, he says, with George Rand directing.

RKO in Batavia, Java

RKO will open its own exchange in Batavia, Java, Dutch East Indies. Reginald Armour, in charge for the company in Calcutta, will supervise.

RECORDS TUMBLE AS AUDIENCES FALL FOR "LADIES IN LOVE"!

Baltimore and Rochester pre-release runs prove lure of 20th's smash cast!

20th thrills the trade again with another hold - over knockout! Sell-out gross in Rochester tops "To Mary—with Love" and "Private Number"! Traffic-blocking Baltimore business assures 2nd week! Plan *your* extended run now . . . and oil your ticket - machine for high-speed action.



Janet Loretta Constance

GAYNOR · YOUNG · BENNETT

in

Ladies in Love

with

SIMONE SIMON

DON AMECHE • PAUL LUKAS

TYRONE POWER, Jr. • ALAN MOWBRAY

Directed by Edward H. Griffith

Associate Producer B. G. DeSylva

Screen play by Melville Baker

Based on the play by Ladislaus Bus-Fekete

Darryl F. Zanuck in Charge of Production

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Distributors To Take Stand On 10 Points

(Continued from page 1)

ential persons in distribution quarters but declined to disclose either their identities or the results of the conference. He stated that he was proceeding along lines decided upon after consultation with other M.P.T.O.A. officers and that these were not likely to involve new meetings between the exhibitor trade practice committee and individual sales heads. Kuykendall verified the information that he expected to be notified by distributors of their stand before he leaves New York this weekend, and added that he was "hopeful" that their decisions would be favorable.

Cardinal Principle Defined by Pa. Unit

PHILADELPHIA, Oct. 6.—The United M. P. T. O. of Eastern Pennsylvania, Southern New Jersey and Delaware has adopted what it terms a "cardinal principle," declaring it will employ "every active resource at its disposal" to defend any member "found to have suffered any aggressive or unfair act" by any film company, other exhibitor or distributor in the territory, following determination by the organization's grievance committee.

Specifically are cited any film company attempt to exact rentals from a member greater than called for under the company's national policy; any move to increase "unjustifiably" the accepted clearance previously established for a member, and any attempt by a film company to use the threat of selling away from a member in order to compel him to accept a film rental or run determined by the exhibitor organization to be unfair.

Deny Plan to Oust Myers from Allied

(Continued from page 1)

said his affiliations with other groups were known and were not grounds for ouster proceedings.

"We know that Myers heads not one, but several companies," Steffes said, "but that has nothing to do with his activities in our group, which he handles satisfactorily. Furthermore, reports that such a drive is originating in Minnesota are pure fabrication. Such action might just as well be starting in the Virgin Islands, for all the truth there is in it."

Bennie Berger, local Allied leader, likewise denied knowledge of any ouster movement. J. P. Clinton, director of the board of governors representing the Duluth section, said here he had "opposed Myers many times in the past when I thought he was in the wrong," but refused to credit rumors that opposition to Myers had become consolidated in definite action by any group.

Arkansas ITO Meets

LITTLE ROCK, Oct. 6.—Routine matters were discussed at the annual convention of the I.T.O. of Arkansas which met here last week at the Hotel Marion.

Giannini Meets the Press; A Good Time Is Had by All

(Continued from page 1)

familiar with the problem and, therefore, could not discuss it authoritatively.

"But," he added, "I have my own opinions of broadcasting. I went on Cecil B. DeMille's program recently and they gave me three minutes in which to tell the story of my life, DeMille used up more than half of that asking me questions. I received no pay, either. DeMille got the money and all I received was a letter a day for the next three weeks from a woman who said I had mispronounced some words and wanted to sell me some courses in English."

Giannini holds several university degrees.

The United Artists' president said he had been informed that Will H. Hays was giving attention to the radio activities of Hollywood personalities and that he was awaiting the outcome "anxiously."

Giannini arrived from the coast late last week and has seen some World Series games since, one of which was a bitter disappointment to him.

"As my boyhood home was on Telegraph Hill, San Francisco, I came to know some of the neighbors' boys. I saw three of them—DiMaggio, Crosetti and Lazzeri—come to bat in the same inning the other day and not one of them was able to do a thing. If they don't redeem themselves today I won't eat Di Maggio's father's fish any more."

Politics Enters, Furtively

Giannini is optimistic about business possibilities for the industry at large; observes that remarkable gains have been made already and that "the industry must regard the present Administration favorably, as a result, don't you think."

He was non-committal about the possibility of United Artists increasing its release schedule by the reported addition of several pictures from Carl Laemmle, Jr., and DeMille. He spoke favorably of Laemmle's production record and observed that the former Universal producer was expected momentarily, "but it's purely a social call, I assume," Giannini said.

Laemmle entered a few minutes later but was unable to add anything to the information concerning his plans which he gave to MOTION PICTURE DAILY on his arrival from Europe on Monday.

Giannini counted off 29 pictures which now figure definitely in United Artists' new season schedule and said that at the moment there were no definite plans for additional releases. Charles Chaplin plans to start one in January which will star Paulette Goddard, but the comedian will not appear in it. In reply to a question, Giannini said that he did not believe David Selznick wanted to leave United Artists and that Selznick had five more pictures to make for the company.

Lauds U. S. "Foreign" Films

He observed that one of the most interesting manifestations in current production to him is the success which Hollywood achieves in making pictures which keep alive European history, culture and traditions, "and the results are better than the Europeans achieve themselves," he said. He mentioned such pictures as "Romeo and Juliet" and "David Copperfield" in this connection.

"The world popularity of American films has been so great from the outset," he observed, "that our customs have become more familiar to some nations than their own. The seriousness of production activity in England and Italy is explainable in large part by the desire of those countries to preserve for their people their own traditions and culture, instead of having them absorb ours. The fact that we have shown that we can make pictures which do that for them better than they can is all that prevents the problem here involved from becoming one of the first magnitude to the American industry."

Giannini plans to remain in New York for three or four weeks.

Metropolitan Deal Closed

United Artists has closed with George Skouras, Louis Frisch and Samuel Rinzler, operators of Metropolitan Playhouses, for next season's lineup in 84 Greater New York houses.

The Skouras Theatres pact provides for 42 theatres, the same as the Randforce contract.

Burr Back on Coast

HOLLYWOOD, Oct. 6.—C. C. Burr is back in town, having completed a two-month tour around the country selling B. J. S. Prod.

Burr said he had sold 85 per cent of the possibilities on independent exchange deals for six outdoor films starring George Eldredge and six detective stories now being prepared.

Kincey Takes 3 Houses

CHARLOTTE, Oct. 6.—H. F. Kincey, general manager of the North Carolina Theatres, Inc., and its affiliates has closed a deal for affiliation with his circuit of the Carolina, Royal and Bijou in Wilmington. He denies that his company has acquired the Warner Broadway here.

Bishop to Winnipeg

LONDON, Ont., Oct. 6.—Harold Bishop, recently appointed manager of the Capitol here, in succession to R. S. Roddick, has been transferred to Winnipeg by Famous Players Canadian Corp. Bishop is one of the most widely-travelled managers of the Canadian chain, having managed theatres in Calgary, Edmonton, Winnipeg and Montreal before proceeding to London. His successor here has not yet been named.

Roddick, who had been manager of the London house for eight years, has been appointed district manager for Western Ontario.

Bloom Gets N. J. Spot

Hyman Bloom has taken over the Broadway, Woodcliff, N. J.

Three Plans Pending for Roxy Theatre

(Continued from page 1)

years with Howard S. Cullman and Harry C. Arthur at the helm. Cullman is trustee for the Roxy, and Arthur, as head of Artco, which currently holds a management contract calling for three per cent of the gross, has been assisting Cullman for the past three years.

One of the two theatre interests is said to be ready to pay all reorganization expenses in addition to calling in the present $3,500,000 first mortgage for a new one of the same amount. He is understood to have corralled all the financial backing necessary to swing the deal provided the proposed plan meets with the court's sanction.

The second interested party is reported prepared to offer a 15-year lease with provisions for paying taxes and rent of that portion of the theatre lobby owned by the Taft Hotel.

Plan 20th-Fox "Show Window"

With Twentieth Century-Fox getting $62,000 as the rental figure on two pictures which played five weeks and the possibility of the distributor netting from $35,000 to $40,000 on the run of "Dimples," the exhibitor, closely allied with Twentieth Century-Fox, is reported to be anxious to add the house to his string and at the same time use it as a show window for Twentieth Century-Fox.

Under Cullman's operation, the Roxy is said to have made a profit of $200,000 last year. Most of the receivers' certificates of $250,000 have been paid off and all back taxes have been marked off the books as paid in full. Cullman was named receiver after Harry Kosch held the same post for about a year, during which the indebtedness was increased considerably. The receivership was terminated when permission was granted to reorganize under section 77B and Cullman was made trustee.

Loew's to Dissolve 50 of Subsidiaries

(Continued from page 1)

will be weeded out and the theatres added to other existing companies. Whereas every theatre has been operated by an individual company, the new plan will have some of the companies operating two or more houses.

Under the new Federal tax law no company can file a consolidated report with the result that the losses of one company cannot be marked off against another.

Harry Haller on Coast

BALTIMORE, Oct. 6.—Harry Haller, *Baltimore Sunday Sun* film editor, is now in Hollywood to pick up material for 25 articles on which he has leads.

H. S. McLeod Resigns

NEW ORLEANS, Oct. 6.—Harry S. McLeod, manager of the Strand, has resigned. L. M. Ash, formerly manager at the Liberty, succeeds McLeod.

England Hears Government Is Stopping G. B.

(Continued from page 1)

order to preserve equities in its holdings which William Fox acquired in 1929 at a cost of approximately $16,000,000.

Sight is not being lost of the virtual domination of the English industry which would rest in the hands of Maxwell should he be successful in acquiring control of G. B. His own chain, Associated British, in combination with G. B., would give him about 700 theatres. On the other hand, one way to end the current impasse could be worked out through purchase by Maxwell of the Ostrer interest and a closer arrangement with Twentieth Century-Fox and Loew, but with Maxwell in control. This would satisfy the nationalist point of view.

Government Said to Be Opposed

Insofar as the Government is concerned, usually reliable sources insist Whitehall wants negotiations for a sale to American interests to fail. In the meantime, it is reported a hitch in dealings between the Ostrers and Maxwell revolves around the former's insistence that the brothers continue in the management at an aggregate salary of £100,000 a year.

S. R. Kent, in on the *Normandie*, has no statement to make and adds it is not conceivable that there will be one this week.

Arthur M. Loew has not arrived in London as yet, but is still on the Continent.

Roach Signs Russell

HOLLYWOOD, Oct. 6.—Hal Roach has signed John W. Russell to do scripts on the "Our Gang" shorts.

Wall Street

Eastman Up 3⅝ Points

	High	Low	Close	Net Change
Columbia	41¼	40⅛	40⅛	.....
Columbia, pfd	47⅛	47⅛	47⅛	.....
Consolidated	4⅝	4½	4½	— ¼
Consolidated, pfd.	17⅞	17⅝	17⅝	.....
Eastman	177⅞	174½	177⅞	+3⅝
Gen. T. Equip.	26½	26	26½	+ ½
Loew's, Inc.	58½	58	58½	+ ¼
Paramount	13¼	12⅞	12⅞	.....
Paramount 1 pfd.	97	96	96	— ¼
Paramount 2 pfd.	12⅝	12½	12⅛	— ⅜
Pathe Film	8½	8	8½	+ ½
RKO	7⅜	7⅛	7⅛	— ⅛
20th Century-Fox.	31½	31	31½	+ ⅜
20th Century, pfd.	39	38¾	38⅞	+ ¼
Universal, pfd.	103	101½	101½	—1½
Warner Bros.	13⅝	13⅜	13½	.....

Curb Rises Fractionally

	High	Low	Close	Net Change
Grand National	3⅞	3¾	3⅞	+ ⅛
Sonotone	2⅛	2¼	2¼	+ ⅛
Technicolor	27¾	26½	27¼	+ ⅞
Trans-Lux	3⅞	3¾	3¾	.....

Bonds Show Gain

	High	Low	Close	Net Change
Keith B. F. 6s '46	96	96	96	+1¼
Loew's 6s '41 ww deb rights	99	98⅝	98⅝	+ ⅛
Paramount B'way 3s '55	64	63⅜	64	+1½
Paramount Pict. 6s '55	98½	98	98½	+ ¼
Warner Bros. 6s '39 wd	97¼	97	97	.....

(Quotations at close of Oct. 6)

Evans, Excellent Napoleon In a Splendid "St. Helena"

(Continued from page 1)

during the first two acts an unnecessary waste of nervous energy.

"St. Helena," written by R. C. Sheriff and Jeanne De Casalis, concerns itself, of course, with the final years in the life of Napoleon. Elba and Waterloo behind him, the play opens toward the close of 1815 when Bonaparte and his small retinue are deposited by the Powers on the island rock, there to spend the remaining six years of his life in irony, in futile revolt and in final restrospect. There he learned, as he penned it, "resignation, that is the dominion of reason, the real triumph of the soul."

In the title role, Maurice Evans stands far away and above the entire surrounding cast. His delineation of the furies, the tyranny, the humor and finally the resignation which marked the closing chapters of the Man of Destiny's mortal days is a skilful and rich piece of acting. The New York stage may see its equal this season, but, enthusiastic as this sounds, probably it will not witness its superior.

Excellently Mounted

In costuming, lighting and stage design, the play falls effortlessly into the category of better things. In appeal and despite its tendency to sag and hold less tautly toward the close of the second act and in part of the third, "St. Helena" is of drawing power for the discriminating.

In its present form, it is actionless insofar as potential film use is concerned, but it is easy to envision how what is now conversation could be transfused into terms of stirring action and drama. He would be a brave producer, however, who would venture upon any story of Napoleon or, at least, a confident and wealthy producer prepared to advance unhesitatingly into six figures on his negative cost. M-G-M could do it. In fact, it may, for, under its still effective deal with Gordon, the company is in on "St. Helena" for 50 per cent of the cost.

Speculate on Price Control for Films

(Continued from page 1)

no indication that it will make such an interpretation on its own initiative, officials privately expressing the opinion that they have enough of a burden in enforcing the law with respect to industries which are definitely covered by it. The commission generally considers picture distribution as a service rather than a selling operation, thus putting it outside the scope of the act, but it is said unofficially that should Congress designate exhibition as retailing the commission would have no option but to extend the Robinson-Patman Act to pictures.

Join Lesser Publicity

HOLLYWOOD, Oct. 6.—Wally Schooler, formerly with Twentieth Century-Fox and M-G-M, and John Mitchell, former western editor of *New Movie*, have been added to the publicity staff for Sol Lesser, which is headed by Paul Snell.

It's Rouben's Day

Rouben Mamoulian is just plumb agoin' to lose his faith in mankind and the machinations of a hitherto comparatively kindly fate if anything goes wrong tomorrow.

It's Rouben's birthday (the 38th) tomorrow, and, says the U. A. publicity department: On Oct. 8 the Eastman Theatre opened in Rochester, with Mamoulian as production supervisor; on Oct. 8 "Porgy" began a two-year run on the stage; on Oct. 8 the musical "Porgy and Bess" had its final dress rehearsal, and tomorrow "The Gay Desperado," which he directed, opens at the Music Hall.

If anything slips, it will be tough on Rouben.

Officers Named by Charlotte Jesters

CHARLOTTE, N. C., Oct. 6.—J. E. Hobbs was elected president of the Jesters Club of Charlotte at the last meeting of the directors. Other officers are R. C. Price, first vice-president, replacing L. C. Sipe, who resigned; second vice-president, John H. Vickers, succeeding M. E. Wiman, also resigned; Walter Griffith, secretary and Ralph Jackson, treasurer. George Roscoe was elected to replace Phil Longdon, who resigned from the board of drectors. Other members of the directorate are: B. B. Bishop, Jr., M. H. Brandon, H. H. Everett, J. F. Kirby, Walter Loewe, Ben Rosenwald, Ralph McCoy, Roger Mitchell and Bob Williamson.

The club's First Annual Charity Ball, which was held at the City Auditorium, was an outstanding success.

The committees which serve during the coming year are as follows:

Entertainment — Bishop, Jr., chairman; Roscoe, Frank LaVeque, and Longdon. Installation—Rosenwald, chairman; R. D. Stallings, Jack London and Ben Ralston. House—Kirby, chairman; Jackson and Brandon. Sick Committee—Jackson, chairman; Roy Bradley, Sam Hinson and E. E. Heller. Employment—F. H. Beddingfield, chairman; Watt Parker and M. W. Davis. Legal—I. T. Cohen, chairman; John Newett and Ed Hanson. Welfare—Everett, chairman; J. M. Gregg and Don Nichols. Publicity—Fred Rohrs, chairman; W. P. White and F. E. Dyer. Attendance—McCoy, chairman; W. W. Lake, John Yandell, H. M. Sykes, Hal Jordan and R. H. Masterman. National Publicity—Everett, chairman; Mitchell, Roy Smart, R. E. Helms and Robert Boovy. Recreation—Cy Dillon, chairman; Nat Fisher, J. O. Mock and E. W. McKinley.

Limit Shows in School

LONDON, Ont., Oct. 6.—Because of protests from theatre managers that dramatic and charity organizations were using the Technical School auditorium for performances at very small cost in competition with recognized theatres, the Board of Education has moved to restrict renting of the hall to non-commercial enterprises. A standing committee was appointed by the board to toss out ineligible applications.

"Sing, Baby" Hits $10,300 Chicago Mark

CHICAGO, Oct. 6. — "Sing, Baby, Sing" at the Garrick was the standout attraction on the Loop, hitting a new record with a $10,300 gross. The picture will hold over another week.

Nice weather over the weekend brought the crowds downtown and business equalled that of the Labor Day weekend for the two days. The later days of the week were hurt by cold and rainy weather.

"The Gorgeous Hussy," $18,800, at the United Artists, did very good business the second week. "The General Died At Dawn," at the Roosevelt also rolled up $12,300 for the second and final week. "The Great Ziegfeld" closed a 15-week run in the Loop with a nice profit, at the Apollo.

The Chicago, Oriental, Palace and State-Lake theatres found business above average. "Romeo and Juliet" was un-impressive at the Erlanger.

Week Ending Sept. 30:

"THE GENERAL DIED AT DAWN" (Para.)

ROOSEVELT—(1,591), 30c-40c-60c, 7 days, 2nd week. **Gross:** $12,300. (Average, $11,000)

"SWING TIME" (Radio)

PALACE—(2,509), 30c-40c-60c, 7 days, 4th week. Stage: "Shooting High" Revue. **Gross:** $19,500. (Average, $19,000)

"MY AMERICAN WIFE" (Para.)

CHICAGO—(4,000), 35c-50c,75c, 7 days. Stage: Major Bowes Amateurs. **Gross:** $33,000. (Average, $32,000)

"THE CRIME OF DR. FORBES" (20th-Fox)

ORIENTAL—(3,450), 25c-40c, 7 days. Stage: "Texas Centennial" Revue. **Gross:** $16,700. (Average, $15,000)

"THE GORGEOUS HUSSY" (M-G-M)

UNITED ARTISTS—(1,700), 30c-40c-60c, 7 days, 2nd week. **Gross:** $18.800. (Average, $15,000)

Week Ending Oct. 2:

"THE GREAT ZIEGFELD" (M-G-M)

APOLLO—(1,400), 30c-40c-60c, 7 days, 2nd week. **Gross:** $7,000. (Average, $4,500)

"SING, BABY, SING" (20th-Fox)

GARRICK—(900), 30c-40c-60c, 7 days. **Gross:** $10,300 (Average, $5,500)

"THE RETURN OF SOPHIE LANG" (Para.)

STATE-LAKE—(2,776), 20c-30c-35c, 7 days. Stage: Verne Buck and Revue. **Gross:** $15,500. (Average, $13,000)

Week Ending Oct. 3:

"ROMEO AND JULIET" (M-G-M)

ERLANGER—(1,200), 50c-75c-$1-$1.50. 7 days, 5th week, 2 shows daily. **Gross:** $7,700. (Average, $10,000)

Campaign Films Booked

BRIDGEPORT, Oct. 6.—The State Republican organization has added a film booking bureau to its many activities. The film, which runs 12 minutes, shows Arthur M. Brown, the gubernatorial candidate, at home, at his office and on the stump. It is intended to be shown in small towns the candidate cannot visit, but several of the larger towns have booked the film.

Democrats at their rallies in small towns are showing reels of life in the state CCC camps and the work done by the WPA crews during the floods last spring.

Selznick to Get Medal

HOLLYWOOD, Oct. 6.—David O. Selznick shortly will receive the League of Nations medal for the best picture of the past year for "Little Lord Fauntleroy," Selznick International production. The medal, presented to Curtis Melnitz of the U.A. Paris office, is being brought here for the presentation to Selznick.

THE NEW UNIVERSAL'S

MOTION PICTURE DAILY

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"Godfrey" Is High for 3rd Week on Coast

Los Angeles, Sept. 23.—"My Man Godfrey" was strong in its third week, taking $7,000 at the Pantages and $7,800 at the Hillstreet. It played five days each at these houses.

$

"Godfrey" Is 2d Week Wow On the Coast

Los Angeles, Sept. 16.—"My Man Godfrey," did record second week business at the Hillstreet and Pantages. At the former the take was $12,500, over a first week normal by $6,500, and at the latter the take was $15,000, up by $11,800.

$

"Godfrey" Is Smash in Two Coast Houses

Los Angeles, Sept. 10.—"My Man, Godfrey," day and date at Hillstreet and the Pantages, was a sensation. It took $21,000 at the former and $24,000 at the latter.

$

"Godfrey" Clean Up in Frisco

San Francisco, Sept. 23.— An all-time high with "My Man Godfrey," striking the bell at 210 per cent above par.

MY GOD

"Godfrey" Is Frisco Best With $17,000

San Francisco, Sept. 21.—"My Man Godfrey," for the high spots with a gross of $17,000, over the line by $10,000, at the Orpheum.

$

"Godfrey" Swell

"My Man Godfrey," after a week at the Denver, went into the Garrick and kept the tills at home filled day and night to hit a record of $9,900. The first two days of the run brought

"MY MAN GODFREY" (Univ.)
GARRICK (900), 30c-40c-50c, 7 days. Gross: $9,900. (Average, $5,500)

$

"Godfrey" Is Cincy Smash; Gets $18,000

Cincinnati, Sept. 20.—The outstanding gross last week was turned in by "My Man Godfrey," which did $18,000 at the RKO Palace, up $8,000 on the house average. It was shifted to Keith's.

"MY MAN GODFREY" (Univ.)
RKO PALACE (2,700), 35c-42c, 7 days. Gross: $18,000. (Average, $10,000) (Moved to Keith's.)

$

"Godfrey" Is 3rd Week Wow In Pittsburgh

Pittsburgh, Sept. 29.—The third-week holdover, "My Man Godfrey," at the Fulton "My Man Godfrey" maintained its terrific pace in its third week, getting around $8,800, and holding for a fourth,

"Godfrey" Is Holdover Hit In Pittsburgh

Pittsburgh, Sept. 21.—"My Man Godfrey" was a smash hit in its second at the Fulton, with an $8,000 gross, which was more than double the usual take. It was held for a third week.

"MY MAN GODFREY" (Univ.)
FULTON (1,750), 25c-40c, 7 days, 2nd week. Gross: $8,000. (Average, $3,500)

$

"Godfrey" at $2,000 Denver Holdover Hit

Denver, Sept. 20.—"My Man Godfrey" was the big noise of the week here at the Maddm after a week at the Denver. It took $4,000, over a first week average by $1,000.

"MY MAN GODFREY" (Univ.)
MADDIN (1,500), 25c-40c-50c, 7 days, following a week at the Denver. Gross: $4,000. (Average, $2,000)

$

"Godfrey" $6,000 Portland 2d Week

Portland, Sept. 20.—"My Man Godfrey," was out front in its second week at the Broadway with a take of $6,000, above par by $1,000.

$

"Godfrey" Hit In Seattle on $8,100 Gross

Seattle, Sept. 17.—"My Man Godfrey" got off to a flying start at the Fifth Avenue on a take of $8,100, which was $1,100 over par. It was moved to the Music Box for an extended run.

"MY MAN GODFREY" (Univ.)
FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days. Gross: $8,100. (Average, $7,000)

Detroit Tips "Godfrey" Big $26,200 Gross

Detroit, Sept. 21.—"My Man Godfrey," with the Three Stooges heading a stage show, hit the high spots here among the best runs by piling up $26,200 at the Fox. This was $6,200 over par and the picture was moved to the Adams for another week.

"MY MAN GODFREY" (Univ.)
FOX (5,000; 15c-75c; 7 days). Stage: 3 Stooges, Eddie Cass, Miles & Kover, 5 Janslers, Edith Griffith. Gross: $26,200. (Average, $20,000)

$

BOXOFFICE

"GODFREY" ACER IN 4 SPOTS

(AVERAGE IS 100%)

Top Hits of the Week

My Man Godfrey—San Francisco 240

$

THE REPORTER

'Godfrey' Best For B'way;

New York.—Top grosser of the Broadway week was Universal's "My Man Godfrey," which wound up its first seven day stanza at the Music Hall with $100,000.

$

VARIETY

'GODFREY' LAMS BUFF FOR $15,000

Lafayette (Ind) (3,400; 25-35)—'Godfrey' (U). Smacko for over $15,000.

'GODFREY' HITS BALTO FOR 14G

Baltimore, Sept. 22.
(Best Exploitation: Maryland)

Wow of the week is 'My Man Godfrey,' which is touching the tallest figure Keith's has taken in three years—$14,000. First week ends tonight (Tuesday) and film will cruise through another stanza.

Keith's (Schanberger) (2,500; 15-25-30-35-40-55)—'Godfrey' (U). Smashing $14,000, for first week ending tonight (Tuesday); will linger.

$

'Godfrey, Record In Mpls.

Orpheum (Singer) (2,890; 25-35-40)—'Man Godfrey' (U) (2d week). Has the town raving, critics as well as customers, and word-of-mouth boosting a tremendous asset. Expected to move over to World for indefinite prolongation of its loop first run after fortnight engagement here. Headed for big $9,000 and may go another week. First week, $15,500, enormous.

$

'GODFREY' GARNERS $6,000 IN LOUISVILLE

Louisville, Sept. 15.

Strand (Fourth Ave.) (1,500; 15-25-40)—'My Man Godfrey (U) and 'Postal Inspector' (U), dual. Powell-Lombard opus proving the b.o. magnet of the week and coming through in great shape with three holdovers the only opposish. House riding high this week and should go through at the finish with a good $6,000.

$

'Godfrey' Socks Cincy

Cincinnati, Sept. 29.

Grand has 'My Man Godfrey' for third downtown week at $3,200.

Grand (RKO) (1,200, 25-40)—'My Man Godfrey' (U). Third downtown week, $3,200.

Keith's Last week 'Godfrey' (U) (2d run), $6,500, big.

'Godfrey' $17,000 At Frisco,

Orpheum (F&M) (2,440; 30-35-40)—'My Man Godfrey' (U) and 'Yellowstone' (U). Coming through in great shape in response to nice newspaper campaign; $17,000, pretty close to record biz.

$

'GODFREY,' $9,000, LEAD IN PROVIDENCE

Providence, Sept. 29.

Albee will be the leader with 'My Man Godfrey' getting $9,000.

Albee (RKO) (2,200; 15-25-40)—'My Man Godfrey' (U). Thursday preview and other stunts helping things at the box office for $9,000, great.

$

'Godfrey' 100G and Stays;

'My Man Godfrey,' is the smash of the quartet. It made its bow at the Music Hall Thursday (17), first of the Jewish New Year holidays when business was big everywhere, and is pitching hard to top $100,000. The picture stays a second week, which makes two holdovers out of the four that came in.

$

'Godfrey' Takes Home $4,400 Gross in Tacoma

Roxy (Hamrick) (1,300; 16-27-37)—'My Man Godfrey' (U). $4,400.

$

'GODFREY' K. C. STANDOUT, 14½G

Kansas City, Sept. 15.

Mainstreet (RKO) (3,200: 25-40)—'Godfrey' (U) and 'March of Time.' Fine $14,500.

I A N
R E Y



"Swift, dramatic airplane story with plenty of action for thrill-hounds."—Film Daily

"Compares favorably with the best aviation stories.... Geared to a high theatric quality ... will move audiences to hisses at one point and cheers at another."

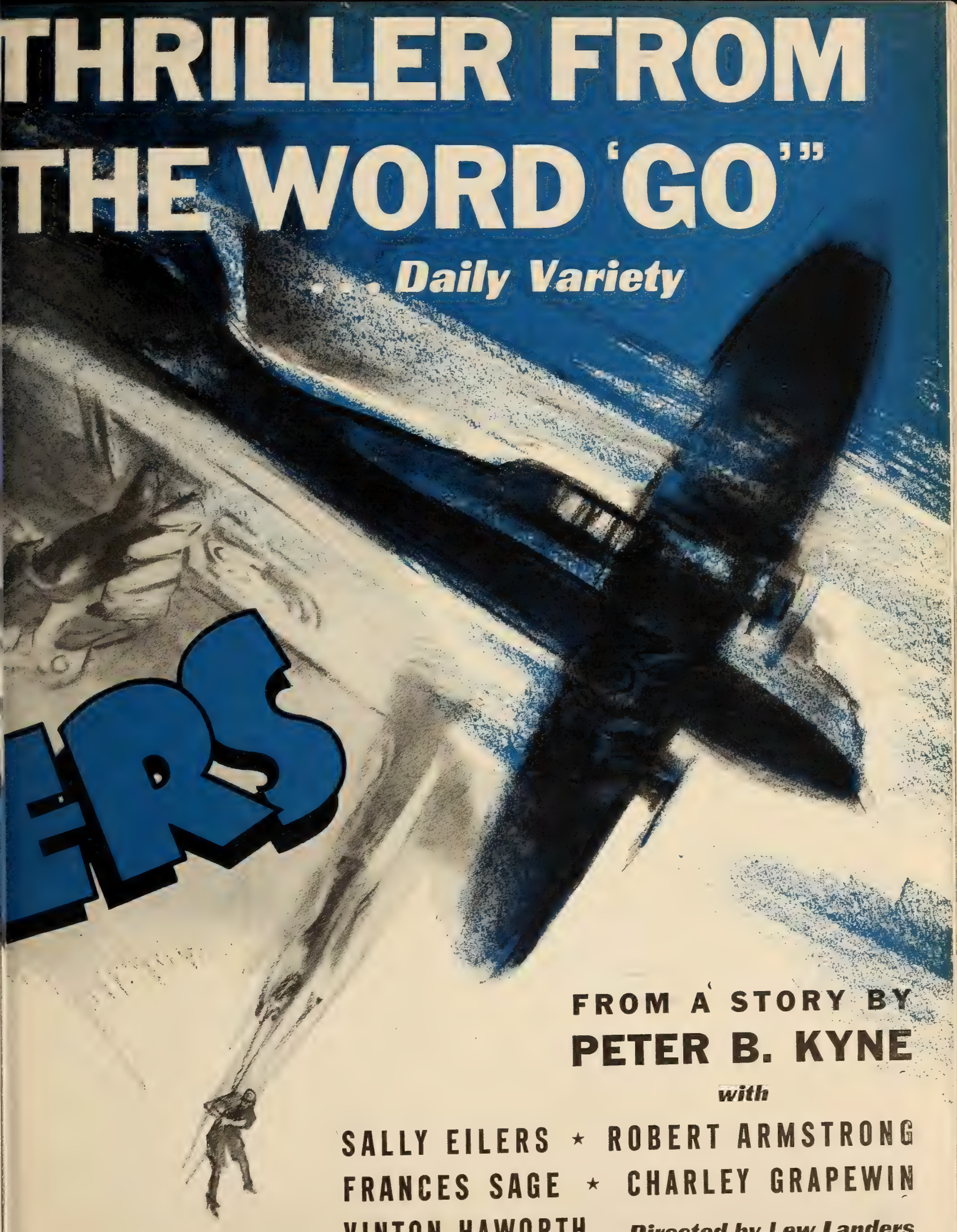
—M. P. Daily

"An exciting story of commercial aviation that goes straight to its melodramatic goal with pep, punch and undeviating straightforwardness."

—Hollywood Reporter

THRILLER FROM THE WORD 'GO'"

Daily Variety



FROM A STORY BY

PETER B. KYNE

with

SALLY EILERS ★ ROBERT ARMSTRONG

FRANCES SAGE ★ CHARLEY GRAPEWIN

VINTON HAWORTH . . *Directed by Lew Landers*

Associate Producer Cliff Reid . . RKO-RADIO PICTURE

Reserve Decision in Perelman Rehearing

(Continued from page 1)

Circuit Court here with re-arguments to set aside the court's decision of Jan. 16, 1936 which had upheld Judge Welsh's decision in favor of Perelman in January, 1935. Judge Joseph Buffington, presiding judge, and his associates, J. Warren Davis and J. Whitaker Thompson, reserved immediate decision and retired to consider the case. No definite date was set for the handing down of a verdict.

Morris Wolf of Philadelphia, representing First National, Vitagraph, RKO, Metro, Fox and United Artists, and Edward L. Weisl of New York, representing Paramount, maintained that the evidence in the original case clearly indicated that double featuring was harmful to the entire industry as well as to the public. Weisl claimed that the clauses against the practice in the contracts do not constitute conspiracy as interpreted under the Sherman and Clayton Acts. This was contrary to Judge Welsh's opinion that the coincidence of action on the part of the majors in using such clauses was a well-studied plan to accomplish a purpose which is prohibited by Federal law.

Cite Complaints Against Dualing

The attorneys contended that exhibition is purely a local pursuit and that any possible restraint would be so indirect as to be nil. They pointed out that large groups of civic, educational and philanthropic organizations had complained against double featuring.

In rebuttal, B. M. Golder, representing the original plaintiffs, Louis and Harry Perelman, stated that neither the taste of these organizations nor the opinion of exhibitors on whether or not double featuring was good for the public has any bearing on the case. The essential consideration, he said, is the restraint of trade and commerce. He claimed that the evidence showed that under anti-double featuring, fewer pictures were made in Hollywood and fewer shipped and exhibited. He stated that because of the anti-doubles clauses, exhibitors could not show independent product without the danger of losing the necessary major pictures.

Stress Importance of Decision

Weisl pointed out that all majors did not have anti-doubles clauses and added that a decrease in the exhibitors' features is made up in short subjects, educational films, etc. He stated that the majors have not the right to dictate the makeup of programs.

In making their plea that the original verdict be set aside, the attorneys for the majors called to the attention of the court the far-reaching importance of the decision to the entire industry.

Purely Personal

BOB COCHRANE says his last coast trip was the tops. Intending to remain three days, he stayed on three weeks.

•

F. J. BERG, agent, will leave by plane for Hollywood on Friday. He was among those returning from abroad on the *Queen Mary*.

•

BEN SHLYEN, publisher of *Box-Office*, is here from Kansas City. Stays a couple of weeks.

•

CHARLES KOERNER is in from Boston again visiting RKO home office circuit officials.

•

IRENE DUNNE is scheduled to arrive from the coast by plane this morning.

•

CHARLES LEONARD is expected to join MONROE GREENTHAL's advertising staff on Monday.

•

SI FABIAN will leave tomorrow night for his usual trip to Albany and its purlieus.

•

HASKELL MASTERS has gone to Boston and will be back in a few days.

•

CHARLES STERN returned yesterday from Washington and Buffalo.

•

EDDIE BUZZELL, another Hollywood visitor, is at the Waldorf.

•

BOB WILBY is in town from Atlanta.

•

KAREN MORLEY is visiting with her husband, CHARLES VIDOR, the director.

•

HARVEY DAY left for Chicago last night via TWA.

•

EDWARD FINNEY will take a plane to the coast today.

•

DOROTHY MCNULTY took the airlanes to the M-G-M studios last night.

•

CORINNE GRIFFITH is in town.

TAY GARNETT, director, who arrived on the *Queen Mary* from a world cruise with MRS. GARNETT, will leave for Hollywood Friday to begin work on "The Last Slaver" for Twentieth Century-Fox.

•

GERTRUDE LAWRENCE has changed her sailing plans and will arrive here next Tuesday on the *Aquitania*. She had originally intended sailing on the *Britannic*.

•

BARONESS ELSE VON KOCZIAN, recently appointed European editorial representative for Universal, sails for her London post today on the *Manhattan*.

•

MAX M. KRAVITZ of Pickford-Lasky is due in town today for the opening of "The Gay Desperado."

•

HERBERT MARSHALL, ROD LA ROCQUE and JOHNNY WEISMULLER sail today on the *Queen Mary*.

•

JIMMY CAMPBELL, head of music for G.B., will arrive tomorrow on his second business trip here this year.

•

ARTHUR LEE of G. B. leaves for Philadelphia today.

•

. . . Cincinnati

SI STEWART is the latest addition to the local Grand National sales force.

BILL GEHRING and WILLIAM SUSSMAN were in town recently in connection with the 20th Century-Fox sales drive.

BILLY BEIN is back from New York, and will enlarge his theatre poster supply quarters.

•

. . . London

MARION DAVIES at Claridge's from the Continent.

DR. BURGIN, Parliamentary Secretary to the Board of Trade, officially opened Pinewood Studios.

JACQUES HAIK on weekend visit from Paris.

ALEXANDER KORDA to supervise Technicolor's special coronation film.

National Completes Deal for Magnalite

(Continued from page 1)

Magnalite, trade name for a patented sign device which uses ordinary electrical illumination, a revolving background plate and Czechoslovakian jeweled beads in creating the surprising effect of a high intensity, animated electric bulb sign at a fraction of the cost. The box is permanent, but the advertising message, handled in the form of aluminum plates which fit over the device are interchangeable at the discretion of the purchaser.

Magnalite has its factory in Los Angeles, but an experimental plant has been opened at the Film Center Bldg. with the intention shortly to open a factory in the East and, at a later date, in the Middle West. Dembow already has hired a number of salesmen and is active in the plan to develop his selling machinery on a nationwide basis.

Theatre Use to Come Later

For the present, no effort will be made to serve the theatre field. Contracts for the signs which are made in horizontal and vertical dimensions, approximately 12 by 18 inches, for display in accessible places like store windows have been closed with several nationally advertised products, including Frankfort Distillers, Pabst, Westclox, Ford and Chevrolet.

However, Dembow has demonstrated to a number of important circuit operators as they visited New York in the last few weeks and inquiries already are in as to availability for use in theatre lobby frames. The idea is adaptable to marquee letters and will be adapted for straight theatre use later.

Grinde on Color Short

HOLLYWOOD, Oct. 6.—Nick Grinde will direct the two-reel Technicolor film dealing with the life of Stonewall Jackson, "Under Southern Stars," at Warners. Fritz Leiber has the leading role and signed are Henry O'Neill, Fred Lawrence, Jane Byron, Gordon Elliott and Gordon Hart.

Fox Stock Transfers Shown

ATLANTIC CITY, Oct. 6.—William Fox transferred 5,000 shares of the common stock of Banker's Securities Corp. to All-Continent Corp., his family trust, and 70 shares to his daughter Belle, during last May, the month in which he filed his $9,500,000 bankuptcy petition. This was testified here today by Alfred Blasband of Philadelphia, secretary and treasurer of Banker's Securities Corp.

Eugene O'Dunne, special representative from the U. S. Internal Revenue Dept., which has income tax claims approximating $2,000,000 against Fox, joined in the questioning. He drew out testimony that about that time a large amount of stock which Fox had posted as collateral on loans also wound up in the hands of Bella Fox and Rose F. Leo, Fox's sister-in-law.

Fox Gifts Recounted

Murry C. Becker, of Fox counsel, presented to Trustee Hiram Steelman and further promised a complete list of the gifts which Fox made after selling out Fox Film and Fox Theatres holdings in 1930. It showed $200,000 as given to Jack G. Leo, brother-in-law; $100,000 each to James Francis Burke, Claudius Huston (then Republican National Chairman), Joe Leo and Benjamin Rease (one of Becker's law firm); $200,000 to Belle Fox, $139,000 to Mona Fox, another daughter; $94,000 to Herbert Leitsteen, Fox family bookkeeper; $50,000 each to Harry G. Sundheim and David A. Brown and $27,000 to Aaron Fox, father of the defendant. To his wife, Eva, Fox gave the Woodmere, L. I., estate and a large amount of stock.

Albert M. Greenfield, Philadelphia realtor and banker, was the morning witness as chairman of the board of Banker's Securities Corp. He testified that "Fox was, and All-Continent still is" the largest stockholder in this corporation and that Fox still is one of its directors. "He hasn't attended a meeting in several years," Greenfield said, adding, "we kept him on the board because we considered him of value to the corporation."

Composers' Testimony Read

Depositions of two music composers were filed in Federal Court yesterday in connection with a copyright infringement suit brought by the United Music Co. against Universal Pictures Corp., Gem Pictures Corp., Loew's, Inc., Universal Film Exchange, and others.

The suit charges that the defendants infringed copyrights on three musical compositions entitled "Don Rigo," "Vers L'Horizon" and "Valse Mutine." The United Music Co. alleges that it has the copyrights on these for America, which were given them by the composers, Emile Marcier and Emile Fourdrain. The depositions were taken recently in Paris and both composers testified that they had assigned their interest in these songs to Georges A. Cogniat, head of United Music Co.

Topkis-Ginns Summoned

WILMINGTON, Oct. 6.—Officers and directors of Topkis-Ginns Theatre Co. of Wilmington, have been ordered to appear in chancery court here on Oct. 21 to show cause why they should not be restrained from paying on a $10,000 note allegedly given to Charles P. Thornley as part payment for stock supposed to have changed control of Topkis Bros. Co.

The order, which was issued by Superior Court Judge Richard S. Rodney in the absence of Chancellor Josiah O. Wolcott, also restrains the payment of the note pending the court appearance.

According to the bill, the transaction was made to wrest control of the latter company from Abraham Topkis. The action was taken on a bill filed for the Farmers Bank of Wilmington, owner of shares of stock in Wilmington Amusement Co., parent company of Topkis-Ginns, leasor of theatres to Stanley-Warner.

Better Theatres

FALL BUYERS NUMBER ISSUE OF OCTOBER 17th

In addition to regular news and service departments, will contain

- **THE EQUIPMENT INDEX:**

  Completely revised and up - to - date. The accepted authority on equipment buying. An invaluable aid to exhibitors and those interested in equipment purchases.

- **THEATRE SUPPLY DEALERS:**

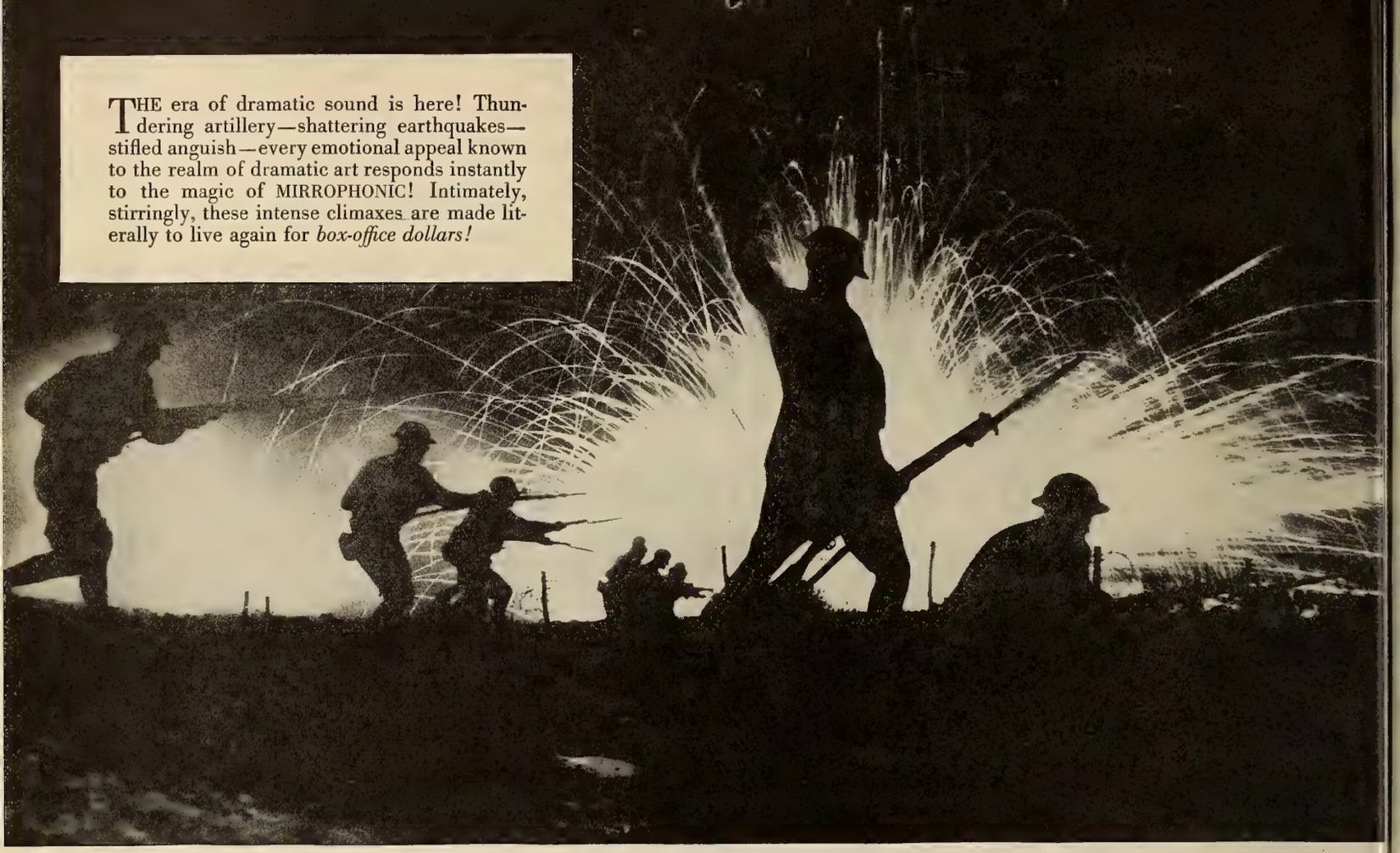
  Directory of established local services and dealers in theatre equipment and supplies.

- **SPECIAL FEATURES:**

  including recent remodeling and reconditioning activities in the theatre field, as well as the very latest developments in equipment for maintenance and operation.

Published in conjunction with Motion Picture Herald, issue of October 17th.





THE era of dramatic sound is here! Thundering artillery—shattering earthquakes—stifled anguish—every emotional appeal known to the realm of dramatic art responds instantly to the magic of MIRROPHONIC! Intimately, stirringly, these intense climaxes are made literally to live again for *box-office dollars!*

YOUR PATRONS WILL GET NEW THRILLS FOR THEIR EARS

WHEN YOUR THEATRE IS EQUIPPED WITH

MIRROPHONIC SOUND

Box-office dollars are proving, with every MIRROPHONIC installation, what E. R. P. I. promised a month ago: "MIRROPHONIC'S epoch-making sound reproduction, with its powerful exploitation campaign, brings to exhibitors everywhere the *first new large-scale money-making opportunity* since Western Electric first gave sound to the silent films!"

Box-office dollars are proving, in terms of actual cash, that it pays to extract the last "ounce" of quality from every picture—that with MIRROPHONIC *greater grosses* attend every presentation!

And box-office dollars are proving that increased receipts from only a *few* pictures quickly pay for a change to the world's new standard of reproduction excellence!

Electrical Research Products Inc.
SUBSIDIARY OF
Western Electric Company
INCORPORATED
250 WEST 57TH ST., NEW YORK

MIRROPHONIC

MIRROPHONIC IS:

- Backed by E. R. P. I. Coordinated Service
- Scientifically installed to fit your individual theatre
- Available on a convenient Step-by-Step Modification Plan

A True Reproduction of the Original

THE NEW
Western Electric
MIRROPHONIC
SOUND SYSTEM

THE STANDARD SOUND SYSTEM OF THE WORLD



The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 84 NEW YORK, THURSDAY, OCTOBER 8, 1936 TEN CENTS

Plan for New Setup in RKO Being Speeded

Negotiations Hinge on Rockefeller Claim

Return of U. S. District Judge Bondy to this country from a European vacation has speeded up efforts to reach an agreement between Atlas Corp. and the Rockefellers on the $9,600,000 claim of the latter against RKO so that reorganization plans can be carried out.

It is understood that general features of a reorganization plan worked out by Lehman Bros. and Atlas call for the formation of a new company with its capitalization to consist of bonds, convertible preferred stock and common stock, with the bonds and some preferred to be offered for the $11,600,000 debentures outstanding and the $1,118,000 secured claims. The unsecured creditors will be offered preferred in exchange for their allowed claims, it is understood, with possibly some common in addition.

At present 2,577,554 shares of common are outstanding. This may be increased, with the present holders receiving common in the new company on an even exchange.

Backers of the reorganization plan estimate the total of allowed claims will be about $18,000,000 out of a total of $55,000,000 filed.

Weinstock to Lead Campaign for ITOA

David Weinstock, local theatre operator, was named chairman of a sub-committee of the Greater New York theatre division supporting the reelection of President Roosevelt and Gov. Lehman at a meeting of the I.T.O.A. yesterday at the Astor.

Samuel Rhonheimer, Maurice L. Fleischman, Bernard S. Barr and Abraham Leff also were appointed on the committee. The first meeting of

(*Continued on page 4*)

Censor Is Reversed In Soviet Film Ban

DETROIT, Oct. 7.—The right of the Detroit police department, under its film censorship powers, to bar Communistic pictures on the ground that they are "immoral or indecent" was denied in a ruling just handed down by the Michigan Supreme Court.

The court upheld Ida W. Schumann, doing business as the Cinema Guild, in her right to a permit to show

(*Continued on page 4*)

Will Make Public Findings On Quota Before Year-End

LONDON, Oct. 7.—The Films Act Statutory Committee, presided over by Lord Moyne, is expected to complete its report and submit its findings to the Board of Trade before the end of December and probably in November.

The committee, entrusted with the task of saying what, if any, legislation is needed to replace or revise the Cinematograph Films Act on its expiration in 1938, has concluded the taking of evidence.

Interest in the trade rests mainly on the extent to which the committee accepts or rejects suggestions put before it for an increase in the quota of British films and the establishment of a minimum cost clause.

The Producers' Group of the Federation of British Industries is striking for an increase in the quota to 54 per cent in the sixth year of the proposed new legislation, comparing with 20 per cent under the current law. However, the producers have told the Moyne Committee that the new provisions, predicated on the total of foreign film acquired by the distributor, merely works out to a maximum bracket of 35 per cent, or approximately one British for every three foreign, principally American, of course.

The plan proposed by the producers for quota on exhibitors would start at 20 per cent and rise to 50 per cent in the sixth year. On the same basis as

(*Continued on page 4*)

Ohio Censors' Cuts Only 17 for Month

COLUMBUS, Oct. 7.—During September the Ohio censors reviewed a total of 619 reels from which but 17 eliminations were ordered. There were no eliminations in 107 reels reviewed for the week ending Sept. 3.

This compares with 542 reels reviewed in August with 27 eliminations ordered.

During September the censors held up "Don't Turn 'Em Loose," which subsequently was passed with all murder scenes eliminated, but later resubmitted and passed in full.

Oklahoma City Has First Dual Policy

OKLAHOMA CITY, Oct. 7.—The Liberty, Standard Theatres, Inc., house here, this week started a new policy of double features with no price increase. Double features will play when stage shows are not used. Beginning this week stage shows will be

(*Continued on page 4*)

May Issue Stock

A public stock issue for Republic Pictures is being discussed by Herbert J. Yates with downtown bankers, but no details have been decided upon as yet.

Cinema Club to Give Dinner for Giannini

The Cinema Club will tender Dr. A. H. Giannini, president and chairman of the board of U. A., a dinner at the Waldorf shortly, it was stated yesterday by Will H. Hays at the Grover Whalen luncheon at the club. No date has been set, Hays added, but Dr. Giannini has accepted.

Whalen spoke briefly on the World's Fair to be held in 1939 for which $125,000,000 will be spent with 54 foreign countries represented, including South America, and to which it is expected 50,000,000 people from all over the world will be attracted. Approximately 1,256 acres in Flushing meadows have been set aside by the city for the purpose, Whalen asserted, and "I hope through your great industry to tell the world about it." He referred to the newsreels.

In his introductory speech, Hays described the guest of honor as the "master showman of the generation."

Among those who attended were J. Robert Rubin, Austin C. Keough, Edgar B. Hatrick, Charles D. Paine, Dan Michalove, Stanleigh Friedman, Louis Nizer, Louis Phillips, Dave Palfreyman and Frank Buck.

Para. and Randforce Close Product Deal

Paramount has closed a deal with Randforce whereby the circuit of 51 Brooklyn houses will play the distributor's complete lineup next season. The deal marks completion of every important independent and major circuit deal in the local territory.

Milt Kusell and Henry Randel worked out the Randforce pact with Sam Rinzler and Louis Frisch.

"Rangers" $26,000 In Its Second Week

The second and final week of "The Texas Rangers" at the Paramount wound up with approximately $26,000. The Criterion finished the third week of "Give Me Your Heart" with about $15,000.

KRS Asks Cut Of Two-Thirds In New Quota

Present British Law Is Hit in Moyne Report

By BRUCE ALLAN

LONDON, Oct. 7.—The Kinematograph Renters' Society, distributor organization, urges reduction of the present distributors' quota to one-third of the present quota which calls for one British film for every five foreign films distributed. Foreign films are chiefly American. The society also makes the general statement that the present quota obligation is "so heavy as to be practically impossible of effective performance."

The suggestions were embodied in two memoranda which are included in the second volume of the minutes of the evidence heard in recent months by the Moyne Committee which for some time has been studying the basis of revision for the Films Act, which expires in 1938. The committee is headed by Lord Moyne. The testimony was made public today.

The second volume contains the statements submitted by the K.R.S., National Ass'n of Theatrical Employes and the Council of the Trade Union Congress. Supplementary statements are included from the Cinematograph Exhibitors' Ass'n and such individuals as Simon Rowson who had been heard by the committee. Likewise is included a confidential report of the Films Act Advisory Committee.

In the K.R.S. suggestion for reduction there is provision for safeguarding conditions of cost and quality of production. The K.R.S. statement said, "The K.R.S. Council was greatly influenced by definite and emphatic assurances from members representing foreign interests (presumably American) that if the obligation is so reduced they

(*Continued on page 4*)

Fox Creditors Seek Light on His Gifts

ATLANTIC CITY, Oct. 7.—Efforts to trace a long list of gifts which William Fox made after selling out his film and theatre interests continued throughout today's session of his bankruptcy hearing and will go on tomorrow.

Both Fox and Herbert Leitsteen, family bookkeeper who received a present of $94,000 in 1930, were questioned at length. From the $200,000 and $100,000 sums in the total of $1,160,500 submitted to Referee Robert

(*Continued on page 7*)

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Skouras, Zabel to Tour

Spyros Skouras and his assistant, Edward Zabel, will leave Monday for a four-week tour of all National Theatres key operating points. They will travel by train and plane.

Cities to be visited are Milwaukee, Kansas City, Denver, Seattle, Portland, San Francisco and Los Angeles. A general survey of the circuit will be made.

Writers Talk New Code

HOLLYWOOD, Oct. 7.—A meeting of the membership of Screen Playwrights, Inc., was held tonight for the purpose of considering the new writer-producer code. The new code seeks to modify the present pact signed a year ago and which embodied a 1939 expiration date.

Loew's Sets Dividend

A regular quarterly dividend of $1.62½ per share on the 6½ per cent cumulative preferred stock, was declared by the board of directors of Loew's, Inc., yesterday. The dividend is payable Nov. 14 to stockholders of record Oct. 28.

Purely Personal

EDWARD FINNEY left yesterday for Hollywood by plane to arrange for the production of the second TEX RITTER western for Grand National.

•

JEROME KERN has arrived from the coast to confer with Warner executives and MAX DREYFUS on the change in management of Harms, now operated by Warners, to Chappell, which is a Dreyfus company.

•

EDWARD F. STEVENSON, vice-president of General Business Films, Inc., will speak on the use of films in education during the Womens' Radio Review hour over WEAF next Monday.

•

ANNIE LAURIE WILLIAMS, who acted as agent in the sale of "Gone With the Wind" to DAVID SELZNICK, plans to leave for Hollywood Oct. 26 on her first visit to the film city.

•

Prof. ERNST STERN, who designed the "White Horse Inn" settings and costumes, sailed yesterday on the *Manhattan* to work on C. B. COCHRAN'S "The Boy David."

•

WALTER D. EDMONDS will leave shortly for the Twentieth Century-Fox studios to work on the script of his story, "Drums Along the Mohawk."

•

IRA COHEN, Pittsburgh branch manager for Twentieth Century-Fox, is due in New York on Oct. 26 for home office conferences.

•

MILTON C. WEISMAN yesterday was presented with a certificate of honorary membership by the I.T.O.A. at the Astor.

•

CLAIRE TREVOR will come to New York when she finishes "Career Woman" for Twentieth Century-Fox.

•

MRS. JO VAN AMMERS KUELLER, Dutch playwright and novelist, will arrive today for a month's visit.

•

ADOLF WOHLBRUECK, German actor signed by RKO, arrives today on the *New York,* bound for the studios.

•

CARLYLE BLACKWELL will appear in JOHN GOLDEN'S first play of the season, "Punches and Judy."

•

ABEN KANDEL, the author, left for Columbia's studios yesterday. He will return in a month.

•

SHIRLEY BOOTH is back in the cast of "Three Men on a Horse" after an extended vacation.

•

ELSIE JANIS and GILBERT WILSON, her husband, left for Beverly Hills yesterday.

•

BORRAH MINNEVITCH has gone to the coast to appear in a Universal picture.

•

ANDRE KOSTERLANTZ will leave by plane for the coast on Saturday.

•

PERCIVAL S. MONTAGUE, coast agent, is in town for literary material.

•

CONRAD RICHTER'S "The Sea of Grass" has been acquired by M-G-M.

•

BOB O'DONNELL expects to remain in town for about 10 days.

•

GREGORY LACAVA arrives today on the *Conte di Savoia.*

•

LEW BROWN is back in town after a spell in Hollywood.

•

J. ROBERT RUBIN'S auto license plates read RR 8.

•

Omaha . . .

CHARLES SCHLAIFER, Tri-States publicity and advertising manager here, and MRS. SCHLAIFER have returned from a three-week vacation.

MRS. V. B. TRENT, wife of the M-G-M office manager here, and daughter, TONI SUE, are visiting MRS. TRENT'S sister in Pittsburgh.

JACK DONAHUE, M-G-M's traveling auditor, and CLAUDE MORRIS, M-G-M's exploiteer from Kansas City, are visiting the local exchange.

HARRY WEINBERG of Des Moines, Central States Theatres manager, visited Omaha this week.

OSCAR PECK, treasurer at the Orpheum, has been made assistant manager of the Paramount, which reopens Oct. 22. JACK KOLBO, Omaha treasurer, has been advanced to assistant manager.

•

. . . Washington

JOE GINS, Columbia salesman from Pittsburgh, renewing acquaintances.

HELEN HAYES elected honorary colonel in the D. C. chapter of the Rainbow Division Veterans.

FRED J. THOMAS, manager of Warners' Colony, married JULIA HATHAWAY. He was given a party at the Shoreham prior to the wedding.

DANIEL S. TERRELL, Warners, has had plans drawn for his new home, which the Carnegie Foundation will partly finance as part of the Foundation's hero award.

HARDIE MEAKIN, 2d, 8-year-old son of the RKO-Keith manager, given a Coast screen test for a part in "Tom Sawyer."

CARTER T. BARRON, Loew's, is weekly host to local and visiting football elevens. He is an old Georgia Tech player.

Floating Over

The incoming *Hindenburg,* due at Lakehurst today from Frankfort, Germany, has aboard Harriet Kimball Eberhardt, widow of Walter F. Eberhardt. She has been holiday-making in Europe since the spring and the return on the Zeppelin rounds out her original mode of travel, formulated prior to her departure from New York.

Miss Michael Recovering

Gertrude Michael, confined to the Doctor's Hospital during the past few days as a result of a toxemia condition, was reported at an early hour this morning as "doing very nicely, indeed."

Feher in from London

Friedrich Feher, composer and producer of "The Robber Symphony," has arrived from London seeking an American release for his feature.

Committees Busy on Richardson Program

Committees are being lined up for celebration of "Richardson Week"—the birthday events in honor of F. H. Richardson, who conducts the Technological Dept. in the *Motion Picture Herald*—by W. C. Byrne, president of the American Projection Society.

Details are now being set for the banquet to be held at the Hotel Pennsylvania at midnight Oct. 24.

A. R. T. Bishop is chairman of the general committee of arrangements. Other committeemen are: George E. Browne, international president of the I.A.T.S.E.; Herbert Griffin, vice-president of the International Projector Corp.; George Skouras, Louis K. Sidney, Lester R. Isaac, M. D. O'Brien, Harry Rubin, Charles Horstman, Joseph Robin, James J. Fine, Edwin S. Porter, E. I. Sponable, William C. Covert, Jay C. Flippen, Al Rosen, Edward Burke, Robert Witeman, Louis Krouse and J. Hornstein.

Acceptances are being received for the luncheon of the National Theatre Supply Co. and the International Projector Corp. on Oct. 27 and the luncheon of Quigley Publications on Oct. 29.

The American Projection Society is also making arrangements for an exhibition of old projector mechanisms for five days at the Hotel Pennsylvania the week of Oct. 25.

Arthur to Leave Soon

Harry C. Arthur, Jr., plans to leave for St. Louis next week in connection with the operation of F. & M. theatres in that city. Jack Partington will leave for the Mound City in about two weeks. He says F. & M. will not extend stage presentations beyond the St. Louis and Ambassador, now featuring the policy in addition to films.

Drama Guild Nominates

The nominating committee of the Dramatists' Guild yesterday named 10 nominees for the Guild council, who will be voted upon at the annual membership meeting and election in about three weeks. The names will not be made public, it was explained, until the nominees have signified their intention of accepting the nominations.

Paderewski Film Ends

LONDON, Sept. 28.—Ignace Paderewski, famous pianist, has finished his work for Pall Mall's "Moonlight Sonata" at Denham and has left for Switzerland. He has done nearly two months of studio work, and plans to return to London for the preview of the film.

Mrs. Hirsh Rites Set

Funeral services will be held Friday at Riverside Memorial Chapel for Mrs. Augusta Hirsh, who died late Tuesday. She was the wife of Nathan Hirsh, theatre owner, and the mother of Melvin Hirsh, president of Syndicate Exchanges, Inc.

Warner Party Planned

The Warner Club, New York division, will hold a Halloween party at its clubrooms on Friday, Oct. 30. Festivities typical of the day are planned for the occasion.

FOR HALLOWEEN!

THE CASE OF THE BLACK CAT

CLUE CLUB Selection

A title that fits your October 31st spot like an usher's uniform—and Perry Mason at his best in the latest of those two-and-a-half-million-reader Erle Stanley Gardner stories for Liberty Magazine! You get it with the backing of the Clue Club, from

Warner Bros.



With RICARDO CORTEZ • JUNE TRAVIS • Jane Bryan • Craig Reynolds • Carlyle Moore, Jr. • Gordon Elliot • Directed by William McGann • A First National Picture

KRS Asks Cut Of Two-Thirds In New Quota

(Continued from page 1)

will wholeheartedly comply with the stipulations on cost and quality to insure the production of worthwhile British films."

A memorandum from John Maxwell, head of B.I.P., on behalf of the K.R.S., elaborated the statement, pointing out that the scarcity of skilled personnel makes impossible the production of good films in the quantity demanded at present. He argued that if good pictures were made by American companies on this scale the competition would be serious to British producers. An increase in the quota would produce a mushroom growth of companies and a sequence of liquidations, he contended.

Giving evidence, Maxwell said American distributors are prepared to spend £30,000 to £50,000 per picture under a reduced quota. He disputed the statements of the F.B.I. that the advanced booking clauses of the Films Act had been ineffective or were not enforceable. He said, "They are the most valuable clauses. If anything can be done to strengthen them, let it be done."

Moyne and Maxwell at Odds

Lord Moyne declared, "I should be very happy if we could contemplate a state of things in which no protection would be needed for British films."

Maxwell replied, "I do not think we need it today. I think British production is well enough set to go right ahead." Maxwell challenged the statement of Norman Loudon that B.I.P. and G.B. represent one-seventh of the production interests in the F.B.I. He claimed that with regard to money permanently invested these two companies have at least double the entire amount of the other F.B.I. companies taken together.

Referring to what he termed excessive labor demands, Maxwell said, "In a year or two when they learn sense we shall be able to get the business established on a basis of permanence."

Sir Arnold Wilson questioned Maxwell closely on the issuance by insurance companies of guarantee policies to cover producers' overdrafts at banks.

Eckman Queried on Quickies

Sam Eckman of M-G-M, who was present with D. E. Griffiths of First National, John C. Graham of Paramount and Frank Hill, secretary of the K.R.S., also was questioned sharply by Wilson, who asked Eckman if he has been a leading exponent of the "quota quickie."

Eckman replied, "I do not think so."

Wilson said, "It has been suggested that you hope to discredit British production by the extended use of quickies."

"If I knew who made those statements the law of the land would protect me," replied Eckman.

Wilson, following an interruption by Maxwell, said he was referring to American distributors generally. Eckman also denied that British films were shown at the Empire while the theatre was closed for cleaning, and said that the reason American companies bought cheap British films was that the £25,000 films obtainable were no better than the £100,000 films. Good producers like B.I.P., G.B. and Korda would not release their product through Americans, he said.

Rowson made the point that no American company investing in British production and guaranteeing American release should be absolved from the quota. He also urged the revision of the Act to legalize such exhibitor cooperative schemes as that of Captain Dixey, who plans to issue franchises to exhibitors which might be a breach of the present forward booking clauses.

Ask Quota for Features Only

The main features of the advisory committee recommendations are a minimum cost of £2 per foot, excluding the cost of story, music, director and scenarist. The quota, they suggested, should apply to features only. The distributor should be free to acquire his quota at £2 per foot or, if paying more, his obligation should be reduced.

The exhibitors' quota should be reduced to 15 per cent against the distributors' 20 per cent, it was urged.

The C.E.A. suggested a committee to determine on quality to be composed of one producer, one distributor, two exhibitors and an independent chairman, with the C.E.A. or any group of five exhibitors to have the right to demand a review of a film by such a committee.

King Sees "Godfrey"

London, Sept. 28.—"My Man Godfrey," currently at the Leicester Square, was privately shown to King Edward and his guests at Balmoral over the weekend.

GTC Stockholders Demand Accounting

LONDON, Sept. 28.—A group of shareholders forced through an amendment demanding a profit and loss account, showing gross revenue from theatres and other details, at the annual stockholders' meeting of General Theatres Corp. here.

A representative of the stockholders' committee which unsuccessfully opposed the recent reorganization plan of the company, declared the profit figure shown indicated the writing down of capital had been too drastic. He also said no details were given on the amount charged for film by G. B. Jeffrey Bernerd, who failed of reelection as a director on a show of hands, was elected by a specific vote. The financial report also was accepted by the stockholders. A dividend of 12 per cent was paid on the participating preferred ordinary shares on a net profit of £275,969. No dividend had been paid in the previous year.

Consider Bank Night Ban

DES MOINES, Oct. 7.—An ordinance to prevent Bank Night has received a first reading by the City Council at Iowa City. The ordinance forbids the theatres there to "give or sell merchandise or cash or other products." It is described as the first time a city in Iowa has moved to legislate against Bank Night. Two more readings are necessary to make it a law.

Moyne Group Quota Report Due Shortly

(Continued from page 1)

is applied to distributors, the exhibitor levy, according to the producers, would in fact, mean 33.3 per cent of foreign film acquired and not actually the 50 per cent bracketed.

Exhibitors, as represented by the C.E.A., on the other hand, have been insisting on a reduction of quota as it applies to them to 10 per cent.

Bernstein Will Have 14 New Super Houses

LONDON, Sept. 26.—Details of the ambitious theatre building plans of Bernstein Theatres, Ltd., already briefly cabled to MOTION PICTURE DAILY, show that of 16 new theatres planned, 14 are in the super class. All of the new buildings will be in the Greater London area, chiefly in rapidly developing new residential neighborhoods.

The following is the program in detail, with capacities and opening dates:

Wandsworth, S. W. London, 2,500, October, 1936; Woolwich, S.E. London, 3,750, February, 1937; Cheam, Surrey, 2,000, March, 1937; North Cheam 1,500, March, 1937; Greenwich, S.E. London, 2,000, April, 1937; Harrow, N.W. London, 2,000, April, 1937; Clapham, S.E. London, 3,000, September, 1937; Bow, E. London, 3,000, December, 1937; Greenford Middlesex, 2,000, September, 1937; Woking Surrey, 1,750, December, 1937.

Plumstead, S.E. London; Woodford, N.E. London; Enfield Wash, N. London; and Gidea Park, Essex; each to seat 1,500 and to be completed in 1937. Welling, Kent, and East Molesey, Surrey, are the other situations.

The completion of these houses will bring the Bernstein "Granada" circuit in the London and Home Counties area to a total of over 40 modern theatres of large capacity.

Rock to Twickenham

LONDON, Sept. 28.—Joe Rock Prod., Ltd., previously releasing through Associated British Film Distributors, Ltd., will, in the future, issue its films through Twickenham Film Distributors, Ltd. Announcing the switch at the Twickenham sales conference, Julius Hagen said Rock would produce eight features in a year. Only one Rock picture, featuring Harry Roy and his band, would be excluded from the output for Twickenham next year.

G. B. Unit Gains

LONDON, Sept. 28.—The annual report and accounts of Associated Provincial Picture Houses, Ltd., controlled by Gaumont British, show profit in the year ended May 31 of £115,236, an increase of £12,360 over the previous year.

A final dividend of four per cent on the ordinary shares makes the return for the year six per cent. Carried forward is £69,214, more than £17,800 above the amount brought in.

Censor Is Reversed In Soviet Film Ban

(Continued from page 1)

"The Youth of Maxim," dealing with the 1917 revolution in Russia. Police Censor Joseph Kollar granted a permit for the showing of the film a year ago, but later it was revoked on the ground that the picture deals with Communism and might be hostile to public interest. The American Legion backed the censor.

When the plaintiff asked for a writ of mandamus against the department, Circuit Judge Theodore J. Richter refused the writ, after a personal view of the film, on the ground that he saw no flagrant abuse of discretion.

The Supreme Court decided that the police power to go beyond the wording of the ordinance, rather than the question of discretion, was at stake. It reversed Judge Richter and ordered the permit to be issued.

Oklahoma City Has First Dual Policy

(Continued from page 1)

shown every other Saturday for a four-day run. This is the first time double features have been used in Oklahoma City as a regular policy.

Bank deposit awards recently were begun at the downtown first run houses operated by Standard Theatres. Up to this month the plan was used only in one or two neighborhood subsequent runs. The four downtown first run houses are hooked up with loudspeakers from the stage of the Criterion and patrons attending any one of the four downtown houses are eligible to win money offered on the night of the drawing.

Weinstock to Lead Campaign for ITOA

(Continued from page 1)

the group to map out a campaign will be held Saturday at the campaign headquarters in the Mayfair Theatre Bldg.

Representative William I. Sirovich yesterday spoke to the membership on the Democrats' plans.

The sub-committee will assist the main committee which comprises Harry Brandt, chairman; William Girden, treasurer; and Joe Bernat, secretary; Nate J. Blumberg, Sam D. Cocalis, Laurence Bolognino, Abraham Eisenstadt, Herman Gluckman, Jules Levy, Rudolph Sanders, Irving Renner, Henry Randel, Leon Rosenblatt, Louis Nelson, Arthur Rapf, Louis Nizer, Walter Reade, Bernard Pear and Louis Nelson.

McMahon Sues for Libel

LONDON, Oct. 7.—George Andrew McMahon, the man now serving a sentence of a year for drawing a gun "with intent to alarm His Majesty," has filed suit against Gaumont British newsreel for libel. Writs have been issued against 263 G. B. theatres.

B.I.P. Signs Bourne

LONDON, Oct. 7.—British International Pictures has signed Whitney Bourne to start opposite John Lodge in "Sensation." Sally O'Neil has been signed for the title role in "Kathleen Mavourneen."

"Boulevard" Takes $13,500, Montreal

MONTREAL, Oct. 7.—"Hollywood Boulevard" at Loew's took the top place among Montreal first runs with a gross of $13,500, $3,000 over average, considerable assistance being given by George Olsen's Band and vaudeville on the stage.

"Swing Time" did $13,500 at the Palace, where the average is $11,000, and was held for a second week. "The Road to Glory," topping the double bill at the Princess, took $7,500, and "Give Me Your Heart" brought $8,000 to the Capitol. "Romeo and Juliet," in its third and final week as a road show at His Majesty's, did $5,500.

Horse racing at Mount Royal track and the start of big time football formed the chief opposition. Cooler weather prevailed with some rain.

Total first run business was $48,000. Average is $46,000.

Estimated takings for the week ending Oct. 3:

"GIVE ME YOUR HEART" (W. B.)
"WALKING ON AIR" (Radio)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $8,000. (Average, $9,500)
"ROMEO AND JULIET" (M-G-M)
HIS MAJESTY'S—(1,700), 50c-75c-$1.00-$1.50, 7 days. **Gross:** $5,500. Third week. (Average, $8,000)
"HOLLYWOOD BOULEVARD" (Para.)
LOEW'S—(3,115), 25c-34c-40c-50c-60c, 7 days. Stage: George Olsen Band, Ethel Shutta and vaudeville. **Gross:** $13,500. (Average, $10,500)
"SWING TIME" (Radio)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $13,500. (Average, $11,000.) Held over.
"THE ROAD TO GLORY" (20th-Fox)
"HERE COMES TROUBLE" (20th-Fox)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $7,500. (Average, $7,000)

Fox Creditors Seek Light on His Gifts

(*Continued from page* 1)

E. Steedle yesterday, the items today ran down to as low as $7,000, though the inquiries were largely confined to 1930.

Argument arose over the definition of "a substantial gift," and Fox, whose bankruptcy petition listed $9,500,000 in debts, $1,600,000 in assets and $100 cash on hand, gravely announced that "even $1,000 would seem to me today a very substantial gift."

Fox also recalled offhand giving $28,000 to help feed the poor of Woodmere, L. I., $10,000 to a Catholic relief fund for the poor in New York, $10,000 to the Cathedral of St. John the Divine, and substantial checks to all kinds of charities that would probably run into a huge fortune.

Under questioning, Fox estimated that his Woodmere estate, which he later gave to his wife, Eva, cost him about $250,000 10 years ago. He also told of many real estate properties in which he held all or part interest, some of which were foreclosed and some given away.

"Rebel" Is Retitled

HOLLYWOOD, Oct. 7.—"A Woman Rebels" has been chosen as the final title of the co-starring picture, "Portrait of a Rebel," with Katharine Hepburn and Herbert Marshall.

Cocalis Drops Heights

Sam D. Cocalis has dropped the Heights, Brooklyn, which has been taken over by Abe Levy, who also operates the Warburton, Yonkers.

Looking 'Em Over

"Missing Girls"

(*Chesterfield*)

Something of the adventures of Martin Mooney, newspaper reporter, whose penchant is the publishing of the inside ot rackets and visiting jails as a consequence of refusal to reveal names before grand juries, are the basis of this film. The result is average gangster-romance fare which will be satisfactory in lesser spots.

It has its quota of action, chiefly in the closing sequence when Federal men round up the gang, but as far as story is concerned it has been done again and again.

Mooney wrote the story and, in collaboration with John W. Kraft, the screen play. Phil Rosen's direction is somewhat jerky, the yarn failing to pull in all of its loose ends until the conclusion.

Roger Pryor is the reporter in love with Muriel Evans, Travelers' Aid Society secretary and daughter of a senator who is pressing for enactment of a legalized betting bill. Sidney Blackmer is the gambling racketeer. Noel Madison, rival, and out to get Blackmer, pins the murder of Miss Evans' father on Blackmer, and Madison kidnaps her and a maid. Pryor, meanwhile in jail for contempt, rallies the Federal men to the attack.

The "missing girls" title must be considered more of a catch-line than indicative of the basic theme of the film.

Production Code Seal No. 2,583. Running time, 65 minutes. "G."

"Ramona," previewed at the Criterion on Tuesday night, was reviewed from Hollywood by wire on Sept. 14.

"Valiant Is the Word for Carrie," another of Tuesday night's previews, but at the Paramount, was reviewed by wire from Hollywood on Sept. 19.

"The Gay Desperado," which will make its debut at the Radio City Music Hall this morning, was previewed on Oct. 3 *by wire from Hollywood.*

"Dimples," tonight's preview at the Roxy, was reviewed from Hollywood on Sept. 24 *by wire.*

"Dodsworth," at the Rivoli; "A Midsummer Night's Dream" at the Strand and "The Great Ziegfeld" at the Capitol, have been held over.

"Lady Be Careful," Friday morning's opener at the Rialto, was reviewed on Aug. 10 *by wire from Hollywood.*

"The Student's Romance," opening at the 55th St. Playhouse on Saturday, was reviewed on Aug. 1, 1935, *by cable from London.*

G. N. to Feature Twins

HOLLYWOOD, Oct. 7.—Gloria and Barbara Brewster are to be known as "The Grand National Twins." They are featured in "Hats Off," the Boris Petroff musical, and B. F. Zeidman is having a part written for them in "Sweetheart of the Navy." The twins are well known photographic models.

"Logger" O'Brien's Next

HOLLYWOOD, Oct. 7.—Leonard Goldstein, who is handling the affairs of George Hirliman during the latter's absence, has accepted Ewing Scott's adaptation of "Park Avenue Logger," which will be George O'Brien's next picture for RKO release.

Santley Gets Penner

HOLLYWOOD, Oct. 7.—Joseph Santley has been assigned by Sam Briskin to direct "Convention in Cuba," the first Joe Penner starring vehicle for the company. Hal Horne is supervising.

Bartholomew for "Kim"

HOLLYWOOD, Oct. 7.—Freddie Bartholomew will play the top role in "Kim" at M-G-M as soon as he finishes his current assignment in "Captains Courageous." No other assignments for the film have been made.

Winchell-Bernie Signed

HOLLYWOOD, Oct. 7.—Walter Winchell and Ben Bernie have been signed by Twentieth Century-Fox for roles in "Wake Up and Live." Winchell will leave for the coast before the first of the year.

Assign Medbury, McEvoy

HOLLYWOOD, Oct. 7. — John P. Medbury and J. P. McEvoy, have been given writing assignments at Paramount. Medbury will write additional dialogue on "One Man's Bonus," and McEvoy will do the screen play of "The Twentieth Amendment," which Harlan Thompson will produce.

Other writers assigned include Fritz Feld and Helen Hernandez who will work with A. M. Chapin on the script of "The Times So Unsettled Are," and Stuart Anthony, who has started an original for A. M. Botsford, producer.

Krim Back, Fisher Sails

DETROIT, Oct. 7.—Sol Krim, of the Krim circuit here, who has been in Europe for the last two months, has returned. Robert Fisher, who handles fight pictures in Michigan, sailed from New York today for a two-month vacation in Europe and Asia.

Wanger Signs Logan

HOLLYWOOD, Oct. 7.—Joshua Logan New York stage director, has been signed by Walter Wanger to a term contract. He arrives here next week, and will be assigned to the production staff, though he has not been given a title yet.

Joins Int'l Projector

James Frank, Jr., has resigned as assistant to the manager of the RCA Photophone sales division to join International Projector Corp. as assistant sales manager.

"Scotland" Takes Louisville Honors

LOUISVILLE, Oct. 7.—"Mary of Scotland" took top honors among the first runs by going $1,000 over par to a total of $4,500 at the Strand.

"The Great Ziegfeld" took $6,000 in its second week. This was $500 better than a first week average at Loew's State. "Ramona" and "Back to Nature," dualled at the Rialto, were also in the profit column with a take of $4,800.

Total first run business was $22,100. Average is $21,800.

Estimated takings for the week ending Oct. 1:

"SWORN ENEMY" (M-G-M)
"TWO IN A CROWD" (Univ.)
BROWN—(1,500), 15c-25c-40c, 7 days. **Gross:** $2,000. (Average, $2,500)
"M'LISS" (Radio)
"EARTHWORM TRACTORS" (F. N.)
"IT'S LOVE AGAIN" (G. B.)
"HIGH TENSION" (20th-Fox)
KENTUCKY—(900), 15c-25c, 7 days, split week. **Gross:** $1,700. (Average, $1,500)
"THE GREAT ZIEGFELD" (M-G-M)
LOEW'S STATE—(3,000), 27c-38c-55, 7 days, 2nd week. **Gross:** $6,000. (Average, $5,500)
"STAGE STRUCK" (W. B.)
MARY ANDERSON—(1,000), 15c-25c-40c, 7 days. **Gross:** $2,400. (Average, $3,500)
"PICTURE SNATCHER" (W. B.)
"ANIMAL KINGDOM" (Radio)
"OF HUMAN BONDAGE" (Radio)
"PARTY WIRE" (Col.)
OHIO—(900), 15c, 7 days, split week. **Gross:** $700. (Average, $800)
"RAMONA" (20th-Fox)
"BACK TO NATURE" (20th-Fox)
RIALTO—(3,000), 15c-25c,40c, 7 days. **Gross:** $4,800. (Average, $4,500)
"MARY OF SCOTLAND" (Radio)
STRAND—(1,500), 15c-25c-40c, 7 days. **Gross:** $4,500. (Average, $3,500)

Schulberg Signs Vidor

HOLLYWOOD, Oct. 7.—B. P. Schulberg has signed Charles Vidor to direct "A Doctor's Diary," which is scheduled to go into production on Oct. 19. The story is an original by Samuel Ornitz who is also writing the screen play. No cast assignments have been announced.

Wall Street

Warner Pfd. Drops 3 Points

	High	Low	Close	Net Change
Columbia	40¼	40	40	— ⅛
Columbia, pfd	47⅜	46	46	—1⅛
Consolidated	4⅝	4½	4½	.....
Consolidated, pfd.	18	17⅝	17¾	+ ⅛
Eastman	177	177	177	— ⅞
Gen. T. Equip.	27⅜	26¾	27⅛	+ ⅝
Loew's, Inc.	58⅝	57⅝	58¼	— ¼
Paramount	13¼	13	13⅛	+ ¼
Paramount 1 pfd.	96½	95	95	—1
Paramount 2 pfd	12½	12¼	12⅜	+ ¼
Pathe Film	8½	8	8	— ½
RKO	7¾	7⅛	7¾	+ ⅝
20th Century-Fox.	31⅝	31⅛	31¼	— ¼
20th Century, pfd.	39	38⅝	39	+ ⅛
Universal, pfd	102½	102	102½	+1
Warner Bros.	13⅝	13¼	13⅝	+ ⅛
Warner, pfd.	60	60	60	—3

Trans-Lux Gains ⅛

	High	Low	Close	Net Change
Grand National	3¼	3⅝	3⅝	.....
Sonotone	2¼	2⅛	2¼	.....
Technicolor	27⅜	26⅛	26½	— ¾
Trans-Lux	4	3⅞	3⅞	+ ⅛

Little Bond Activity

	High	Low	Close	Net Change
Keith B. F. 6s '46	96	96	96	.....
Loew's 6s '41 ww deb rights	99	98¾	98¾	+ ⅛
Paramount B'way 3s '55	64	64	64	.....
Paramount Pict. 6s '55	98¾	98¼	98½	.....
Warner Bros. 6s '39 wd	97¼	96½	97	.....

(Quotations at close of Oct. 7)

"Dodsworth" Outstanding On the Coast

LOS ANGELES, Oct. 7.—"Dodsworth," on a dual with "The Case of the Velvet Claws," got off to a flying start at Warners' Hollywood and Downtown. The take at the former, $18,200, was over normal by $4,200. At the latter the $16,200 total was $4,200 to the good.

"Swing Time," dualled with "Second Wife," held up in a big way in its second week at the Hillstreet and Pantages. The Hillstreet take of $11,600 was up by $3,600, and the Pantages tally of $13,600 was $1,600 over the line.

"Romeo and Juliet" couldn't dent the competition in its opening week at the Carthay Circle and the gross was only $14,500.

Total first run business, including the Carthay Circle, was $109,700. Average is $107,950.

Estimated takings for the week ending Oct. 7:

"ROMEO AND JULIET" (M-G-M)
CARTHAY CIRCLE—(1518), 50c-$1.50, 7 days. **Gross:** $14,500. (Average, $17,000)

"PICCADILLY JIM" (M-G-M)
"STAR FOR A NIGHT" (20th C.-Fox)
CHINESE—(2,500), 30c-55c, 7 days. **Gross:** $9,100. (Average, $12,500)

"EAST MEETS WEST" (G. B.)
4 STAR—(900), 30c-55c, 7 days. **Gross:** $3,100. (Average, $3,250)

"GYPSIES" (Amkino)
GRAND INTERN'L—(750), 35c-40c, 7 days, 3rd week. **Gross:** $1,500. (Average, $1,200)

"SWING TIME" (Radio)
"SECOND WIFE" (Radio)
HILLSTREET—(2,700), 30c-65c, 7 days, 2nd week. **Gross:** $11,600. (Average, $8,000)

"PICCADILLY JIM" (M-G-M)
"STAR FOR A NIGHT" (20th C.-Fox)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $11,400. (Average, $14,000)

"SWING TIME" (Radio)
"SECOND WIFE" (Radio)
PANTAGES—(3,000), 30c-65c, 7 days, 2nd week. **Gross:** $10,500. (Average, $8,000)

"ADVENTURE IN MANHATTAN" (Col.)
"WIVES NEVER KNOW" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: F. & M. revue, Jimmy Starr, Rube Wolf and orchestra. **Gross:** $13,600. (Average, $18,000)

"DODSWORTH" (U. A.)
"THE CASE OF THE VELVET CLAWS" (F. N.)
WARNER BROS. (Hollywood)—(3,000), 30c-65c, 7 days. **Gross:** $18,200. (Average, $14,000)

"DODSWORTH" (U. A.)
"THE CASE OF THE VELVET CLAWS" (F. N.)
WARNER BROS. (Downtown)—(3,400), 30c-65c, 7 days. **Gross:** $16,200. (Average, $12,000)

Show Highway Picture

SACRAMENTO, Oct. 7.—"California Highways," an all-color picture produced by the Division of State Highways, was shown at the Alhambra here last night to a capacity crowd that included many film colony notables. Pat West acted as master of ceremonies. He came from Hollywood along with Shirley Deane, Thelma Byron, Judith Barrett and Muriel Robert. Officials were compelled to run a second show in order to accommodate the crowds. The film will be distributed free.

Forms Theatre Service

Picture Rental, Ltd., has been formed here by Louis Rosenbluh, head of National Studios, to supply theatres with reproductions of art pieces for lobby display, concentrating on subject matter suitable for holiday use.

K. C. Grosses Are Hit Hard By Jubilesta

KANSAS CITY, Oct. 7.—The Jubilesta, Kansas City's $125,000 method of introducing its new $7,000,000 Municipal Auditorium, an eight-day show with Ben Bernie, Bob Burns, George White's Scandals, Rubinoff, etc., plus five days of rain held first runs to a poor showing for the week. Attendance at the Jubilesta for the eight days was estimated at well over 150,000.

"Stage Struck" managed to go $500 over the line for $7,500 at the Newman, and the Tower, with "36 Hours to Kill" and a stage show, crept $100 over with a take of $6,600. The big money went to "The Great Ziegfeld," in its second week at the Midland, but fell $2,400 shy of $11,500 average. On the same street two blocks away from the Municipal Auditorium, Manager John McManus thought the Jubilesta helped.

"Ramona" did a $7,300, $700 shy of par, at the Mainstreet, while "Satan Met A Lady" and "White Fang" faded, after a strong weekend, to $3,800, $200 minus.

Total first run business was $34,300. Average is $37,000.

Estimated takings:

Week Ending Sept. 30:
"SATAN MET A LADY" (W. B.)
"WHITE FANG" (20th-Fox)
UPTOWN—(2,000), 25c-40c, 7 days. **Gross:** $3,800. (Average, $4,000)

Week Ending Oct. 1:
"RAMONA" (20th-Fox)
MAINSTREET—(3,100), 25c-40c, 7 days. **Gross:** $7,300. (Average, $8,000)

"THE GREAT ZIEGFELD" (M-G-M)
MIDLAND—(4,000), 25c-40c, 7 days, 2nd week. **Gross:** $9,100. (Average, $11,500)

"STAGE STRUCK" (F. N.)
NEWMAN—(1,900), 25c-40c, 7 days. **Gross:** $7,500. (Average, $7,000)

"36 HOURS TO KILL" (20th-Fox)
TOWER—(2,200), 25c, 7 days. Stage: Carter & Holmes, Jimmy Stewart, Millie & Parti, John Paul Jones and John Colvin. **Gross:** $6,600. (Average, $6,500)

"Hussy" Portland Leader at $8,700

PORTLAND, Oct. 7.—In its initial week at United Artists "Gorgeous Hussy" led the first runs with a take of $8,700, over average by $3,700.

"Swing Time" was held at the Orpheum for a third week, securing another average take of $5,000. "The General Died at Dawn" and "Pepper" in a dual at the Paramount, secured $7,000, over par by $2,000.

Total first run business was $31,950. Average is $24,700.

Estimated takings for the week ending Oct. 3:

"STAGE STRUCK" (F. N.)
"DEVIL DOLL" (M-G-M)
BROADWAY—(1,912), 30c-35c-40c, 7 days. **Gross:** $6,250. (Average, $5,000)

"MR. DEEDS GOES TO TOWN" (Col.)
"TILL WE MEET AGAIN" (Para.)
BLUE MOUSE—(1,700), 30c-35c-40c, 7 days, 22nd downtown week. **Gross:** $2,000. (Average, $1,700)

"THERE'S ALWAYS TOMORROW"
"STATE FAIR" (20th-Fox)
MAYFAIR—(1,700), 30c-35c-40c, 7 days. **Gross:** $5,000. (Average, $5,000)

"GENERAL DIED AT DAWN" (Para.)
"PEPPER" (20th-Fox)
PARAMOUNT—(3,008), 30c-35c-40c, 7 days. **Gross:** $7,000. (Average, $5,000)

"SWING TIME" (Radio)
ORPHEUM—(1,700), 30c-35c-40c, 7 days, 3rd week. **Gross:** $5,000. (Average, $5,000)

"GORGEOUS HUSSY" (M-G-M)
UNITED ARTISTS—(945), 30c-35c-40c, 7 days. **Gross:** $8,700. (Average, $5,000)

Nuptial Clearance

When a distributor grants an exhibitor clearance of an hour on a day when both have their promising offsprings scheduled to date their spouses for a permanent booking in life—that is news.

With Phil Meyer's daughter, Berenice, and Louis Frisch's son, Emanuel, slated to marry Jack Weprin and Pearl Gloria Schor, respectively, on Sunday, Meyer has decided to hold the ceremony at 5 P. M. and Frisch an hour later.

Many exhibitors and exchangemen will attend both weddings by shuttling from one to the other via the taxi route.

"Godfrey" Buffalo Holdover Grosser

BUFFALO, Oct. 7.—"My Man Godfrey" was still a prize package in its second week on the local rialto. It pulled $10,500 to the Lafayette, busting par by $4,500.

"The Last of the Mohicans," with its appeal for New York staters, was over average by $2,500 with a take of $9,800 at the Great Lakes. The Century's dual, "Taxi" and "The Last Outlaw," went $3,100 into the black, drawing $8,900. The weather was fair and cool.

Total first run business was $47,950. Average is $38,400.

Estimated takings for the week ending Oct. 3:

"DODSWORTH" (U. A.)
BUFFALO—(3,000), 30c-50c, 7 days. **Gross:** $13,050. (Average, $12,000)

"ANTHONY ADVERSE" (W. B.)
HIPPODROME—(2,500), 30c-50c, 7 days, 2nd week. **Gross:** $6,700. (Average, $7,300)

"THE LAST OF THE MOHICANS" (U. A.)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $9,800. (Average, $7,300)

"TAXI" (W.B.)
"THE LAST OUTLAW" (Radio)
CENTURY—(3,000), 25c, 7 days. **Gross:** $8,900. (Average, $5,800)

"MY MAN GODFREY" (Univ.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $10,500. (Average, $6,000)

"Godfrey" Omaha's Leader at $10,500

OMAHA, Oct. 7.—"My Man Godfrey," on a double bill with "The Crime of Dr. Forbes," was a sensation here. The $10,500 gross was over normal by $3,000 and was by far the best showing in town.

"The Last of the Mohicans" and "36 Hours to Kill" went to $7,400 at the Omaha. This was $1,900 over par.

Total first run business was $22,500. Average is $17,000.

Estimated takings:

Week Ending Sept. 30:
"ADVENTURE IN MANHATTAN" (Col.)
"DOWN THE STRETCH" (F. N.)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $4,600. (Average, $4,000)

"THE LAST OF THE MOHICANS" (U. A.)
"36 HOURS TO KILL" (20th-Fox)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $7,400. (Average, $5,500)

"MY MAN GODFREY" (Univ.)
"THE CRIME OF DR. FORBES" (20th-Fox)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $10,500. (Average, $7,500)

"Ziegfeld" Is Denver Smash With $14,000

DENVER, Oct. 7.—"The Great Ziegfeld," playing at advanced prices at the Orpheum, smashed the house record, taking $14,000, which is $8,000 over the average of $6,000. Prices were advanced from 25 cents, 35 cents and 40 cents to 35, 40 and 55 cents. Standouts were numerous and the film is being held a second week.

"Ramona" was big at the Denver, grossing $11,000 against a house average of $7,500, and moving over to the Aladdin for a second week.

Rain, sleet and snow Saturday hit grosses. Principal competition this week was the walkathon.

Total first run business was $39,500. Average is $28,000.

Estimated takings for the week ending Oct. 1:

"NINE DAYS A QUEEN" (G. B.)
ALADDIN—(1,500), 25c-40c-50c, 7 days. **Gross:** $3,500. (Average, $3,000)

"GIRLS' DORMITORY" (20th-Fox)
BROADWAY—(1,500), 25c-40c, 7 days, following a week at the Denver. **Gross:** $3,000. (Average, $2,000)

"THE FINAL HOUR" (Col.)
"GO-GET-'EM HAINES" (Republic)
CENTER—(1,500), 15c-25c-35c, 7 days. Stage show. **Gross:** $2,250. (Average, $2,000)

"MURDER WITH PICTURES" (Para.)
DENHAM—(1,500), 25c-35c-40c, 5 days. **Gross:** $2,500. (Average, 4,500)

"RAMONA" (20th-Fox)
DENVER—(2,500), 25c-35c-50c, 7 days. Stage: Band. **Gross:** $11,000. (Average, $7,500)

"THE GREAT ZIEGFELD" (M-G-M)
ORPHEUM—(2,600), 30c-40c-55c, 7 days. **Gross:** $14,000. (Average, $6,000)

"TWO IS A CROWD" (Univ.)
"POSTAL INSPECTOR" (Univ.)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $3,250. (Average, $3,500)

"Glory" Houston Top With $7,300

HOUSTON, Oct. 7.—"The Road to Glory" led in a slack week here with a take of $7,300 at the Metropolitan where the average is $7,000. "My Man Godfrey" built after a slow start to reach $7,200 at the Majestic. Average is $7,000. "The Great Ziegfeld" in the second week at popular prices, and the fourth week to play at Loew's this year, drew $6,000, against a $7,000 average.

The Kirby had a par week of $5,000, with "Moonlight Murder," "The Big Noise" and "Pepper." The latter picture had a slight edge on the others, drawing $2,200 in three days.

Total first run business was $25,700. Average is $26,000.

Estimated takings for the week ending Oct. 1:

"MOONLIGHT MURDER" (M-G-M)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,000. (Average, 7 days, $5,000)

"THE BIG NOISE" (W. B.)
KIRBY—(1,450), 15c-35c, 1 day. Bank Night. **Gross:** $1,000. (Average, 7 days, $5,000)

"PEPPER" (20th-Fox)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,200. (Average, 7 days, $5,000)

"THE GREAT ZIEGFELD" (M-G-M)
LOEW'S STATE—(2,750), 25c-50c, 7 days. **Gross:** $6,000. (Average, $7,000)

"MY MAN GODFREY" (Univ.)
MAJESTIC—(2,250), 25c-50c, 7 days. **Gross:** $7,200. (Average, $7,000)

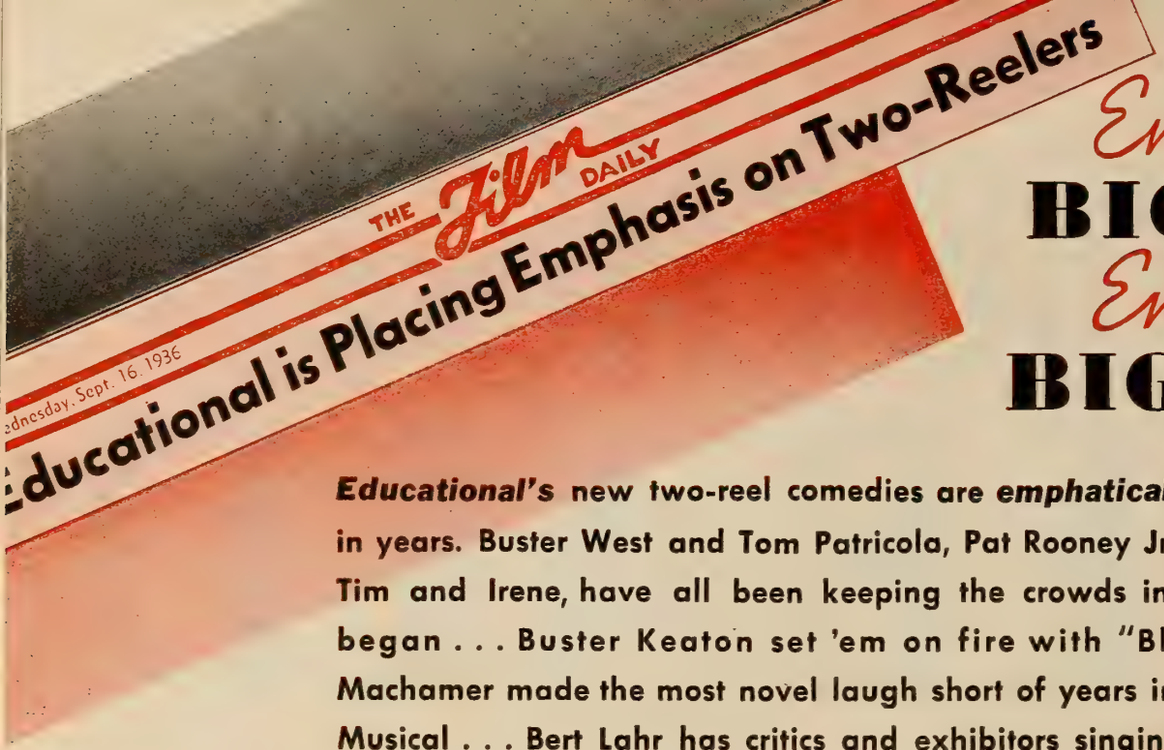
"THE ROAD TO GLORY" (20th-Fox)
METROPOLITAN—(2,600), 25c-60c, 7 days. **Gross:** $7,300. (Average, $7,000)

Out today in-

MOTION PICTURE HERALD

WHO BOUGHT WHAT In Circuit Deals

Starting in This Issue.
A NEW SERIES OF SHOWMEN'S TRAVELOGUES



Emphasis on BIG NAMES Emphasis on BIG LAUGHS

Educational's **new two-reel comedies are *emphatically* the finest laugh line-up in years. Buster West and Tom Patricola, Pat Rooney Jr. and Herman Timberg Jr., Tim and Irene, have all been keeping the crowds in stitches since the season began . . . Buster Keaton set 'em on fire with "Blue Blazes" . . . Jefferson Machamer made the most novel laugh short of years in his first "Gags and Gals" Musical . . . Bert Lahr has critics and exhibitors singing over "Boy, Oh Boy" . . .**

Bert Lahr

IN

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The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 85 NEW YORK, FRIDAY, OCTOBER 9, 1936 TEN CENTS

Report Majors Ready to Give MPTOA Reply

Answers Upon 10-Point Plan May Come Today

Formal notification of the stand to be taken by distribution companies on the M.P.T.O.A. trade practice program may be given today. All major distributors with the exception of Warners were reported yesterday to have made decisions on all major portions of the program and only minor details stood in the way of the making of an announcement at a late hour.

There were some indications, however, that the unsettled details might delay the notifications for a few days. Favorable action on the most important portions of the program by a majority of the distributors appears to be likely. The exhibitor program emphasizes the need of an increased and unrestricted cancellation privilege; elimination of the score charge, the establishment of local conciliation boards and the adoption of a short form of exhibition contract. Other

(*Continued on page 7*)

Consolidated Drops Leff-Meyers Talks

All negotiations for the purchase of an interest in the Leff-Meyers circuit of nine theatres in the local area have been definitely curtailed by Consolidated Amusements. The late Jack W. Springer had been associated with Consolidated on the deal, which was abandoned when it was found there were too many ramifications to iron out.

Consolidated has closed product deals with Universal, Paramount, Twentieth Century-Fox and G.B. for its 30 houses in the Bronx and Manhattan. In work are pacts with U.A., Warners, Columbia and M-G-M. These will be concluded in the next few weeks.

Those Gifts Again Up at Fox Hearing

ATLANTIC CITY, Oct. 8.—Questioning in the William Fox bankruptcy proceedings today concentrated again on the series of gifts the former film magnate made in 1930 and later years.

Alfred T. Blasband of Philadelphia, secretary and treasurer of the Banker's Securities Corp., of which Fox still is a director and of which All-Continent Corp., his estimated

(*Continued on page 8*)

B. & K. to Resume Dualing on Oct. 16

CHICAGO, Oct. 8.—B. & K. today set Oct. 16 as the date for the resumption of double features in its largest outlying houses, which is regarded here as marking the end of the single feature basis which has prevailed in the city for the last four years with but few exceptions.

Warners and Essaness Theatres, according to officials queried following the B. & K. declaration, will not follow suit and will continue on a single feature policy for as long a time as business permits. The B. & K. Uptown, Marbro, Tivoli, Southtown and Riviera will lead off with the duals and they will be followed in picture

(*Continued on page 7*)

Paramount Trustees Allowed Accountants

Federal Judge Alfred C. Coxe yesterday authorized the employment by the Paramount Publix trustees of the firm of Barrow, Wade, Guthrie & Co. as special accountants in connection with an action filed in 1934 by the then trustees of Paramount, which named directors and officers of the company as defendants. Judge Coxe limited the compensation to be paid the accountants to $30,000.

The recovery for Paramount of

(*Continued on page 8*)

Consolidated Stock Shift Vote Up Today

Stockholders of Consolidated Film Industries will vote on a plan of recapitalization for the company at a special meeting today. The plan provides for the elimination of accumulated dividends on the present preferred stock by a part cash payment

(*Continued on page 7*)

Distributors Deny Trust Case Charge

BOSTON, Oct. 8.—The major distributors have entered in U. S. District Court here a general denial of all charges included in the four anti-trust actions brought against them by the Morse and Rothenberg circuit. George S. Ryan is attorney for the plaintiffs.

The suits, filed about two weeks ago, ask triple damages of $100,000 in each case, alleging a monopoly and the restraint of interstate commerce in films. One action, filed in the name of Nashua Theatres, Inc., operating the Colonial in Nashua, N. H., is against Colonial Theatres Co., of Nashua, a unit of the M. A. Shea

(*Continued on page 8*)

Pollak Tells Daily Story of Accident

BUDAPEST, Oct 4. (*Via the Hindenburg*).—Joseph Pollak, former president of National Screen Service in New York, who was seriously injured in a fall from a train recently, and is now recovering in the Jaanos Sanatorium here, today described the accident to the MOTION PICTURE DAILY representative. Doctors declared his recovery a miracle, while he credited his recovery to their skill and care.

"I can blame nobody but myself for

(*Continued on page 8*)

"Craig's Wife" Gets $76,000 First Week

"Craig's Wife" at the Music Hall garnered $76,000, a fair take for a first week at this house. "The Gay Desperado" opened there yesterday. "Nine Days A Queen" ended a week at the Roxy last night with approximately $30,000, but with "Dimples"

(*Continued on page 7*)

Gielgud as "Hamlet" Real Possibility for Hollywood

From Garrick and Booth down through the years to Basil Sidney who did it in modern dress, there has always been "Hamlet." Probably it will ever be thus.

All dramatic actors and all actors who are not dramatic, at one time or another, want to play the melancholy Dane as a crowning high point of their careers. And probably that, too, will ever be thus.

Irving, Mantell, Forbes-Robertson, John Barrymore, Fritz Leiber and Walter Hampden, not to overlook Moissi, are among those who have done it and each in his own way. Last night, John Gielgud, sterling young British actor, himself sprung from a family notable in the English theatre—the Terrys—strode the boards at the historic Empire Theatre, plaintively and pensively, dynamically and moody as the Shakespearian work provided

(*Continued on page 7*)

This is the third of *Motion Picture Daily's* reviews of new Broadway stage plays from the film angle.

Smith Joins U. A. As New Sales Chief

Will Work with Schaefer In Expansion Move

A. W. "Andy" Smith, Jr., yesterday was appointed general sales manager of United Artists. He will work with George Schaefer, vice-president and general manager in charge of distribution.



A. W. Smith, Jr.

Smith's new affiliation, since his recent resignation as eastern and Canadian sales manager for Warners, and as a vice-president of Vitagraph, Inc., has been the subject of considerable speculation in the trade. Not long ago he was reported to be considering an association with Walter Reade in the operation of the latter's theatre circuit.

It was said that the appointment

(*Continued on page 7*)

G. B. and RKO Talk Circuit Film Deal

With contracts already signed for the metropolitan area, G.B. is now working on a product deal for the national RKO circuit. The pact will probably be ready for signing in a week or two.

The G.B. pact may preclude the possibility of an RKO national deal with Grand National. The Grand National deal has been on tap for several weeks when it appeared RKO and G.B. would not get together. With the G.B. arrangement virtually set, indications are that no other product will be required.

Delay to Be Asked At Hearing on Roxy

Carlos Israels of White & Case, attorneys for the bondholders' committee, today will ask Federal Judge Francis G. Caffey for a two-week adjournment on the hearing for proposed plans of reorganization of the Roxy.

Several theatre interests with plans for rehabilitation of the theatre will convene before Judge Caffey at 2 P.M., when the extension will be sought.

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FitzPatrick Cancels Trip to Rush Shorts

Although he had planned to sail for London on the *Normandie* next Wednesday, James A. FitzPatrick has cancelled reservations until a later date. He is anxious to complete a number of Traveltalks for M-G-M release this season before returning to the other side to start work on a number of quota features he is producing with M-G-M backing.

"David Livingstone," the first of 12 features planned, is due to arrive from England next week. It will be the initial release of Harry H. Thomas' independent company, Mutual Films, which will state right the output.

Gross Assoc. Producer

HOLLYWOOD, Oct. 8.—Sol Lesser has promoted Edward Gross, formerly his production manager, to the status of associate producer. Gross will start on "Rainbow River" and will continue with a series of five Tarzans which Lesser will release through Twentieth Century - Fox.

Purely Personal

ARTHUR LEE is back from Philadelphia and GEORGE W. WEEKS has returned from New Orleans. KENNETH HODKINSON, assistant to WEEKS, is on his way to Portland, Seattle and Los Angeles.

•

JAMES CAMPBELL, head of the G. B. music department, came over on the *Hindenburg,* as did CHARLES DE GRANDCOURT of the production department. The latter is here on a search for talent.

•

A. H. BLANK spent the day in town yesterday and returned to Atlantic City to join his wife and son until next Thursday when the family will head for Des Moines.

•

SAM and BELLA SPEWACK leave for the coast Sunday on the Century to start work on WALTER WANGER'S "Vogues of 1937," which will be done in Technicolor.

•

CHARLES COLLINS and DOROTHY STONE, his wife, will head for Hollywood today. COLLINS finished a week's engagement at the Roxy last night.

•

WILLIAM WYLER, the director, arrived from Hollywood yesterday for a vacation. He will sail on the *Queen Mary* on Oct. 21.

•

ANITA LOUISE will return to the Warner lot in a week. Yesterday she was the luncheon guest of S. CHARLES EINFELD at the Astor.

•

HARRY EGERT flew in from Pittsburgh yesterday after a very brief stay in the Smoky City on Rex Premium business.

•

HARRY ROGOVIN, New Haven manager for Columbia, left yesterday for his headquarters.

•

JAMES R. GRAINGER was in Chicago yesterday. He will return to New York via Washington and is due Tuesday.

•

HAROLD SACHS, traveling auditor for Columbia, is in Washington today and will be on the road until Christmas.

•

EDDIE BUZZELL, director, who has been vacationing in New York, left for Hollywood by plane last night.

•

MRS. HOWARD S. CULLMAN is a member of the editorial advisory staff of *New York Woman.*

•

GEORGE SKOURAS is slated to return from a week at White Sulphur Springs tomorrow.

•

HARRY COHN left for the coast yesterday after spending eight days here.

•

ROSALIND RUSSELL will arrive here tomorrow for a short vacation.

•

CARL LAEMMLE, SR., plans to depart for the coast on Sunday.

•

ABE MONTAGUE is due to return from Chicago today.

•

MONROE GREENTHAL suffering from a cold.

Tom Moore Is About To Start Producing

Tom Moore, whose exhibition days in Washington date back many years, is about to become a stage producer. He has lined up 16 plays and states he intends producing them at the rate of two a year. The first, about which he is reticent, goes into rehearsals the end of this month.

In his list, Moore yesterday included "The Wishing Well," "Spawn of Satan," "Wild Honey," "Feathers in the Wind," "The Golden Voice," "The Death Mask" and "Milestones of Melody." He added his casts will be composite and drawn from screen, radio and stage.

Earl Carroll Bankrupt

Earl Carroll filed a voluntary petition in bankruptcy in Federal Court yesterday listing liabilities at $983,892 and assets at $410,646. The biggest liability was $366,632 due to the 755 Seventh Ave. Corp. Harms & Co. is listed as a creditor for $2,500. The biggest asset is salary due him from the Vanities Producing Corp. amounting to $22,300. He also listed among other assets, the interest he has in songs and plays.

Arthur Menken Gaining

Arthur Menken, Paramount News cameraman, who was shot several days ago while with General Franco's rebel forces near Madrid, is reported to be convalescing in a Spanish military hospital near the front.

The bullet passed through his side, but he is expected to be out in five or six days, and word received by Al Richards, editor, is to the effect that he will resume his work.

"Broadcast" at Spokane

SPOKANE, Oct. 8.—The premiere of "The Big Broadcast of 1937" will be held at the State Oct. 10. It will be the first time Spokane has had an opening of a major production. The State is the only single feature house in town.

Ben Goldman to Marry

Ben Goldman, traveling representative of the Warner home office, will marry Matilda Vogel of Brooklyn on Sunday. He was feted by his co-workers last night at the Park Central.

Gershwins for "Follies"

HOLLYWOOD, Oct. 8.—Samuel Goldwyn has signed George and Ira Gershwin to write the book, music and lyrics for his forthcoming "Follies." The Gershwins will report in January following completion of their current assignment at Radio.

M-G-M Keeps Composers

HOLLYWOOD, Oct. 8.—Bronislaw Kaper and Walter Jurmann, Viennese composers, have been signed to new term contracts by M-G-M. They wrote the "San Francisco" number in the picture of that name.

Dave Gould, dance director, also has been given a new contract.

Briskin Signs Music Writers

HOLLYWOOD, Oct. 8.—Samuel J. Briskin has signed Jerome Kern, Dorothy Fields and Herbert Fields to collaborate on future musicals for Radio. Two will be produced annually under the supervision of Felix Young.

Johnston Says Sales Plan Is Shaping Up

Completion of a distribution organization for Monogram Pictures in the near future is predicted by W. Ray Johnston as a result of interest being displayed by exchangemen in the company's new plans. The company may add two serials to the schedule of 28 features and eight westerns which it plans to produce for the 1937-'38 season, Johnston said.

"Evil Genius," a mystery story by Wilkie-Collins, has been added to Monogram's story properties.

Writers Adopt Code

HOLLYWOOD, Oct. 8.—The Screen Writers' Guild last night unanimously adopted the code of practice developed by a special committee. The details will not be made public, it was explained, until after the program has been submitted to the Producers' Assn., which is expected to be done next week. Eleven new members were admitted to membership at last night's meeting.

To Handle Bond Issue

WASHINGTON, Oct. 8.—The American Telephone and Telegraph Co. today listed with the Securities and Exchange Commission the names of 47 underwriters who will handle the company's offering of $175,000,000 of 3¼ per cent debenture bonds.

Golf Match Televised

LONDON, Oct. 8.—The British Broadcasting Co. today broadcast its first golf match by television, with the audience seated in a studio eight miles from the golf course. The screen was 10 by eight inches square.

MAJORITY STOCK INTEREST
OF
St. Louis Amusement Company To Be Sold In Bankruptcy

Pursuant to an order made by the Referee in Bankruptcy, the undersigned on October 22, 1936, at 12 o'clock noon, on the east front steps of the Civil Courts Building in St. Louis, Missouri, will sell at public auction, certain assets of the estate of Skouras Bros. Enterprises, Inc., a bankrupt.

Separate bids will be received on the stock of the St. Louis Amusement Company, which represents over 52% of the outstanding voting stock of that company.

The St. Louis Amusement Company controls by ownership or lease, twenty second and subsequent run motion picture houses in the St. Louis zone.

For further particulars, apply to

NELSON CUNLIFF
Trustee in Bankruptcy
710 AMBASSADOR BUILDING
ST. LOUIS, MISSOURI



The industry's greatest box office star is coming in her newest attraction

OCTOBER 16th.

YOUR AUDIENCES HAVE NEVER LOVE



HER AS THEY WILL IN THIS GRAND SHOW!



The bigger they come the harder they'll fall for Shirley as a spunky little street singer... petting and scolding an irresistible scamp in little old New York! Six songs . . . dances, too! And when she does the minstrel number... you'd better tie down that roof!

Shirley Temple in DIMPLES

with

FRANK MORGAN

HELEN WESTLEY • ROBERT KENT
ASTRID ALLWYN • DELMA BYRON
THE HALL JOHNSON CHOIR

STEPIN FETCHIT

Directed by William A. Seiter
Associate Producer Nunnally Johnson
Screen play by Arthur Sheekman and Nat Perrin
Music and Lyrics by Jimmy McHugh and Ted Koehler
Dances staged by Bill Robinson



20th CENTURY FOX
Darryl F. Zanuck
in Charge of Production







Again

SHIRLEY DOES HER PART

in keeping

20th CENTURY-FOX

THE GREATEST NAME IN SHOW BUSINESS!

Shirley's non-stop flight of hits has been the industry's sensation. Remember: "Baby Take a Bow," "Bright Eyes," "The Little Colonel," "Our Little Girl," "Curly Top," "The Littlest Rebel," "Captain January," "Poor Little Rich Girl"! A record unequalled . . for the star without an equal. Now .. like the true champion she is .. Shirley makes her latest the greatest of them all!



Dimples

SHIRLEY'S WONDER SHOW!



THE KEYSTONE OF YOUR FUTURE

Report Majors Ready to Give MPTOA Reply

(Continued from page 1)

phases of the 10-point program, some exhibitor leaders believe, can be realized through regulation by the local boards. These phases embrace designated playdates, the forcing of shorts with features, overbuying, cut-rate and non-theatrical competition.

Ed Kuykendall, M.P.T.O.A. president, who came here last weekend to seek definite declarations of policy on the program from distributors, plans to leave the city tomorrow. If the notifications are not forthcoming today, he may delay his departure. He is scheduled to be in Memphis Oct. 17 for a meeting of the M.P.T.O. of Mississippi, Tennessee and Arkansas, and plans to come east again shortly after the close of the convention on Oct. 19.

Warners advised the M.P.T.O.A. when exhibitor-distributor meetings to discuss the trade practice program were initiated here last June, that the company would not participate in the sessions. Nothing has happened since, so far as could be learned, to indicate that the company's attitude has changed.

Consolidated Stock Shift Vote Up Today

(Continued from page 1)

and reduces the fixed annual cumulative dividend on the preferred stock now outstanding from $2 to $1.

Under the plan the authorized capitalization of the company would be 500,000 shares of preferred stock, all of which will be outstanding, and 600,000 shares of common stock, of which 449,982 shares will be outstanding. The declared capital will be $7,949,982 in lieu of the $6,524,973 of capital stock heretofore declared.

Phila. Men Arrange For Harmony Dinner

PHILADELPHIA, Oct. 8.—Exhibitor leaders here are to stage a harmony dinner at the Bellevue-Straford Nov. 1 to celebrate the recent consolidation of exhibitor organizations into the United M. P. T. O. of Eastern Pennsylvania, Southern New Jersey and Delaware.

Many distributors' representatives also will be present.

May Protest Rentals

PHILADELPHIA, Oct. 8. — The UMPTO's grievance committee meets for the first time Friday. As an outgrowth, it is reported a protest committee will be formed to visit exchanges charged with too excessive rentals.

Tri-States Meet Set

MEMPHIS, Oct. 8.—The annual meeting of the Tri-States M.P.T.O. will be held here, Oct. 18 and 19. M. A. Lightman will preside and Ed Kuykendall, M.P.T.O.A. president, will address the convention.

Gielgud as "Hamlet" Real Possibility for Hollywood

(Continued from page 1)

and as Guthrie McClintic's stage direction saw it.

Gielgud's was a handsome job in a trying and difficult role. Tall, slender and blonde and reminding frequently of Leslie Howard in diction and in demeanor, he played earnestly and thoughtfully. Too thoughtfully and with too little fire, this reviewer reflects, in the famous "to be or not to be" soliloquy.

How he compares with Hamlets of other days is something which the more daring among the analysists of the theatre will have to provide. Certainly he was given a beautifully contrived production and an excellent cast which embraced Judith Anderson as Gertrude, the queen mother; Barry Kelly, as the murderous king; Lillian Gish as Ophelia; Arthur Byron, whose quiet Hollywood performances rank well up among the best, as Polonius; John Emery, as Laertes, and George Nash, as the first grave-digger.

"Hamlet" is what it is and, if it seemed an unholy length of time and conversation had to elapse before the drama of the duel between Hamlet and Laertes, the end of the mother by poison and the doing to death of the king by his nephew, the blame either rests with Shakespeare or with an age that reacts restlessly to ponderous and slow-arriving climaxes.

Hollywood's interests in last night's premiere, a notable one in ermine and stiff shirts, rests more directly and almost entirely not on "Hamlet," but the portrayer of its title role. He will probably end up with a house in the hills and a swimming pool and the industry with another brilliant actor.

Phila. to Decide on Picketing Next Week

The membership of Local 77 of the American Federation of Musicians in Philadelphia will hold a mass meeting there early next week to decide on an extension of the theatre picketing campaign in that city by musicians. It is expected that picketing in that city will be approved, it was learned here yesterday. Jacob Rosenberg, secretary of Local 802 in New York, where the drive originated, and where it is still being carried on, will be one of the chief speakers at the Philadelphia meeting.

The local here has established offices at 717 7th Ave., as headquarters for the picketing drive in New York. It was said there yesterday that requests for information had come in from other cities, and that in Kingston, N. Y., the local intends petitioning theatre owners for a restoration of musician employment. If that fails, the local will begin a picketing campaign there.

Managers in Accident

BIRMINGHAM, Oct. 8.—P. M. Kennedy, William Coury, Sam Suggs and Frank Nickerson, managers of houses in this city were injured yesterday in an automobile accident while en route to Chattanooga for conferences. Their condition at a hospital here was said not to be serious.

That Night Off

Ridgefield, Conn., Oct. 8.—A committee elected last year by the town meeting to find a suitable place for a theatre will report shortly. The group has been urged by wealthy residents of the Ridgefield Hills section to rush action, since lack of a film theatre has complicated the servant problem.

No films, no domestic service, apparently.

Set RCA Sound for Warners in Chicago

CHICAGO, Oct. 8.—New RCA equipment will be installed in all Warner theatres in this district, James Coston, Warner theatre manager here, said today. The decision was made, Coston said, following conferences here with Major Nathan Levinson, William Mueller and Frank Cahill, Jr., all of the Warner sound staff.

Cohen to Make Nine

HOLLYWOOD, Oct. 8.—Maury M. Cohen, producer of Invincible Pictures, plans a program of nine features for 1936-37. "Ellis Island," first of the series, is now in production with Donald Cook, Peggy Shannon and Jack LaRue heading the cast.

Refuse Kingston Offer

KINGSTON, N. Y., Oct. 8.—Offered the theatre on a long term lease, Skouras Theatres have turned thumbs down on acquisition of the Broadway, now closed, and about to be foreclosed by the first mortgage bondholders.

Tasker on Air Monday

Homer G. Tasker, president of the Society of M. P. Engineers, will broadcast from WHAM in Rochester on Monday on trends in Hollywood from an engineer's point of view. Tasker will be in Rochester for the S.M.P.E. convention there Oct. 12-15.

Funeral of Darby Today

Funeral services will be held at 10 A.M. today in the Church of the Holy Innocents, Brooklyn, for Tom Darby, stage manager of Vitaphone studios, who died Tuesday. The studio will suspend operations for five minutes this morning.

Darby is survived by his widow and son, Tom, Jr., also employed at the studio.

Albany Critic Dies

ALBANY, Oct. 8.—William H. Haskell, drama, screen and music critic for the *Knickerbocker Press* here for more than 20 years, died suddenly today.

Moss Gives 68 Permits

During the past year and a half, Paul Moss, license commissioner, has approved 68 of 84 applications for theatres in New York.

Smith Joins U. A. As New Sales Chief

(Continued from page 1)

of Smith to the sales post is in line with the decision of the producers releasing through United Artists to expand their production programs. Samuel Goldwyn, it was pointed out as an example, plans to increase his schedule to 10 features this season. Additions to the distributing force were therefore necessary, it was explained.

Harry Gold will continue as head of the eastern sales division for United Artists, and Jack Schlaifer will retain his post in charge of western sales.

Smith entered the industry in 1914, when he joined Pathe. From there he went to First National in 1924, then became Warner sales manager in charge of the east and Canada, while Gradwell L. Sears, now general sales manager for Warners, handled western sales. Later he was named a vice-president of Vitagraph, Inc.

B. & K. to Resume Dualing on Oct. 16

(Continued from page 1)

availability order by other houses of the large circuit outside the Loop. Unusually long pictures which do not lend themselves readily to a double feature program will be the only exceptions to the new policy after Oct. 16, B. & K. officials said.

The pending clearance suit against B. & K. and distributors may be filed by independent exhibitors in Federal court here on Monday, Aaron Saperstein, local Allied leader, said. The action will ask an injunction to halt the granting of extended clearance between "C" week and the first week of release, and also against the use of double features.

"Craig's Wife" Gets $76,000 First Week

(Continued from page 1)

opening today the current week's gross is expected to tally about $55,000.

The Palace garnered a mild $8,000 on "Thank You Jeeves" and "Two in a Crowd." The dual feature plan is being abandoned this week for "Anthony Adverse." The Rialto, with "Kelly, the Second," drew a so-so $7,000 and today opens with "Lady Be Careful."

Feist Back on Job

HOLLYWOOD, Oct. 8.—Felix F. Feist, Jr., has returned to the M-G-M studio from Phoenix, Ariz., where his wife has been vacationing. He brought her back with him after a three-month rest.

Manheim Appoints Two

N. L. Manheim, export manager for Universal, has just made two new appointments in France. T. Guaitella takes charge of the Marseilles office and G. Lyons gets the Lyons office.

Paramount Trustees Allowed Accountants

(Continued from page 1)

approximately $12,000,000 is sought by the trustees in the action. The return of any compensation in excess of a reasonable amount paid to officers of the company from 1927 to 1930; the return of profits made by any of the defendants who participated in the so-called Paramount employes' stock purchase plan, and an accounting for any losses sustained by the company through the buying or selling of its own capital stock in the open market during periods from Oct., 1929, to Jan., 1931, was asked by the trustees of Paramount in their original complaint.

Present indications are that the action cannot be heard for another six weeks.

Distributors Deny Trust Case Charge

(Continued from page 1)

circuit, and the major distributors. The other plaintiffs, whose suits were filed against the distributors only, are Standard Amusement Enterprises, Inc., operating the Capitol, Elizabeth, N. J.; Elite Amusement Enterprises, Inc., operating the Rialto, Poughkeepsie, N. Y., and Fidel Amusement Enterprises, Inc., which operated the Cameo in Newburgh, N. Y. All are Morse and Rothenberg units.

It is alleged that because of the defendants' refusal to supply film, the Capitol and Cameo were forced to close in May, 1936.

Those Gifts Again Up at Fox Hearing

(Continued from page 1)

$7,000,000 to $8,000,000 family trust, is said to be a chief stockholder, was questioned again.

Other witnesses were Herbert Leitsteen, Fox bookkeeper, and Fox.

Under examination Fox told of giving $250 a week for a time to his father, Aaron, who died last year, and other sums to brothers, a sister and his father-in-law. But he insisted that, "I do not consider sums given to take care of my family were gifts. It was an obligation."

Mineola Fox Action Held Over

MINEOLA, N. Y., Oct. 8.—Further examination of the official acts of William Fox while head of Fox Theatres, Inc. and Fox Film Corp., has been held over by mutual consent until Oct. 13. The decision of Supreme Court Justice Mitchell May, on a contested motion to stay the action pending the outcome of the current Fox bankruptcy proceedings at Atlantic City, is still reserved. Counsel has agreed, Referee Elvin N. Edwards stated, to postpone further action in the examination until the decision is handed down. At least four additional sessions will be necessary, Edwards said, in the event the hearing continues.

Begun nearly 18 months ago by order of Supreme Court Justice Meyer Steinbrinck, the accounting has already run to several sessions, some of which were conducted here while others convened at Atlantic City. The detailed account of the stock transactions of Fox has run to approximately 3,000 pages of testimony, the referee said.

Mrs. Sweenek Loses

Federal Judge Grover C. Moskowitz yesterday dismissed the suit brought by Mrs. Gertrude Sweenek of Brooklyn against Pathe News, which asked $10,000 damages on the grounds that the 200-pound plaintiff had been humiliated by a newsreel release which pictured her taking reducing exercises at "Philadelphia Jack" O'Brien's gymnasium. Mrs. Sweenek asserted that she was not aware that the pictures were being made. She received a series of reducing treatments without charge and was paid $1 by the gymnasium, she testified.

Judge Moskowitz ruled that the legal question involved was whether or not the pictures were "news" and held that "so long as large numbers of women are interested in methods of removing excess poundage" the subject properly was news material.

Sues on Temple Pact

LOS ANGELES, Oct. 8.—A suit for $500,000, plus a percentage of Shirley Temple's earnings, has been filed here by Jack Hays, an independent producer, who describes himself as the discoverer of the child star. He names as defendants the child's parents, Twentieth Century-Fox and two banks.

Warners Deny Monopoly

A general denial has been filed on behalf of Warners in connection with the alleged monopoly and restraint of trade suit brought by the Franklyn Theatrical Enterprises, Ltd., of Hawaii. Other defendants are First National and Vitagraph, Inc.

Franklyn Theatrical Enterprises is suing for $300,000, alleging breach of contract.

Orpheum Co. Bankrupt

The Orpheum Theatre Co., a Madison, Wis., subsidiary of Stadium Theatres Corp., has petitioned the Federal District Court to adjudge it a bankrupt. A schedule of assets and liabilities was not filed, the petition merely noting that the company had $8,510 in cash in a bank.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Man I Marry"

(Universal)

HOLLYWOOD, Oct. 8.—One of the reasons why most audiences are going to feel at home with this film is that all of the situations and most of the gags are old familiar friends. The tried and true plot gives Doris Nolan ample opportunity to display her attractiveness and there is enough comedy from the supporting cast to make the film acceptable.

Miss Nolan runs away from her marriage to a silly millionaire to a deserted country home where Michael Whalen, a playwright, is struggling to finish a script. He gives Miss Nolan very little encouragement and it is hard to understand why she likes him. Nevertheless, she falls in love with him and blackmails Nigel Bruce, her amiable uncle, into producing the play. Whalen, who has been bossed by women all his life, is furious at her interference and refuses to deliver the necessary scenes even when Miss Nolan has him locked in a country jail on a flimsy charge.

Chic Sale provides the best performance as a country cop. Cliff Edwards and Skeets Gallagher are funny as drunks wandering for no particular reason through most of the action. Marjorie Gateson, Gerald Oliver Smith, Ferdinand Gottschalk and Harry Barris contribute good performances under the direction of Ralph Murphy. Val Paul produced. The picture is a good bet for second spots.

Production Code Seal No. 2,566. Running time, 79 minutes. "G."

"Sing Me a Love Song"

(Warners)

HOLLYWOOD, Oct. 8.—With James Melton singing and smiling his way through this musical comedy romance the film stacks up as satisfactory general audience entertainment. The fresh treatment of the trite motivation, plus the skillful insertion of gag interludes featuring Hugh Herbert, a kleptomaniac, and Walter Catlett, a floorwalker, together with Melton's singing, all combine to give the picture substantial entertainment value.

Melton, a department store heir, goes to work in the establishment under an assumed name. In the music department he becomes interested in Patricia Ellis, a song plugger. Incidentally, he gains knowledge of why the store's finances are in the red. Aided by Zazu Pitts and Allen Jenkins, he sings himself into the affections of Miss Ellis and gains the friendship of all the employes.

To give added zest to the straight plot, Raymond Enright in his directing elected to interrupt the action by having the clownish Herbert pester Catlett with some hilarious shoplifting. This bit of padding, together with presentations of the Melton singing, both solo and with chorus, adds measurably to the film's value. It is credibly acted by Melton, Miss Ellis, Herbert, Miss Pitts, Catlett, Jenkins and the supporting cast. The screen play by Sig Herzig and Jerry Wald is based on a story by Harry Sauber. The music is provided by Harry Warren and Al Dubin.

Production Code Seal No. 2,446. Running time, 75 minutes. "G."

Additional Reviews on Page 13.

Short Subject

"Venice of the North"

(Van Beuren-RKO)

One of the "World on Parade" series of travel subjects, this takes the audience to Stockholm, Sweden, where are seen views typical of the spotless, canal-studded city and its inhabitants. Interestingly photographed and well produced, the subject should fill in satisfactory fashion a spot on almost any program.

Production Code Seal No. 01,027. Running time, 10 mins. "G."

Pollak Tells Daily Story of Accident

(Continued from page 1)

the accident," Pollak, bandaged heavily and pale from the loss of blood, but otherwise cheerful, said. "The train was nearing Budapest when, feeling tired from the journey and wanting to have a wash, I started to go out to the lavatory. It was shortly before midnight. Through the window I saw the illuminated panorama of the town and, fascinated, I started out, missed the right door, opened the outer door instead and fell out of the train. Fortunately, I happened to fall on the signalling wire which connects one watchhouse with the next.

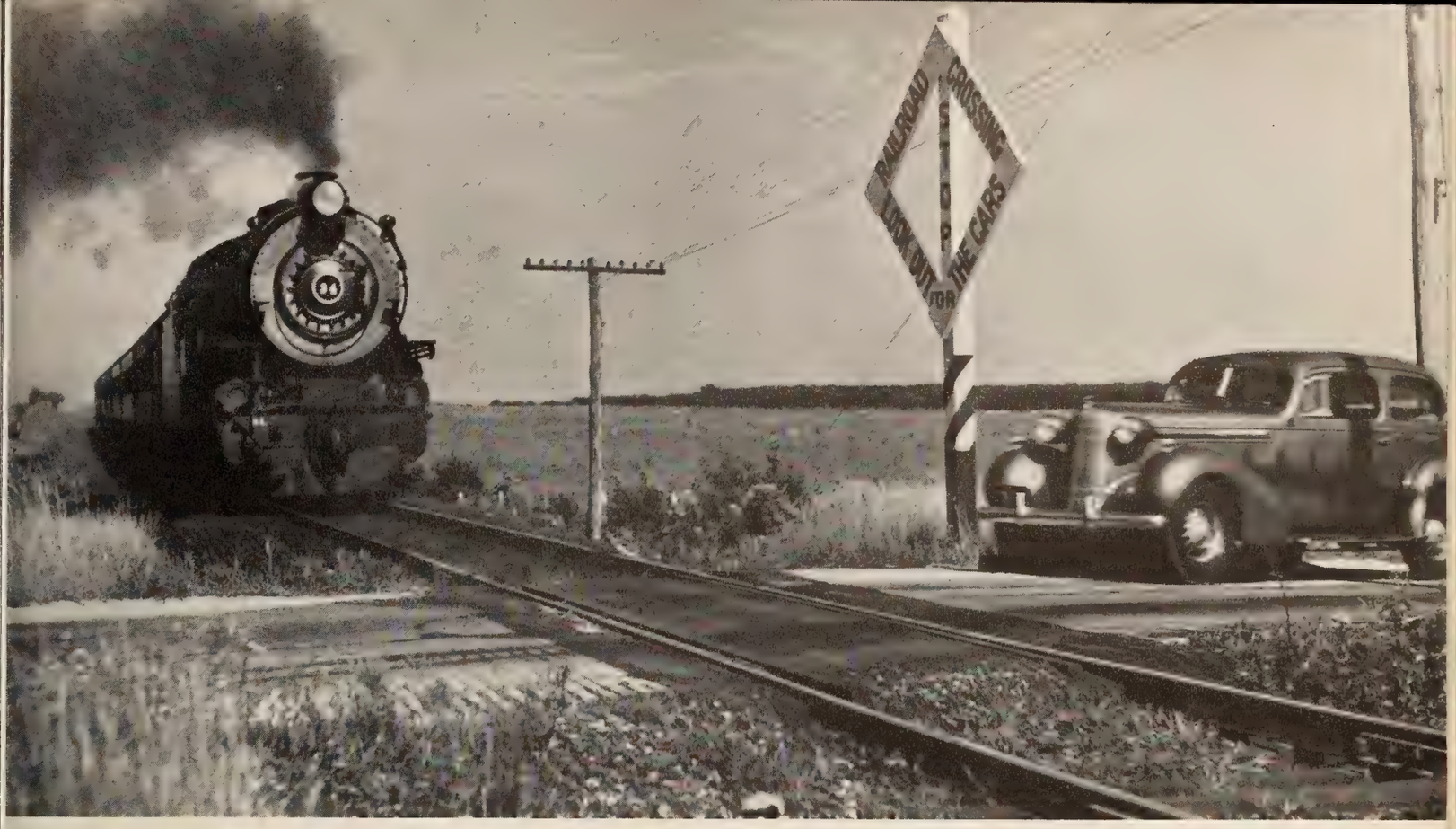
"Best Regards," to America

"The watchman saw that the signalling apparatus did not work and went along the track to see what was the matter. He found me lying on the wire, unconscious, bleeding heavily, severely wounded. Had I not fallen on to the wire, I would probably not have been found until next morning and by that time I would have been dead. As it was, although I had been found 15 minutes after the accident and immediately rushed to the sanatorium, I was in a dangerous condition and the doctors nearly despaired of my life. I had suffered severe bruises and inner bleeding and things looked pretty hopeless. However, the doctors managed to pull me round the corner; I did not die. I will soon return to America. In the meantime, I send my best regards to my American friends."

A noted specialist, summoned by Pollak's medical attendants to examine the patient, said that Pollak was past danger but it would take weeks for him to become fit again.

Leases Space in R. C.

Stage and Screen Prod., Inc., distributor of serials produced by Weiss Prod., Inc., has leased office space on the 30th floor of the RKO Bldg., for immediate occupancy. Robert Mintz is president of the company.



THERE'S GOING TO BE A CRASH!

Any minute now you'll hear the phenomenal, amazing records of M-G-M's "San Francisco" go BOOM!

We can scarcely believe it ourselves because it looked as if "San Francisco" would remain *forever* the TOP grosser, the champ of hold-overs!

But there's another M-G-M sensation that's close—very close—and forging ahead—and oh boy what a lead-off for M-G-M's mighty 1936-37 Season.

(Such excitement! Please go on!)



BEYOND OUR WILDEST DREAMS!

Certainly we knew that the Road-show success of "THE GREAT ZIEGFELD" in hundreds of cities had laid the ground-work for a huge success at popular prices. But nobody could foresee the amazing stampede to the box-office which attends each popular-priced opening. "The Great Ziegfeld" is destined to be the biggest popular attraction of all time! And a true omen, a glorious leader for your new M-G-M year!


4th WEEK
CAPITOL, N.Y.
AND STILL GOING STRONG!
—after 19 weeks at the $2 Astor
2 WEEKS KANSAS CITY —after 2 weeks as Roadshow
5 WEEKS CHICAGO —after 13 weeks as Roadshow
2 WEEKS
2 WEEKS NASHVILLE
2nd WEEK DENVER And going great! —after 2 weeks as Roadshow
2 WEEKS HARRISBURG —after 1 week as Roadshow
2 WEEKS NEW ORLEANS —after 2 weeks as Roadshow
2 WEEKS TOLEDO AND STILL GOING STRONG! —after 1 week as Roadshow
2 WEEKS BALTIMORE after 2 weeks as Roadshow
2 WEEKS HARTFORD after 10 days as Roadshow
3 WEEKS ST. LOUIS —after 3 weeks as Roadshow
5 WEEKS CINCINNATI —after 2 weeks as Roadshow
2 WEEKS BUFFALO after 3 weeks as Roadshow
2 WEEKS BRIDGEPORT after 1 week as Roadshow
2 WEEKS NEW HAVEN after 1 week as Roadshow
2 WEEKS ATLANTA —after 2 weeks as Roadshow
4 WEEKS PORTLAND —after 3 weeks as Roadshow
2 WEEKS COLUMBUS —after 2 weeks as Roadshow
3 WEEKS CLEVELAND AND STILL GOING STRONG! —after 3 weeks as Roadshow
2 WEEKS HOUSTON after 2 weeks as Roadshow
2 WEEKS NORFOLK —after 1 week as Roadshow
2 WEEKS WASHINGTON, D.C. AND STILL GOING STRONG! —after 2 weeks as Roadshow
2 WEEKS DAYTON —after 1 week as Roadshow
3 WEEKS PHILADELPHIA AND STILL GOING STRONG! —after 8 weeks as Roadshow
2 WEEKS PROVIDENCE —after 2 weeks as Roadshow
2 WEEKS LOUISVILLE —after 1 week as Roadshow
2 WEEKS SYRACUSE
11 DAYS WATERBURY
2 WEEKS WILMINGTON
2 WEEKS READING after 1 week as Roadshow
2 WEEKS MILWAUKEE
2 WEEKS WORCESTER —after 1 week as Roadshow
2 WEEKS RICHMOND after 1 week as Roadshow
2 WEEKS ROCHESTER

GREAT

as a Road-Show

GREATER

at Popular Prices

GREATEST

attraction ever to
start a New Season!

METRO-GOLDWYN-MAYER'S

Great ZIEGFELD

Says Schools Field For Projector Sale

WASHINGTON, Oct. 8.—Schools accommodating 33,000,000 men, women and children in this country "provide practically a virgin field for silent and sound motion picture projectors and equipment, radios, and the many other similar aids needed in the modern classroom," states John W. Studebaker, U. S. Commissioner of Education.

His statement is contained in a report on a departmental survey conducted throughout the country.

"It is estimated," Commissioner Studebaker states, "that the 33,000,000 persons enrolled in America's public and private schools spend about 825,000,000 hours per week in school as compared with only 225,000,000 hours per week spent in the 15,000 theatres throughout the country by 90,000,000 persons, yet only 750 sound motion picture projectors have been reported as belonging to schools."

The report goes on to say that 81,000 schools are electrically equipped. It says there is considerable renting and borrowing of equipment.

Science films are available, the report indicates, to a greater extent than any others, with the possible exception of travel and geography.

Heffener to Move Office

BOSTON, Oct. 8.—Specialty Pictures, Inc., exchange formed by Roy Heffener to handle the product available following the dissolution of the American Film Exchange, will move into the offices now occupied by Grand National early next month. Heffener is also the franchise holder for Bank Night in New England and Pennsylvania.

German Film to Open

"Ein Liebesroman in Hause Habsburg" (A Prince in Love) will open today at the Tobis, First Ave. and 78th St.

Donald Novis Signed

HOLLYWOOD, Oct. 8.—Burroughs-Tarzan has signed Donald Novis to an exclusive contract for four pictures annually for two years. The first will be "Just Another Night." It will start in 60 days.

This is the first move of the company to produce first run attractions on an enlarged operation plan.

To Do Dickens Story

HOLLYWOOD, Oct. 8.—Robert Welsh, in charge of production for General Pictures, has signed James Knox Millen, Broadway playwright, to prepare a screenplay of Charles Dickens' "Old Curiosity Shop." Production details will be revealed shortly.

Macgowan on "Alcazar"

HOLLYWOOD, Oct. 8.—Kenneth Macgowan has been named by Darryl F. Zanuck as associate producer of "The Siege of the Alcazar" scheduled to start soon. Sonya Levien is busy on the story.

20th-Fox Holds Three

HOLLYWOOD, Oct. 8.—June Lang, Alan Dinehart and Jane Darwell have had their contracts extended by Twentieth Century-Fox.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Hopalong Cassidy Returns"

(Sherman-Paramount)

HOLLYWOOD, Oct. 8.—Reflecting greater production effort and offering a meatier story than its predecessors, this latest Cassidy should prove to be the best attraction of the series to date. William Boyd, now thoroughly at home in the role, gives a smooth performance and, with able support from such players as George Hayes, Evelyn Brent, William Janney and Stephen Morris, makes the unusual action story convincing.

Miss Brent is the menace in the theme. As head of an unscrupulous ring which jumps mining claims, wiping out the opposition with bullets, she rules the community with a high hand until Boyd, at the request of John Beck and Hayes, arrives to establish order. The battle between these divergent elements is softened when the two fall in love but the romance is brought to a conclusion when Miss Brent is killed in the final fight.

Nate Watt's direction is conscious at all times of the essential undertones and drives home its points subtly and without resorting to the obvious. The Harrison Jacobs screenplay is in keeping with the spirit of the Clarence Mulford stories and offers believable dialogue. Pictorially the film has much to offer, the photography of Archie Stout capturing many spectacular backgrounds. As de luxe action entertainment the picture should do well where audiences favor the type.

Production Code Seal No. 2,547. Running time, 72 minutes. "G."

"Rebellion"

(E. B. Derr-Crescent)

HOLLYWOOD, Oct. 8.—With a good title, but also telling a believable, romantic and dramatic story in which there is considerable human interest, "Rebellion" looks like solid entertainment for audiences going for thrill action films.

In the story, Allen Cavan (President Taylor) after hearing Rita Cansino's complaints of injustice practiced in California on Mexicans by Americans, orders his aide, Tom Keene, there to see that the terms of the Guadalupe-Hidalgo Treaty are carried out. Establishing friendship with Miss Cansino's brother, Duncan Renaldo, romance is suggested between Keene and the girl. Renaldo, dying as he frees Keene from jail, where he has been placed by outlaw leader William Royle's henchmen, Keene sets himself up as the Mexican leader. As Miss Cansino rallies the honest Americans and Mexicans in California, Keene first drives the invading settlers off the Mexicans' properties and besieges Harris in a stolen hacienda. In a sequence full of fighting, shooting, riding and action, Keene bests Harris in a thrill-packed hand to hand melee. In the finale Keene is elected the first civil governor of California and claims Miss Cansino's hand.

Keene, Miss Cansino, Renaldo and Harris contribute convincing performances. Comedy contrast is in the hands of Roger Gray and Robert McKenzie. Lynn Shores directed effectively. In his original screen play John T. Neville intelligently blends historical fact with romantic dramatic fiction.

Production Code Seal No. 2,679. Running time, 60 minutes. "G."

Looking 'Em Over

"A Greater Promise"

(Amkino)

Set in Birobidjan, which formerly was an arid region in eastern Russia, the story of this Soviet importation concerns the migration there of a Jewish family, victims of persecution. It shows their early struggles, hardships and later by virtue of their hard work and application, how a new life is created with security and comfort. That always present element of state glorification is crudely put forward in the final scene.

As a production, technically, it is below the standard which these imports have reached. The photography has a nervous, static quality. From appearances it seemed that a crude type of negative was used.

The performances by members of the Moscow Art Theatre are a redeeming feature of the film. Of particular note is the role of V. L. Zuskin. Other parts are given fine interpretation by Iunya Bi-Brodsky, L. A. Schmidt, L. M. Taits and B. E. Zhukovsky.

There are English titles.

Reviewed without production code seal. Running time, 83 minutes. "G."

Variety Club

Cincinnati

CINCINNATI, Oct. 8.—The lounge in the local club's quarters is being redecorated and refurnished in modernistic treatment to harmonize with the motif of the adjoining tap room. A new piano has been installed. The place is being made ready for the formal opening of the fall and winter season, set for Oct. 17.

Barker JAMES J. GRADY is sponsoring a film bowling team which will compete for the trophy donated by Tent No. 3.

Columbus

COLUMBUS, Oct. 8.—Variety Club is arranging to entertain large delegations of visiting members and out-of-town exhibitors for the Ohio State-Pitt football game here Saturday. M. R. Clark, president, has taken care of advance ticket reservations.

The club and its guests also will travel by special train to the Ohio State-Notre Dame game at South Bend, Ind., Oct. 31, and will occupy a special block of seats.

Winston to Seek Talent

HOLLYWOOD, Oct. 8.—Harold Winston, stage director, has been assigned by Columbia to organize a talent department at the company's home office in New York.

Near Extras Record

HOLLYWOOD, Oct. 8.—While not a record, but pretty close to it, 1,200 extras were working on the various sets at Twentieth Century-Fox in one day recently.

"Ramona" in Good Start

PORTLAND, ORE., Oct. 8.—"Ramona" grossed $1,800 in its first day at the Orpheum here, with an extended run indicated.

Wall Street

Trading Uneven on Board

	High	Low	Close	Net Change
Columbia	39⅞	39⅝	39⅞	— ⅛
Columbia, pfd.	45⅞	45⅞	45⅞	— ⅛
Consolidated	4¾	4⅝	4¾	+ ¼
Consolidated, pfd.	18⅝	18⅛	18⅝	+ ⅞
Eastman	175½	175	175	—2
Gen. T. Equip.	27½	26¾	27	— ⅛
Loew's, Inc.	58⅝	57¾	58	— ¼
Paramount	13¼	13	13	— ⅛
Paramount 1 pfd.	96	95	95⅞	+ ⅞
Paramount 2 pfd.	12½	12¼	12½	+ ⅛
Pathe Film	8⅜	8	8⅛	+ ⅛
RKO	8	7⅝	7⅝	— ⅛
20th Century-Fox	31⅜	31⅛	31⅛	— ⅛
20th Century, pfd.	39	38⅞	38⅞	— ⅛
Universal, pfd	103	102½	102¾	+ ¼
Warner Bros.	13¾	13⅜	13½	— ⅛

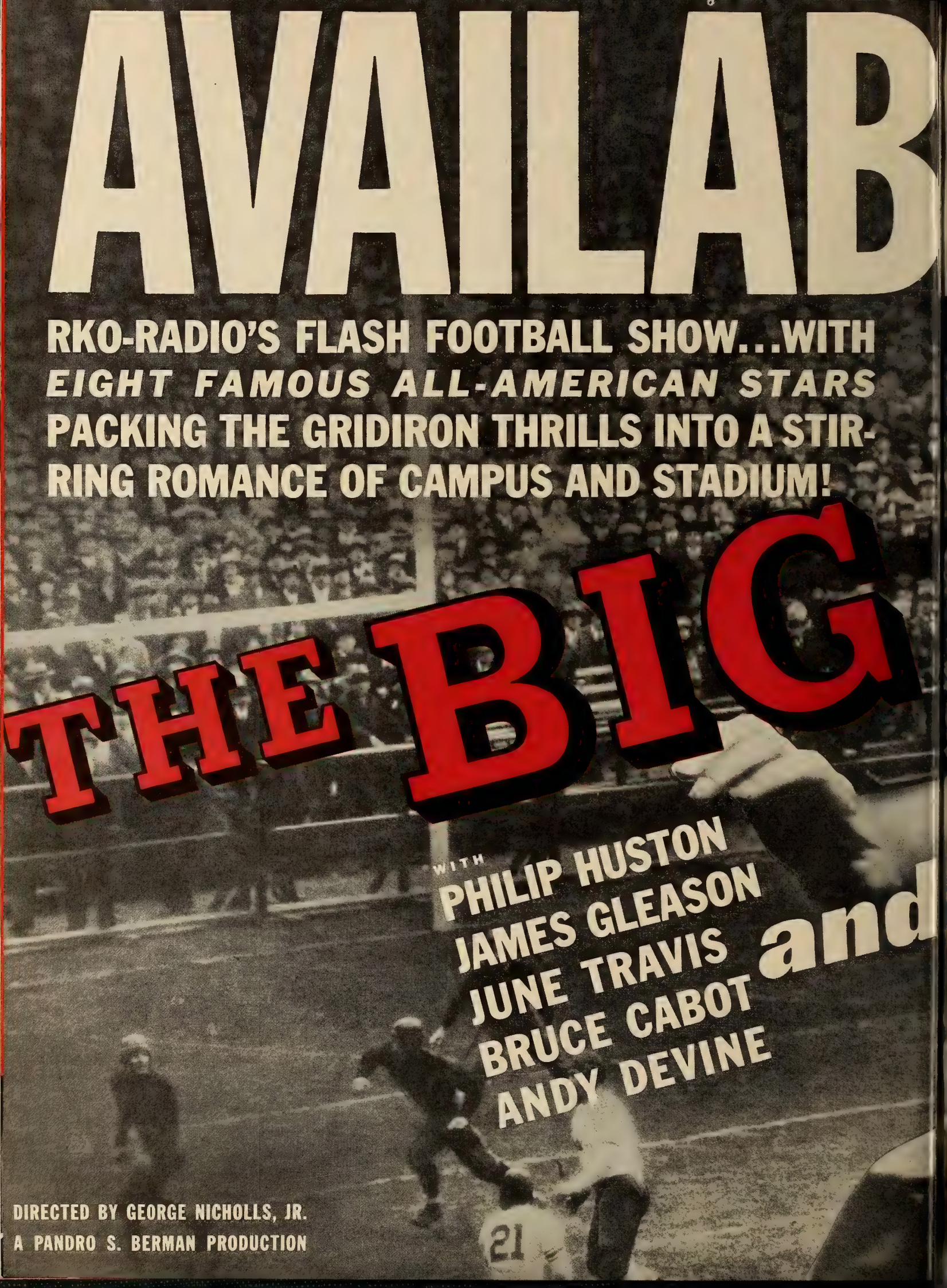
Little Curb Activity

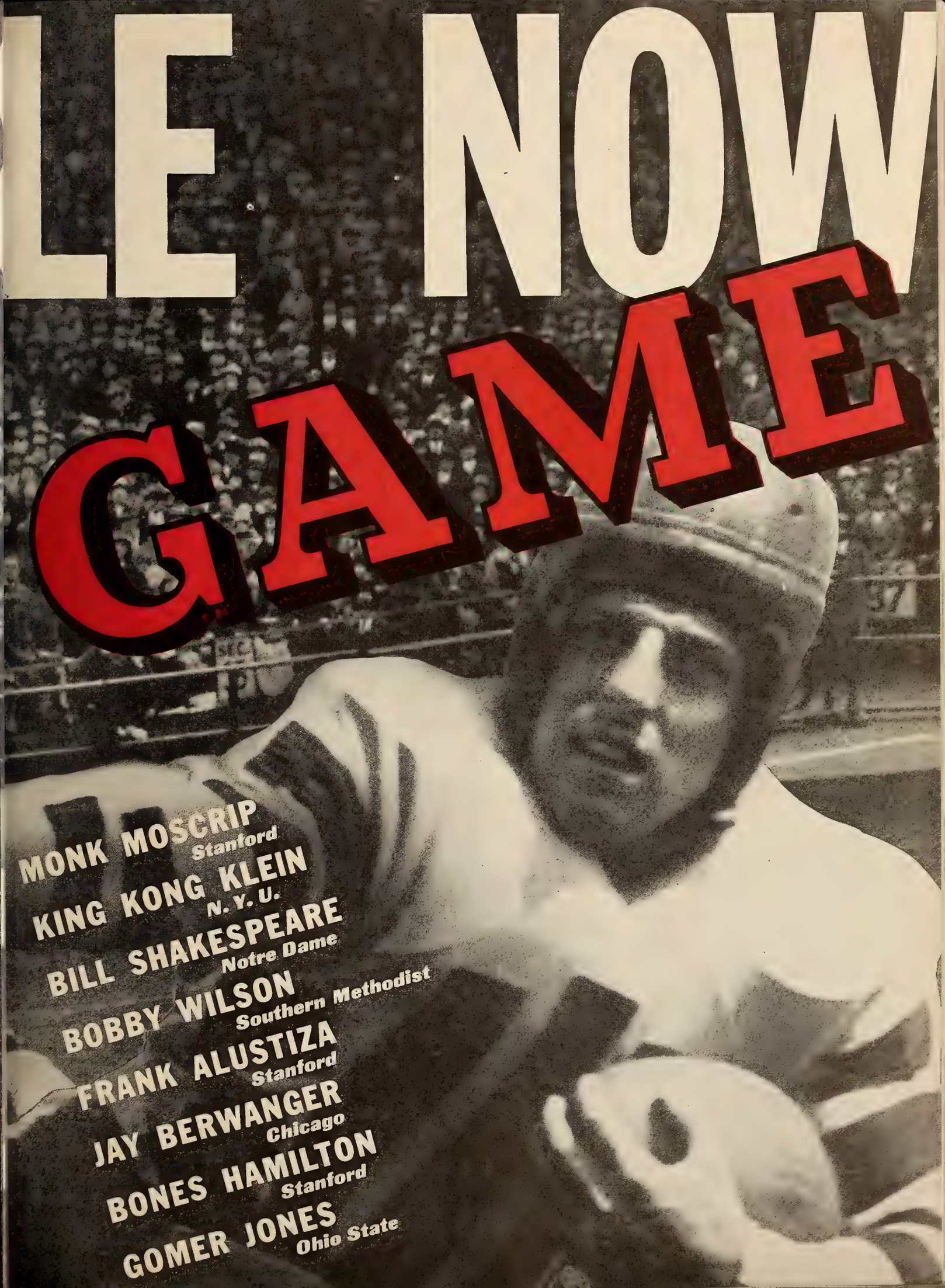
	High	Low	Close	Net Change
Grand National	3⅝	3½	3½	— ⅛
Sonotone	2¼	2⅛	2¼	.....
Technicolor	26⅝	26	26	— ½
Trans-Lux	4	3⅞	4	+ ⅛

Few Bond Gains

	High	Low	Close	Net Change
Keith B. F. 6s '46	96½	96½	96½	+ ½
Loew's 6s '41 ww deb rights	99	99	99	+ ¼
Paramount B'way 3s '55	65	64½	64½	+ ½
Paramount Pict. 6s '55	98⅝	98¼	98¾	— ¼
Warner Bros. 6s '39 wd	97	96½	96⅞	— ⅛

(Quotations at close of Oct. 8)


AVAILAB
RKO-RADIO'S FLASH FOOTBALL SHOW...WITH
EIGHT FAMOUS ALL-AMERICAN STARS
PACKING THE GRIDIRON THRILLS INTO A STIR-
RING ROMANCE OF CAMPUS AND STADIUM!
THE BIG
WITH
PHILIP HUSTON
JAMES GLEASON
JUNE TRAVIS
BRUCE CABOT
ANDY DEVINE
and
DIRECTED BY GEORGE NICHOLLS, JR.
A PANDRO S. BERMAN PRODUCTION


LE NOW
GAME
MONK MOSCRIP
Stanford
KING KONG KLEIN
N. Y. U.
BILL SHAKESPEARE
Notre Dame
BOBBY WILSON
Southern Methodist
FRANK ALUSTIZA
Stanford
JAY BERWANGER
Chicago
BONES HAMILTON
Stanford
GOMER JONES
Ohio State

THE *REAL* WOW OF THE FALL SEASON!

LAUGHS! TUNES! DANCES! LOVE!

YOUTH! THRILLS!

MORE LAUGHS!

MORE DANCES!

MORE TUNES!









PIGSKIN PARADE

MERRIER THAN
"THANKS A MILLION"

SWINGIER THAN
"SING, BABY, SING!"



20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

With a cast picked for entertainment! STUART ERWIN, JOHNNY DOWNS, ARLINE JUDGE, BETTY GRABLE, PATSY KELLY, JACK HALEY, YACHT CLUB BOYS, DIXIE DUNBAR, ANTHONY MARTIN, JUDY GARLAND. Directed by David Butler. Associate Producer Bogart Rogers. Screen play by Harry Tugend, Jack Yellen and William Conselman. Based on a story by Arthur Sheekman, Nat Perrin and Mark Kelly. Music and lyrics by Lew Pollack and Sidney D. Mitchell. Music and lyrics of songs sung by Yacht Club Boys — by Themselves.

Darryl F. Zanuck in Charge of Production.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 86 NEW YORK, SATURDAY, OCTOBER 10, 1936 TEN CENTS

Maxwell Says Deal Nears For Ostrers' GB Interest

Would Give 20th-Fox a New Partner and Keep Domination of British Company Out of American Hands

By BRUCE ALLAN

LONDON, Oct. 9.—John Maxwell appears to have eliminated the possibility of any transfer of control in G. B. to American interests by a deal for the Ostrers' holdings in Metropolis and Bradford Trust. Preliminary signatures are reported to have been signed late Thursday evening.

Tonight, the principals maintained strict silence following terse statements issued during the day. Said Maxwell:

"Negotiations between the Ostrers and Associated British Pictures in regard to the control of Gaumont British have been proceeding for some time in an effort to prevent the company from passing to foreign control. Negotiations are now practically completed and a joint statement of the position by A. B. P. and the Ostrers will be issued on Monday."

From Gaumont British came this: "It is not accurate to say a deal has been completed between Gaumont British and John Maxwell. Discussions have been proceeding between Mark Ostrer and Maxwell and the outcome of these discussions, whatever it may be, it is expected will be the subject of a joint statement next week."

The G. B. statement, it is significant to point out, is not regarded as a correction of Maxwell's but as a comment on the *Evening News'* story of the Maxwell-Ostrer negotiations.

It may also be that both statements, incomplete as they are, were issued to meet the criticism of the *Financial Times* on the entire G. B. situation.

[Details of the latter angle appear elsewhere in this edition today.]

Maxwell's name, of course, has figured in all recent reports on G. B. Exactly what he may have acquired, if he has, is not clear here. The known interest of the Ostrers in the company is their 49 per cent of the stock of Metropolis and Bradford, but this is merely approximately 28 per cent of the outstanding G. B. stock. Twentieth Century-Fox holds a similar amount. It would appear, therefore, and in the light of incomplete information that, if Maxwell has made a deal with the Ostrers, Twentieth Century-Fox merely has acquired a new partner.

Joseph M. Schenck, chairman of the board of Twentieth Century-Fox, has repeated several times and emphatically, moreover, that Ostrers cannot

(Continued on page 4)

Majors Assure M. P. T. O. A. of Plan Approval

Five Companies Agree to Program Points

Definite assurances that national distributors will approve the major phases of the M. P. T. O. A. trade practice program have been given representatives of the exhibitor organization by a majority of sales companies, it was learned in distribution quarters yesterday.

Indications are that at least five of the eight major companies will agree to the elimination of the score charge, the use of the short form of exhibition contract, the establishment of local conciliation boards and an unrestricted cancellation privilege. While two of the remaining three major distributors are in sympathy with the program and regard its proposals as reasonable and in the best interests of the industry, they are understood to be reserving a formal commitment pending the advice of counsel. Although the program is regarded as being largely one of distributor concessions, at least two of the companies are reported to have expressed concern over the possibility of the anti-trust laws being involved in distributor participation in the program.

Ed Kuykendall, M. P. T. O. A.

(Continued on page 4)

Roxy Plan Hearing Is Off Until Oct. 23

Federal Judge Francis G. Caffey postponed until Oct. 23 the hearing on plans of reorganization of the Roxy. Carlos Israels, attorney for the bondholders' committee, told the court: "We have not in shape any form of reorganization plan that would mean anything at this time."

From reliable sources it was learned that Twentieth Century-Fox, through its attorneys, Hughes, Schurman & Dwight, have presented to the bondholders' committee a proposition

(Continued on page 4)

Report B. & K. Not To Bid at St. Louis

ST. LOUIS, Oct. 9.—It is understood here that Balaban & Katz will not attempt to bid on the assets of Skouras Brothers Enterprises when they are put up for auction Oct. 22.

It had been reported that B. & K., through its subsidiary, Publix Great States, would seek the West End Lyric and the block of St. Louis

(Continued on page 4)

Schencks to Oppose

Nicholas M. Schenck stated last night that both he and his brother will militantly oppose the reported deal between John Maxwell and the Ostrers. The matter, he said, will be placed in the hands of his legal department.

Hollywood, Oct. 9.—Joseph M. Schenck, queried today concerning negotiations now in progress in England between John Maxwell and the Ostrers, stated, tersely:

"Sidney R. Kent has full authority to speak for Twentieth Century-Fox in the negotiations now under way between these parties."

U. S. Ticket Tax Gains by $1,732,777

By CLARENCE LINZ

WASHINGTON, Oct. 9.—Federal admission tax collections during the fiscal year ended June 30, last, increased $1,732,777 over those of the preceding fiscal period, totaling $17,112,174 against $15,379,397, it was reported today by the Treasury Dept.

Making public preliminary figures for the fiscal year 1936, Commissioner of Internal Revenue Guy T. Helvering announced that taxes collected on box-office admissions amounted to $15,001,741 in the fiscal year 1936 against $13,757,238 in 1935.

Other admission tax receipts, he said, included $578,806 on free or reduced rate tickets against $509,384; $59,849 on leases of boxes or seats against $42,208; $15,380 on admissions

(Continued on page 4)

Defer Consolidated Vote to October 23

Voting on a recapitalization plan for Consolidated Film Industries was deferred to Oct. 23 after a two-hour meeting of stockholders of the company yesterday. The postponement

(Continued on page 4)

Hits G.B.'s Reluctance to Inform Public

LONDON, Oct. 9.—The lack of information to stockholders of G. B. on the deal with Loew's and Twentieth Century-Fox was criticized in a leading article in the *Financial Times,* headed "The Gaumont Deal and the Public."

"Investors are becoming restive, and with reason," the paper said. "They do not know whether it is intended to buy them out at the same price as the Americans or, alternatively, for British buyers to undertake to pay for entry in the Metropolis and Bradford Trust.

"Another disturbing feature," the paper continued, "is that the Gaumont directors appear too preoccupied over the proprietary problem to give proper attention to the overdue claims of outside shareholders."

The newspaper noted that the dividend announcement is a month overdue in comparison with last year. "There can be no justification for this seemingly deliberate turning aside by the board from the normal work for which it is responsible to the general body of investors. The continued absence of a dividend decision would inevitably lead to the suspicion that the completion or presentation of the annual accounts (financial statement) is bound up with the outcome of the protracted negotiations."

Declaring that the extraordinary

(Continued on page 4)

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Report M. H. Deal Is Set on Bergner Film

The Music Hall and Twentieth Century-Fox are reported to have reached an agreement for the showing of "As You Like It," produced in England with Elisabeth Bergner in the starring role. A date will be set for late this month, it was said.

Efforts to check the reports with Gus Eyssell, assistant to W. G. Van Schmus, operating head of the theatre, were met with the reply that "nothing was known about it." Van Schmus could not be reached on the telephone.

C. V. Whitney on Coast

HOLLYWOOD, Oct. 9. — Cornelius Vanderbilt Whitney arrived here today for conferences with the Selznick board of directors. He will leave Wednesday for Hongkong aboard the *China Clipper*.

Edwin Knopf Coming

HOLLYWOOD, Oct. 9.—Edwin Knopf, M-G-M story head, left by train today for New York, where he will remain two weeks.

Purely Personal

GEORGE E. BROWNE, head of the I.A.T.S.E., is spending most of his time in town the last few months. He is said to be keeping a close watch on the operators' union situation in the hope of effecting a merger of the unions.

•

NAT D. BADER, traveling representative of Quigley Publications, entered Polyclinic Hospital last night for a minor operation to be performed this morning. He will be confined to quarters for two weeks.

•

LOUIS FRISCH is all agog in anticipation of his son's wedding tomorrow at Garfield Temple, Brooklyn. After a brief honeymoon, EMANUEL FRISCH will join the legal firm of Weisman, Quinn, Allen & Spett.

•

SIDNEY HOWARD is due on the coast in three weeks to confer with GEORGE CUKOR, who has been assigned to direct "Gone With the Wind," an adaptation of the best seller to the screen.

•

KEN MAYNARD has been booked for de luxe theatres, the personal appearances starting at the Keith in Boston, Oct. 15. The deal was arranged through the William Morris office.

•

HARRY SHIFFMAN reports that the attendance to the MOE STREIMER testimonial to be given by the Monday Knighters on Oct. 20 at the Park Central will be limited to 50.

•

ED KUYKENDALL, WALTER VINCENT, DAVE PALFREYMAN and AUSTIN KEOUGH among the lunchers at the Cinema Club yesterday.

•

HILLEL BERNSTEIN, novelist, is now working on his third book. After he completes it he will take an extensive vacation in Italy.

•

HARRY H. BUXBAUM was scheduled to leave by plane last night for Denver on private business.

•

IRVING MILLS has signed LEE WAINER and LUPIN FIEN to write music for Exclusive Music Co.

•

MIRIAM HOPKINS will be among the passengers on the *Normandie* which is due Monday from England.

•

LOUIS NIZER on Thursday night will deliver his annual lecture at N. Y. U. on the laws regarding film distribution.

•

GEORGE KRASKA, director of the Fine Arts Theatre, Boston, and MRS. KRASKA will get in on the *Normandie* Monday.

•

MORRIS KINZLER will add another year to his age next Friday. He's keeping the number a secret.

•

WILLIAM SUSSMAN, eastern division sales head for Twentieth Century-Fox, left for Boston yesterday.

•

GEORGE BATCHELLER, president of Chesterfield, is in town from the coast.

•

. . . London

JOHN W. HICKS, JR., here and leaving in a week for Paris, Berlin and Rome in the course of a round of Paramount foreign offices.

E. A. BAUGHAN, veteran dramatic and film critic of *News Chronicle*, retiring.

ISRAEL and MRS. DAVIS, pioneer British exhibitors who built the Marble Arch Pavilion and Shepherd's Bush Pavilion, later selling to G. B., gave a golden wedding party to 350 guests.

JACK COHN talking to JOE FRIEDMAN and shying away from the press.

MAXIE THORPE, sales manager to Columbia here, going to the States on vacation-business trip with JACK COHN and J. H. SEIDELMAN.

JACK CONNOLLY in on the *Paris*.

C. M. WOOLF prevented by sickness from attending Pinewood studio opening.

March Wins Award

Hollywood, Oct. 9.—Fredric March won first honors in the voting of the Screen Actors' Guild for the best performance by a star during August, for his work in "Anthony Adverse."

Ian Hunter, for his performance in "To Mary—With Love," won the first award of the month for the best work by a supporting player.

Warners Up N. E. Prices

NEW HAVEN, Oct. 9.—Feeling its way on the higher admission price policy, Warners Theatres have increased prices from 25 and 35 cents to 30 and 40 cents at the State, Waterbury and Cameo, Bristol. Matinee prices also have been increased to 30 cents. No conclusions can as yet be drawn as to the advisability of the move, B. E. Hoffman states, and the first reports show no comparative increase in grosses.

Briskin Chest Chairman

HOLLYWOOD, Oct. 9.—S. J. Briskin has been elected chairman of the motion picture division of the Community Chest by the Producers' Assn., stearing committee. Briskin succeeds Louis B. Mayer, under whose chairmanship the industry contributed $243,000 to the chest last year.

Smith Starts U. A. Job

Beginning his new duties as general sales manager of United Artists yesterday, A. W. Smith, Jr., with George Schaefer, vice-president, closed a deal with Bob O'Donnell of the Interstate Circuit for "The Gay Desperado."

Monday a Part Holiday

Twentieth Century-Fox and RKO will be closed all day on Monday, Columbus Day. United Artists, Universal, Warners, Columbia and M-G-M will close at 1 P. M. Paramount will remain open all day.

Glickman Loses Father

Harry Glickman, head of the newly formed Meca Film Laboratories, received word yesterday of the death of his father in Poland.

Stokowski Cancels Philadelphia Date

PHILADELPHIA, Oct. 9.—Leopold Stokowski, who was scheduled to make a personal appearance at the Stanley Junction here tonight in connection with the opening of "The Big Broadcast," cancelled the date at the last minute. The event was widely advertised. No reason was given, but it is understood that the action was taken because of the current dispute between Warners and the Musicians Protective Ass'n of which the conductor of the Philadelphia Symphony Orchestra is a member.

A. A. Tomei, head of the musicians' group, stated that he did not expect Stokowski to appear, though his body had made no official protest. It is said that he had written the noted conductor telling him that his appearance would violate the association rules.

British Exhibitors Endorse Dixey Plan

LONDON, Oct. 1.—The scheme for the formation of an exhibitor-distribution company formulated by Capt. A. C. N. Dixey is being endorsed by meetings of exhibitors in key cities. Resolutions of approval of the principle, and instructions to proceed to actual flotation, have now been secured at Manchester, Liverpool, Leeds and Newcastle.

It is claimed that the Independent Exhibitors' Distribution Co. is already assured of the £25,000 of exhibitor investment asked as a security for the provision of further finance to the extent, immediately, of £175,000 and ultimately, it is stated, of £1,000,000.

Set L. A. Conference

LOS ANGELES, Oct. 9.—John D. Clark, Herman Wobber and W. C. Gehring will meet at the local Twentieth Century-Fox exchange for a conference with John Dillon and his sales force regarding the S. R. Kent drive. After the one-day conference the three will make a tour of all exchanges.

William C. Gehring will leave for the coast next Wednesday to join John D. Clark on a tour of Twentieth Century-Fox exchanges. Clark and Gehring will be back in New York on Nov. 9, when a meeting will be held at the local exchange.

Mayer Promises Exhibit

SAN FRANCISCO, Oct. 9.—An exhibit showing the history of the industry from the time of its inception was promised for the San Francisco Bay Bridges Exposition in 1939 by Louis B. Mayer on behalf of Hollywood producers at an address which he made here last night at the Fairmont Hotel banquet launching National Fire Prevention Week.

A Correction

In yesterday's review of "Hamlet," Barry Kelly inadvertently was credited with the role of the king. Malcolm Keen played the part and delivered one of the best performances of the evening.

Herb Cass Injured

PORTLAND, Oct. 9.—Herb Cass of National Screen, has suffered a broken leg. He will be obliged to wear a cast for the next few weeks.

"Hussy" Hits $18,250, Top In St. Louis

ST. LOUIS, Oct. 9.—"The Gorgeous Hussy" proved a winner at Loew's and rolled up the best gross of the week, $18,250, topping the house average by $8,250. It was held another week.

"Stage Struck" and "Thank You, Jeeves" at the Ambassador took $13,200, or $4,200 above par.

At the Fox "Craig's Wife" and "Adventure in Manhattan," with $11,750, dipped $2,250 below average. The Missouri, with "Walking on Air" and "Case of the Velvet Claws" had a take of $10,500, topping average by $1,500.

The St. Louis did $7,300 with "Girls' Dormitory," a second run attraction, the Louis-Ettore fight pictures and a stage show headlined by Pappy, Zeke, Ezra and Elton. About $8,000 is needed to put this house over.

The weather was not favorable. Some rain and chilly days were mixed in, making the warmth of the family fireside real competition. There was no serious outside competition except some of the political speeches being waffed through the air.

Total first run business was $67,900. Average is $55,000.

Estimated takings for the week ending Oct. 1:

"STAGE STRUCK" (F.N.)
"THANK YOU, JEEVES" (20th-Fox)
AMBASSADOR — (3,018), 25c-35c-55c, 7 days. **Gross:** $13,200. (Average, $9,000)

"CRAIG'S WIFE" (Col.)
"ADVENTURE IN MANHATTAN" (Col.)
FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $11,750. (Average, $14,000)

"GORGEOUS HUSSY" (M-G-M)
LOEW'S—(3,162), 25c-35c-55c, 7 days. Held over. **Gross:** $18,250. (Average, $10,000)

"WALKING ON AIR" (Radio)
"CASE OF VELVET CLAWS" (F.N.)
MISSOURI—(3,514), 25c-35c-55c, 7 days. **Gross:** $10,500. (Average, $9,000)

"ANTHONY ADVERSE" (W.B.)
ORPHEUM—(1,950), 25c-35c-55c, 7 days. **Gross:** $6,900. (Average, $7,000)

"GIRLS' DORMITORY" (20th-Fox)
LOUIS-ETTORE FIGHT
ST. LOUIS—(4,000), 25c-40c, 7 days. Stage: vaudeville. **Gross:** $7,300. (Average, $6,000)

Exhibitor Is Arrested

MINNEAPOLIS, Oct. 9.—Bennie Berger, operator of the Time, was brought into Municipal Court to answer a disorderly conduct charge growing out of the showing of "Marihuana," alleged by the police to be an "indecent and obscene" film. The court will render a decision after viewing the picture.

Close Amusement Park

BALTIMORE, Oct. 9. — The New Gwynn Oak Park has been closed for the summer by Arthur B. Price and Jack Whittle, the former proprietor of the Aurora Theatre and Lakewood Swimming Pool and national vice-president of Allied, and the latter owner of the Avenue.

To Move 20th-Fox Office

DES MOINES, Oct. 9.—The Twentieth Century-Fox offices here are to be moved on Oct. 15 into their new building at 13th and High Sts., and the formal opening is to be held on Oct. 19.

An Anniversary



Joe Vogel, Loew's, Inc., executive, who today celebrates his 27th anniversary with the company without fanfare or party.

Montreal Spot Goes To British Pictures

MONTREAL, Oct. 9.—Canada's largest city, two-thirds of the population of which speaks French, is to have an All-British film theatre, this being His Majesty's which has been operated as a legitimate and roadshow house for many years.

Following the close of the three-week roadshow run of "Romeo and Juliet" at His Majesty's recently, an all-British film policy went into effect, according to Arthur Hirsch, president of Consolidated Theatres, Ltd. British pictures were formerly largely booked into the Princess. Allan Spencer, acting manager during the engagement of "Romeo and Juliet," has been appointed permanent manager.

This development was coincident with the news that Famous Players had acquired direct stock control of 19 local theatres operated by United Amusements, with which F. P. has had a booking tieup for some years.

Five Stages Ready At Pinewood Studio

LONDON, Oct. 9.—Five stages of the eight planned have been finished at Pinewood which formally opened a few days ago. The remaining three are in construction. The country house from which the studio draws its name and which is being operated as a club for those working at the new plant currently houses Marlene Dietrich, although she is working in a picture for Alexander Korda at Denham a few miles away.

Garnett to England

LONDON, Sept. 28.—Tay Garnett, en route to Hollywood to direct a film for Twentieth Century-Fox, will return here in the spring to direct the Criterion film of the Scottish border which was abandoned temporarily because of bad weather.

"Broadcast" Reels Long

HOLLYWOOD, Oct. 9. — Parmount will release "The Big Broadcast of 1937" in 2,000-foot reels. The print will run almost 10,000 feet. For theatres not yet ready to handle the larger reels, a limited number of 1,000-foot reels will be made.

Call Bank Night No Lottery, But Unfair

MILWAUKEE, Oct. 9.—In the opinion of both the district and city attorneys' offices here, Bank Night is not a lottery, but merely "an unfair business practice."

To substantiate their view, the attorneys point to the ruling of State Attorney General James E. Finnegan declaring Bank Night not illegal and to the decisions of the supreme courts in Iowa, New Hampshire and California, which have held that Bank Night is not a lottery.

Efforts will be made to induce exhibitors to drop the practice, Geoffrey Willoughby, manager of the local Better Business Bureau, declared. Where agreements to halt what the bureau calls "lottery features" fail, exposure will follow and in some cases, it was said, requests would be made to public authorities for prosecution. L. Roy Pierce, supervisor for Fox neighborhood houses here, has declared the circuit would not abandon Bank Night in 10 of 16 outlying houses, where it is now being featured.

Drop Bank Night Suit

TAMPA, Oct. 9.—Attorneys for Mrs. Hazel Greene Felix, "Tampa's Public Bank Nite Suit'r No. 1," appeared in Circuit Court and asked that Mrs. Felix's suit against the Tampa for failure to pay her a Bank Night prize of $650 be cancelled. They gave no reason for the request.

The suit against the Tampa was brought 18 months ago. Mrs. Felix claimed that she was outside the theatre when her name was drawn and that she was refused the prize because she had not bought a ticket.

Dick and Joan Study Ritz Towers Mixing

Dick Powell and Joan Blondell, who slipped into town quietly on Tuesday with the aid of a fleet of bannered tugs, a squadron of airplanes, a regiment of ship news reporters and a welcoming committee on the dock, were at the Ritz Towers yesterday.

Warners—meaning S. Charles Einfeld and the publicity boys—thought they ought to know how the Ritz Towers specialists mix 'em and how the newspaper fan magazine writers imbibe them. They found out.

To Do Another "Jeeves"

HOLLYWOOD, Oct. 9.—Sol M. Wurtzel has decided to produce a second "Jeeves" picture. It will be called "Step Lively Jeeves," and Arthur Treacher will again portray the title character. No other assignments have been made.

Schwartz a Grandfather

CLEVELAND, Oct. 9. — Ernest Schwartz, president of the Cleveland M. P. Exhibitors Ass'n, became a grandfather yesterday when a daughter was born to his daughter, Mrs. R. H. Eckhouse, at the Michael Reese Hospital, Chicago.

Guaranteed Sets Seven

Guaranteed Pictures has acquired world distribution rights, exclusive of the United States, for five films featuring Conway Tearle, and on "Riddle Ranch" and "Gunners and Guns." All will be released immediately.

Short Subjects

"Going Places No. 28"

(Universal)

Mustering his own personal recollections, Lowell Thomas' narrative which accompanies this magnificent collection of shots of the scenic grandeur of rugged Colorado, has a note of warm familiarity with the various locations. The short is one continuous and moving sightseeing tour, going up Pike's Peak, passing through the Continental Divide to Iceberg Lake, descending to the bottom of Royal Gorge, visiting mysterious cliff dwellings, etc. It is beautifully photographed. A treat to the eyes, this issue is excellent. Production Code Seal No. 01,166. Running time, 9 mins. "G."

"Fun in the Fire House"

(Mentone-Universal)

There are camera tricks and enough smart variety in this short to make it a very entertaining little offering. Set in a fire house, the acts of Smith and Dale, Jeanne McCully, a clever tap dancer, Virginia Verrill, and Ferry Corway are given in snappy style. Light and tunefully pleasing. Production Code Seal, No. 01,125. Running time, 10 mins. "G."

Plans Musical Units

DES MOINES, Oct. 9.—Hal Bronson of New York has leased the President and will start Oct. 17, with matinee and evening performances, giving musical shows two days a week during the coming season, plans calling for films on the remaining five days. Bronson is negotiating for the Waterloo in Waterloo, Iowa, and for a house in Burlington, planning an Iowa circuit to book each show for a full week.

Warner Club Sets Party

NEW HAVEN, Oct. 9.—The local Warner Club will give its annual formal dinner-dance at the Seven Gables Inn, on Oct. 17, with a special floor show as an added attraction. Reservations for 150 employes in and out-of-town and guests have been received. President H. O'Donnell and entertainment chairman Sidney Weiner are handling arrangements.

Jane Withers' Next Set

HOLLYWOOD, Oct. 9.—Jane Withers' next picture for Twentieth Century-Fox will be "The Holy Terror," an original by Lew Breslow and John Patrick. John Stone will be associate producer and James Tinling will direct. The cast will include El Brendel, Leah Ray and Joe Lewis. Production will start Oct. 15.

Leases Louisville House

LOUISVILLE, Oct. 9.—The Drury Lane here, former burlesque house, has been leased by Fred Hurley from Dr. Irvin Abell and will reopen on Oct. 15 with a policy of six vaudeville acts and a chorus. According to the terms of the leasing agreement, no burlesque will be permitted at the house.

Add Reicher, Stebbins

HOLLYWOOD, Oct. 9.—Frank Reicher and Harry Stebbins will appear in "Camille," starring Greta Garbo, at M-G-M.

Majors Assure M.P.T.O.A. of Plan Approval

(*Continued from page* 1)

president, who conferred with sales officials this week, left for Philadelphia last night without making a statement on the results of his visit. His office here, however, said that a statement was prepared prior to his departure and would be released today for publication on Monday.

In distribution quarters it was stated that nothing more than assurances of support for the exhibitor trade practice program had been given, and that it would probably require another three to 10 days before all companies would be able to set forth the specific concessions which each would be willing to make. It was indicated, however, that the concessions, when finally defined, would embrace the four major phases of the M. P. T. O. A. program insofar as a majority of the major companies is concerned.

Finds But One Complaint

PHILADELPHIA, Oct. 9.—The first meeting of the grievance committee of the recently formed United M.P.T.O. encountered only one case, that involving a dispute between two exhibitors who were buying product in the same zone. The committee will try to effect an amicable settlement. The protest committee on high rentals has not yet been formed but is believed nearly set.

N. E. Allied Meet Set

BOSTON, Oct. 9.—Arthur K. Howard has set Oct. 13 as the date for the next business meeting of Allied here. Insurance problems coincident with the Lloyds' of London deal will be considered, but it is expected by Nathan Yamins that contracts and other buying problems will be given primary attention.

G. N. Closes Two Deals

KANSAS CITY, Oct. 9.—Grand National here has closed complete product deals with the Glen W. Dickinson circuit of 25 houses and the W. D. Fulton group of eight. James Winn, western division sales manager, has been here for the past week.

G.B. List to RKO

With the closing of the RKO deal yesterday, G. B. has sold every major circuit nationally, it was stated yesterday by George W. Weeks.

Exchange Union Moves

The Film Exchange Employes' Union has moved its headquarters from 356 W. 44th St. to 913 Broadway. Robert J. Murray, president of the union, yesterday emphatically denied rumors that the union is no longer functioning.

Brandts Get Repertory

Harry and William Brandt have acquired the Civic Repertory on E. 14th St. The former legitimate theatre landmark will be renovated and converted into a film house. Work will begin in three weeks.

Kuykendall Sails

Ed Kuykendall sailed last night for Philadelphia on J. Don Alexander's *La Vedatte*, which is scheduled to take aboard a few select seamen, such as Lewen Pizor, Jay Emanuel, Dave Barrist and Charles Segal, in the Quaker City tomorrow afternoon. Seaman Kuykendall leaves for his waterfront home in northern Mississippi the following day and will cruise from there to Memphis later, returning to New York about Oct. 21.

Defer Consolidated Vote to October 23

(*Continued from page* 1)

was asked by officials of the company after a proxy count disclosed that small shareholders had scant representation at the meeting.

H. J. Yates, president of Consolidated, said that an effort would be made between now and Oct. 23 to obtain the proxies of holders of small numbers of shares. He also agreed to meet, in the meantime, with a committee of stockholders to discuss the proposed plan of recapitalization in detail for the benefit of the minority shareholders who appeared in opposition to the plan yesterday.

Officials of Consolidated said that sufficient shares were represented at the meeting to obtain approval of the plan. They said that 223,217 shares of preferred and 320,855 shares of common were represented by proxy, and 4,754 shares of preferred and 2,862 shares of common were represented in person, constituting a quorum. Of the total, they said, 55 per cent favored the plan.

Report B. & K. Not To Bid at St. Louis

(*Continued from page* 1)

Amusement Co. stock held by Skouras Brothers Enterprises.

Skouras Brothers Enterprises holds 52 per cent of the stock in the St. Louis Amusement Co. The F. & M. interests now control 42 per cent as a result of their peace pact with Warners. They have also perfected arrangements with the Bondholders' Protective Committee for the Ambassador, Missouri and New Grand Central theatre, the principal creditor of Skouras Brothers Enterprises, whereby the bondholders will bid in the Skouras company assets and then enter into a management contract with F. & M. through one of the local subsidiaries.

Roxy Plan Hearing Is Off Until Oct. 23

(*Continued from page* 1)

which, if modified, appears as the most acceptable plan.

Attending the brief hearing yesterday were Harry G. Kosch, former receiver for the theatre; Albert Rose of Proskauer, Rose & Paskus, representing Howard S. Cullman, trustee; Irving Cohen of the Paramount legal staff; and a legal representative for Haring & Blumenthal.

U. S. Ticket Tax Gains by $1,732,777

(*Continued from page* 1)

sold at excess of box-office prices against $22,172; $117,463 on tickets sold by brokers against $94,595, and $1,338,935 on cabaret and roof garden charges against $953,799.

Analysis of box-office collections shows that increases were noted in all states except Arkansas, Colorado, Florida, Missouri, New Hampshire, New Mexico, Rhode Island, South Carolina, Tennessee, Texas, Washington and West Virginia.

The most serious decreases were $38,000 in New Hampshire, $20,000 in Colorado and $19,000 in Rhode Island.

The greatest increase in box-office admission taxes were shown by California, $188,000, followed by Massachusetts with $167,000; Indiana, $162,000; New York, $82,000; Ohio, $97,000; Illinois, $72,000; Maryland, $60,000, and Minnesota, $49,000.

The 1936 collections represent a recovery of nearly $1,700,000 from 1934, when box-office admission tax collections dropped to $13,343,620 from $14,027,693 in 1933, the bureau's records show.

Figures on the collection of taxes on tickets sold at the box-office, by states, for 1935 and 1936, are shown in the following table:

	1935	1936
Alabama	$35,883,89	$38,029.13
Alaska	13,271.60	16.837.55
Arizona	13.865.52	14.760.19
Arkansas	28.768,21	25.814.32
California	1,131,756.75	1.319.741.78
Colorado	122.985.47	102.527.19
Connecticut	164.824.84	165.128.52
Delaware	6.514.42	6,762.34
Dist. of Columbia	239.312.13	254.411.15
Florida	224.155.34	223.424.03
Georgia	54.875.83	72.773.73
Idaho	11.584.16	14.249.82
Hawaii	48,883.67	65.550.15
Illinois	1,148,485.10	1,220,739.07
Indiana	121.009.99	283.313.12
Iowa	36,465.71	53,197.39
Kansas	24.908.31	38.075.84
Kentucky	76.295.10	79.670.51
Louisiana	60.746.93	74.321.25
Maine	30.341.16	30,939.54
Maryland	186,657.28	247.119.74
Massachusetts	826,932.62	994.444.34
Michigan	484.143.48	509.707.74
Minnesota	91,567.50	140.488.50
Mississippi	8.659.64	10,468.88
Missouri	293,939.74	289.202.24
Montana	19.590.76	21,879.47
Nebraska	38.805.82	56.156.87
Nevada	8,298.97	10.153.95
New Hampshire	79.587.44	41.640.98
New Jersey	382,697.42	409.723.74
New Mexico	21,258.84	12.259.73
New York	5,496,702.52	5,778,956.06
North Carolina	58.252.92	71.482.13
North Dakota	3.660.20	3.698.41
Ohio	274,246.16	371,856.53
Oklahoma	53.890,78	74.675.46
Oregon	60,123.27	61,824.91
Pennsylvania	817,738.79	844,119.20
Rhode Island	89.839.58	70.709.39
South Carolina	26.006.81	25.734.40
South Dakota	5,726.56	9.759.78
Tennessee	77,181.81	74,137.72
Texas	438,115.52	435.256.22
Utah	20,268.06	24,195.96
Vermont	6,479.76	6,849.37
Virginia	90,165.49	102,508.13
Washington	100.818.75	100.507.62
West Virginia	19.354.53	18.411.15
Wisconsin	67.570.80	76,368.03
Wyoming	14,022.14	17,178.22
Total	$13,757,238.09	$15,001,741.49

Talent Search to England

HOLLYWOOD, Oct. 9.—The M-G-M traveling studio is set to go to Scotland, England and Ireland, in its world tour in search of talent.

Hits G.B.'s Reluctance to Inform Public

(*Continued from page* 1)

question of British control was not faced until about two weeks ago, the paper concluded, "The persistent denial to outside shareholders, who own 40 per cent of Gaumont ordinary shares, of an intimation of any offer reserved for them, and the withholding of the knowledge of earnings now overdue, set a highly undesirable precedent in the affairs of the company."

Maxwell Says G.B. Interest Deal Near

(*Continued from page* 1)

dispose of their stock interest in G. B. without his company's express consent. This clause is also binding on Twentieth-Fox insofar as any sale on its part may be contemplated.

Mirrophonic on Coast

LOS ANGELES, Oct. 9.—The Paramount here will be the first to install W. E.'s new Mirrophonic sound. Manager Harry Wallen has timed the installation to tie in with the electrical program conducted by the City of Los Angeles which will welcome the first power from Boulder Dam. "The Big Broadcast of 1937" will be on the screen.

Balcon Signs Wohlbruck

LONDON, Oct. 1.—Michael Balcon has signed Adolf Wohlbruck, of "Maskerade" for one picture a year for G.B., for three years. Concurrently, Wohlbruck will make pictures in Hollywood for Radio.

Wall Street

Paramount, Fox Board Gains

	High	Low	Close	Net Change
Columbia	39½	38¾	39	— ⅞
Columbia, pfd	46¼	46	46¼	+ ⅜
Consolidated	4⅞	4¾	4¾	.....
Consolidated, pfd.	18¾	18	18⅜	— ¼
Eastman	176	174	175	.....
Eastman, pfd	163½	163¼	163½	.....
Gen. T. Equip.	27⅛	26⅝	26⅜	— ¼
Loew's, Inc.	58⅝	58⅛	58½	+ ½
Paramount	13½	13	13½	+ ⅜
Paramount 1 pfd.	98	96	98	+2⅛
Paramount 2 pfd.	12¾	12½	12½	.....
Pathe Film	8½	8	8¼	+ ⅛
RKO	7⅞	7⅜	7⅜	— ¼
20th Century-Fox	32¼	31½	32	+ ⅞
20th Century, pfd.	40	39	40	+1⅛
Warner Bros.	14	13½	13⅝	+ ⅛
Warner, pfd	60	60	60	.....

Technicolor Best Curb Gain

	High	Low	Close	Net Change
Grand National	3⅝	3½	3⅝	+ ⅛
Sonotone	2⅛	2⅛	2⅛	— ⅛
Technicolor	26¾	26¼	26½	+ ½
Trans-Lux	4	3⅞	4	.....

Bonds Up Slightly

	High	Low	Close	Net Change
Keith B. F. 6s '46	96½	96¼	96½	.....
Loew's 6s '41 ww deb rights	99⅛	99	99⅛	+ ⅛
Paramount Pict. 6s '55	98¾	98¾	98¾	+ ½
Warner Bros. 6s '39 wd	97¼	96½	97	+ ⅛

(Quotations at close of Oct. 9)

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

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Maxwell Deal for G.B. Now Hinges on 20th-Fox

Distributor Concessions Coming Soon

Statement Expected on Or Before Oct. 26

Major distributors are expected to make known on or before Oct. 26 the specific changes in sales policies which each is willing to make in support of the trade practice program sought by the M. P. T. O. A., Ed Kuykendall, president, said in a statement issued prior to his departure from New York on Saturday for publication today.

Indicating the favorable nature of the anticipated concessions, Kuykendall asserted that "there is every prospect of ultimate success for our program," and added that "at no time during these long negotiations (to obtain distributor assent to the program) have the prospects been brighter for a genuine and practical solution of many exhibitor complaints and injustices of long standing."

As reported in MOTION PICTURE DAILY on Saturday, a majority of the major distribution companies have given definite assurances of their approval of the principal phases of the program, but an additional three to 10 days would be required to define the specific sales policy changes which would be made. Two of the companies, exclusive of Warners, which declined at the outset to give consideration to the exhibtor program, are concerned about the possibility of the anti-trust laws being involved in a

(*Continued on page* 5)

Tampa Passes Heavy Tax Upon Theatres

TAMPA, Oct. 11.—After weeks of hearings, meetings and bickering, the City Council has passed an emergency tax ordinance that will hit practically every business and profession in the city in order to raise funds needed to meet the city's share in various WPA projects.

In addition to the present occupational license fees, the new ordinance

(*Continued on page* 5)

M-G-M Opens First Theatre in Uruguay

By PAUL BODO

MONTEVIDEO, Uruguay, Oct. 1.—Cine Metro, first M-G-M house here and the largest and most luxurious theatre in the country, has opened with "Broadway Melody of 1936" as the opening attraction. M-G-M is under-

(*Continued on page* 5)

Expect Wolf Election At SMPE Meet

ROCHESTER, Oct. 11.—The election of S. K. Wolf, of Erpi Picture Consultants, subsidiary of Erpi, as the new president of the S.M.P.E., is expected to be announced today as the annual fall convention of the society begins at the Hotel Sagamore here.

Wolf would succeed Homer G. Tasker, who has been president for the past two years.

Registration of delegates will open the four-day meeting, at which about 200 are expected, to be followed by the opening address of Tasker, reports of the convention committee and the officers, and the election of new officers for 1937.

The long series of technical papers which will feature the convention will get under way today, the first to be "The Development of the Art and Science of Photography in the Twentieth Century," by C. E. Kenneth Mees of Eastman Kodak. More than 30 papers are scheduled.

Mayor Charles Stanton of Rochester will welcome the delegates at an informal luncheon, to which Tasker will reply.

The semi-annual banquet will be held on Wednesday evening at the Oak Hill Country Club, when the S.M.P.E. Journal Award and the Progress Medal will be presented.

The complete convention program follows:

Monday, Oct. 12

9 a.m.—Registration, Sagamore Hotel Roof.
10 a.m.-12—Sagamore Roof, Business and General Session.
Opening remarks by President H. G. Tasker.

(*Continued on page* 4)

Hamrick in Pooling Deal in Washington

SEATTLE, Oct. 11.—John Hamrick of this city and Mike Barovic and Pete Constanti of Tacoma have concluded a pooling arrangement on their theatre holdings in Tacoma, Puyallup and Sumner, Wash., under the name of Puget Sound Amusement Co. Included are Hamrick's Roxy, Temple,

(*Continued on page* 5)

Delay on Roxy Due to Talks With 20th-Fox

Differences over terms of the 15-year lease proposed by Twentieth Century-Fox are holding up plans of reorganization for the Roxy, it was learned over the weekend.

Last Friday, Carlos Israels of White & Case, attorneys for the bondholders' committee, was given a two-week extension by Federal Judge Francis G. Caffey when he asked for additional time to work out some of the disputed points in a lease offered by Hughes, Schurman & Dwight, attorneys for the distributor.

In seeking a continuance until Oct. 23, Israels told the court he would be ready to file a plan at that time since he had "nothing in any shape or form that meant anything to the bondholders."

While the committee looks with favor upon the distributor's interest in the house, the bondholders are holding out for a change in the lease. Instead of the provision for a guarantee and percentage of the net, the first mortgage interests are seeking a percentage of the gross in addition to a stipulated rental.

The attitude of the bondholders is that they want to benefit from the receipts and not from the net profits. The point is made that Twentieth Century-Fox spent approximately $16,000 for advertising "Girls' Dormitory" when it played at the Roxy, in addition to $6,000 for "Sing, Baby, Sing" and about $5,000 for the current showing of "Dimples." These monies could be marked off against the profits and

(*Continued on page* 4)

"Dimples" Gets Big Start at the Roxy

Shirley Temple in "Dimples" opened to a $6,100 day at the Roxy last Friday, garnered $25,000 for Saturday and Sunday and is expected to wind up the first week with from $55,000 to $60,000. Howard S. Cullman, trustee, stood in front of the theatre early Saturday morning to personally supervise handling of the crowd which

(*Continued on page* 5)

Consent Necessary; Kent Conferring on Tangle With B.I.P. Head

By BRUCE ALLAN

LONDON, Oct. 11.—The conclusion of a deal whereby John Maxwell of B.I.P. would gain control of Metropolis and Bradford Trust, wresting it from Twentieth Century-Fox, and leaving G.B. under British control, appeared yesterday to hinge upon obtaining permission to exercise a stock purchase option from Twentieth Century-Fox.

That permission, as has been indicated before, clearly is the crux of the tangled situation which has developed about the proposed purchase by Twentieth Century-Fox and Loew's of the Ostrer brothers' participation in G.B. Maxwell has bought 250,000 "B" shares in Metropolis and Bradford Trust, holding company which owns 57 per cent of the G.B. stock, from the Ostrers, and holds an option to purchase 5,100 "A" shares, which would give him control there, since the Twentieth Century-Fox holdings amount to 4,900 "A" shares.

Sidney R. Kent, Twentieth Century-Fox president, yesterday went into conference with Maxwell, and it was indicated no statement would be forthcoming until tomorrow.

It is believed here that it will be necessary for Maxwell to obtain the permission of Twentieth Century-Fox prior to an exercise of the purchase option on the "A" shares, which option clashes with the various agreements existing between Twentieth Century-Fox and the Ostrers relative to the disposal of any stock interest.

It is said here also that Kent may

(*Continued on page* 5)

CEA Given Hearing On Theatre Building

LONDON, Oct. 11.—The Essex County Council, which recently declined to hear the C. E. A. in cases where it opposed new licenses on the ground of "redundancy," consented to let them appear against an application for a Walthamstow license on the grounds that the issue of a license would be "against public interest."

The opposition was unsuccessful, but it is regarded as of legal importance that the C. E. A. has established a right of appearance, in all license cases, on these broad grounds.

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Fox Returns Optimistic

Lawrence W. Fox, Jr., one of the organizers of Standard Capital Co. which negotiated the purchase of Carl Laemmle's Universal stock, has just returned to this country from a European trip during which he organized branches of his new film financing venture, General Film Industries, Inc.

The English company is to be known as General Film Finance, Ltd. The English company will finance both British and continental production.

Prospects are excellent in England, he says, but not so bright on the continent.

Erpi Promotes Two

G. L. Carrington has been appointed operating manager for Erpi's technical activities for the territory east of the Rockies, with W. W. Simons directing servicing and installation work in the Great Lakes area. The designations were made by L. W. Conrow, Erpi's newly appointed general operating manager. P. T. Sheridan continues in charge of equipment planning and J. P. Dinsmore continues as merchandising manager, both with headquarters in New York.

Insiders' Outlook

By RED KANN

ALL accounts are not yet in and the appraisals of the situation vary. Yet the preponderance of available—and mind, you, accurate—evidence combines to place Twentieth Century-Fox in the driver's seat where the Gaumont British deal is concerned. Joe Schenck has insisted on several occasions that the Ostrers cannot dispose of their stock interest in Metropolis and Bradford Trust without the express consent of his company; the binding clause works in reverse, of course. Openly angered by the Ostrers' defection from the original transaction struck in New York in July, Schenck, meaning Joe but including Nick at the same time, insists with an emphatic insistence that he will not sell his interest, thereby implying quite clearly the Ostrers cannot as well. . . .

▼

This would appear to place the purchase negotiated by John Maxwell in London on an "if and when" basis. It requires no sage to observe that the Schencks will not grant the Ostrers the necessary permission, particularly in the light of the strength which the sale-retarding clause gives them. Out of the welter of cables, flashes and conversation surrounding the deal, it would further appear that, as matters potentially stack up, all that has happened has been, or will, to give Twentieth Century-Fox a new partner in Metropolis and Bradford. Once Ostrer, now Maxwell—perhaps. However, actually the ramifications would go beyond. . . .

▼

The weekend cable from London, detailed on page one this morning, significantly points out that Maxwell presumably has an option on 5,100 shares of the "A," or voting control stock, in M. and B. which, to remind you again, controls fifty-seven per cent of Gaumont British. Twentieth Century-Fox controls 4,900 shares of the "A." This proves several things, one of them obvious which is that Maxwell, in that wise, would capture management control. The split-up of the shares in M. and B. also proves that the Ostrers definitely, and secretly, had acquired the pivotal two per cent originally turned over to Lord Lee of Fareham for the purpose of maintaining control of G. B. in perpetual British hands. This is the first time since the deal got hot that the facts have come to light. Many months ago, Mark Ostrer told MOTION PICTURE DAILY that the two per cent had been purchased by his brothers and himself, the matter then sinking into the limbo of forgotten things until the Fox-Loew dealings with Isidore Ostrer returned it to daylight once again. . . .

▼

Now what? Well, it might be a couple of steps. London believes Sid Kent, already in one conference with Maxwell, may work out a cooperative deal. Kent has on his end of the scales the say-so on the Ostrer sale and that's a vitally strategic point. The kernel of any talks with Maxwell, however, is believed to be his insistence or no that control actually remains in London. Sensible to us is the observation that some sort of an arrangement be struck. If the two major interests in G. B. are to proceed at sword's points, the heroine of their drama inevitably and finally must suffer and with her the doughty heroes in combat. . . .

Annual Charity Film Suggested by Cukor

HOLLYWOOD, Oct. 11.—As a means of raising funds for the industry's needy and replacing all previous methods of solicitation, George Cukor proposes a lavishly produced feature every year with all studios contributing stars, directors, writers and sets for the picture. The receipts from the distribution of the film would be administered by the committee.

Cukor has volunteered to direct the first picture which he hopes will be started by next August.

Knickerbocker Signed

HOLLYWOOD, Oct. 11.—Darryl F. Zanuck has signed H. R. Knickerbocker to write the script for "The Siege of Alcazar." All screen rights to the Knickerbocker press material have also been purchased.

General Lists Five For Release Shortly

The first five productions on General Pictures schedule of 34 will be "Three Legionnaires," "Let's All Sing," "Prison Ship," "Circus Queen" and "Night Edition," Fen Kimball, president, stated on his arrival from the coast where he conferred with Robert E. Welch, production manager.

Mack D. Weinberger, sales manager, will set the release dates for the first group shortly.

Burroughs Explains Deal

HOLLYWOOD, Oct. 11.—Edgar Rice Burroughs says that his deal with Sol Lesser for use of some of his stories does not mean that he is retiring from Burroughs-Tarzan Pictures and Burroughs-Tarzan Enterprises. The Lesser contract, he states, is not for all of his works.

Legion Approves 16 Of 17 New Pictures

Of 17 new pictures reviewed and classified by the National Legion of Decency in its list for the current week, 16 were approved as unobjectionable for general patronage or for adults, and only one was designated as objectionable in part. None was condemned. The new films and their classifications follow.

Class A-1, Unobjectionable for General Patronage—"Adventure in Manhattan," "Aufforderung Zum Tanz" (German), "The Big Broadcast of 1937," "The Big Game," "The Case of the Black Cat," "Dimples," "Killer at Large," "The President's Mystery," "Ride, Ranger, Ride." Class A-2, Unobjectionable for Adults—"Heisses Blut" (German), "Ladies in Love," "The Magnificent Brute," "The Man Who Lived Twice," "Mutter und Kind" (German), "Three-Cornered Hat" (Italian), "Without Orders." Class B, Objectionable in Part—"Libeled Lady."

Warner Staying in London to Testify

LONDON, Oct. 11.—Jack Warner, vice-president in charge of Warner production, is staying here to testify in the suit filed by the company to enjoin Bette Davis from working in a Toeplitz production.

Denton, Hall & Burgin, local solicitors for Warners, are preparing the papers in conjunction with the distributor's headquarters in New York. It is expected the action will come up for hearing the latter part of the month.

The Warner action is the first in many years filed by a film company here to restrain a player from working for another company.

Name Evergreen Winners

SEATTLE, Oct. 11.—The prize winners in the third quarter contest of the Evergreen States circuit were: Frank L. Newman, Jr., Portland Orpheum, "A" division; Al Baker, Spokane Fox, "B" division; Ronald Harrington, Portland Oriental, "C" division, and James O'Connell, Rex, Eugene, Ore., "D" division. The state division honors went to the Washington group, headed by Al Rosenberg.

Set Bergner Premiere

SAN FRANCISCO, Oct. 11.—"As You Like It," British Inter-Allied production of the Shakespearean play, which is released in this country by Twentieth Century-Fox, will have its premiere at Louis Lurie's Geary here Oct. 23. Roadshow policy and prices will prevail for the indefinite run.

To Set I. T. O. Meeting

COLUMBUS, Oct. 11.—Martin Smith, president of the I.T.O. of Ohio, has called a meeting of the board of directors to be held here at the Neil House on Oct. 15 when the directors will set the dates of the annual state convention.

Bachelors Dine Greene

WOONSOCKET, R. I., Oct. 11.—Fred J. Greene, Woonsocket theatre owner, was the guest of honor at a bachelor dinner which was attended by 125 prominent business and professional men. Greene will be married Oct. 17 to Miss Alice R. Connor.

SUPER X STARS

EASTMAN Super X helps the cameraman as no other film has ever helped before . . . to enhance his artistry . . . to solve difficult situations. It helps the exhibitor, too, by delivering photographic quality that undeniably heightens box-office appeal. In this dual role, Super X stars in the fullest sense of the word. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, New York, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

Delay on Roxy Due to Talks With 20th-Fox

(*Continued from page* 1)

would mean proportionately less if the bondholders took the deal as offered by Twentieth Century-Fox. However, under the bondholders' arrangements the amount of money spent by the distributor for advertising and publicity would mean nothing as the gross percentage would remain the same.

In the event a deal is worked out with the distributor, the bondholders intend to reorganize the Roxy with a newly formed company to make the lease. It is highly likely Howard S. Cullman, trustee, will be elected chairman of the board of the new company. Cullman, with Harry C. Arthur, now has a plan before the committee providing for a management contract, which has been ruled out of the running, it is learned. Harry Brandt's plan, likewise, has no chance.

Strand Lease a Factor

Warners, through Warner Bros. Circuit Management, Inc., has made a rehabilitation proposal through downtown bankers, it was stated. This offer has been rejected on the ground that Warners would not promise any "A" product for the Roxy. The bondholders further are skeptical of the Warner plan in view of reports that the lease on the Strand provides that the theatre has to be torn down by 1941, when the company must erect a 4,000-seat house on the site.

Si Fabian has two bids before the committee. One is to lease the theatre for a long term on a guarantee and percentage of the profits and the second is to call in the $3,500,000 first mortgage bonds for new securities of the same amount, plus reorganization costs. One of the two propositions may have a chance in the event the Twentieth Century-Fox plan does not finally meet with approval of the bondholders, it was said.

A representative for Haring & Blumenthal was in court last week, but it is doubtful whether this group will present a plan. It was pointed out that the second bondholders are working with the first mortgage group on the reorganization and unless H. & B. can get 25 per cent of the outstanding creditors to support a proposal, the company cannot file a plan with the court.

Paramount Seems Disinterested

The fact that Irving Cohen of the Paramount legal department appeared in the court room last Friday has no significance, it was said. This company has not made any proposals and as far as it is known Paramount is not interested.

At least three more formulas have been presented to the bondholders by groups not named. One of the unnamed parties on Friday morning made a last minute effort to revise his plan, but no serious attention was given it. The bondholders hope to work out the Roxy future with Twentieth Century-Fox.

Of all the proposals submitted to the committee, not one provided for the par return in cash of the first mortgage bonds, it was said.

Expect Wolf Election At SMPE Meet

(*Continued from page* 1)

Report of the Convention Committee; W. C. Kunzmann, convention vice-president.
Society Business
Election of officers for 1937.
Report of the secretary, J. H. Kurlander.
Report of the treasurer, T. E. Shea.
Report of the membership committee, E. R. Geib, chairman.
"Slide Rule Sketches of Hollywood," H. G. Tasker, Universal.
"The Development of the Art and Science of Photography in the Twentieth Century," (Illustrated) C. E. Kenneth Mees, Eastman Kodak.
12:30 p.m.—Main Dining Room; Informal Luncheon.
For members and guests. Address of welcome by Charles Stanton, Mayor of Rochester; response by President Tasker.
2 p.m.-5 p.m. — Sagamore Hotel Roof, Sound and Apparatus Session.
Report of the Sound Committee, P. H. Evans, Chairman.
"A Record Word-Spotting Mechanism," R. H. Heacock, RCA.
"Modern Loud Speaking Telephones and Their Developments," C. Flannagan, R. Wolf, and W. C. Jones, Erpi.
"A Review of the Quest for Constant Speed," E. W. Kellogg, RCA.
Symposium on Projector-Testing Devices.
"A New Type of Peak Reading Volume Indicator," F. L. Hopper, Erpi.
"A Neon Type Volume Indicator," S. Read, Jr., RCA.
"A Neon Tube Oscilloscope as a Utility Instrument for the Projection Room," F. H. Richardson, Motion Picture Herald, and T. P. Hover, Ohio Theatre, Lima, Ohio.
"The Schwarzkopf Method of Identifying Criminals," J. Frank, Jr., RCA.
Demonstration Film Showing Several Applications of Photography with Polarized Light.
8:15 p.m.—Eastman Theatre, Special Lecture Demonstration.
"Color Photography" (with demonstrations and films, C. E. K. Mees, vice-president and director of research, Eastman Kodak.

Tuesday, Oct. 13

9 a.m.—Buses will be at the Sagamore to transport members and guests to the Kodak Research Laboratories at Kodak Park.
10 a.m.-1 p.m. — Auditorium, Kodak Research Laboratories, General Technical Session.
"The Kodak Research Laboratories," C. E. Kenneth Mees, Eastman Kodak.
"Manufacture of Motion Picture Film," E. K. Carver, Eastman Kodak.
"Stability of Motion Picture Film as Determined by Accelerated Aging," J. R. Hill and C. G. Weber, National Bureau of Standards, Washington.
"The Care of Slide-Films and Motion Picture Film," C. G. Weber and J. R. Hill, National Bureau of Standards, Washington.
"Fire Protection in the Motion Picture Industry," H. Anderson, Paramount.
1:10 p.m.—Invitation Luncheon at the Kodak Park Plant of Eastman Kodak.
2 p.m.-5 p.m.—Inspection tour of Kodak Park and the Kodak Research Laboratories.

Wednesday, Oct. 14

9:30 a.m.-12:15 p.m.—Sagamore Hotel Roof: Optics and Lighting Session.
"The Art of Lighting," G. Folsey, Hollywood.
"Effect of Lens Aberrations upon Image Quality," W. B. Rayton, Bausch & Lomb.
"Mercury Arcs of Increased Brightness and Efficiency," L. J. Buttolph, General Electric Vapor Lamp Co., Hoboken, N. J.
Report of the Studio Lighting Committee, R. E. Farnham, chairman.
"Recent Developments of High-Intensity Arc Spotlamps for Motion Picture Production," E. C. Richardson, Mole-Richardson, Inc., Hollywood.
"Trick and Process Cinematography," J. A. Norling, Loucks & Norling Studios, New York.
"A Third-Dimension Effect in Animated Cartoons," J. E. Burks, Fleischer Studios.
1:10 p.m.—Invitation Luncheon at Bausch & Lomb. Transportation will be provided. Busses will leave the Sagamore Hotel at 12:30 p.m.
2 p.m.-5 p.m.—Inspection Tour of Bausch & Lomb plant.
7:30 p.m.—Oak Hill Country Club, Semi-Annual Banquet.
Motorcoach transportation will be provided to and from the Club by the transportation committee. Coaches will leave the Sagamore Hotel promptly at 7 p.m.
Presentation of S.M.P.E. Journal Award.
Presentation of S.M.P.E. Progress Medal.
Addresses by eminent members of the industry.
Dancing and entertainment.

Thursday, Oct. 15

9:30 a.m-12:15 p.m.—Sagamore Hotel Roof; Apparatus and Equipment Symposium.
"Continuous Projection as Applied to Film-Viewing Machines," J. L. Spence, Akeley Camera, Inc.
"New Recording Equipment" and "An Improved Reel-End Alarm," D. Canady, Canady Sound Appliance Co., Cleveland.
"Three-Wire Direct-Current Supply for Projector Arcs," C. C. Dash, Hertner Electric Co., Cleveland.
"A Demonstration Triode Tube," F. E. Eldridge and H. F. Dart, Westinghouse Lamp Co., Bloomfield, N. J.
"New Theatre Reproducing Equipment," J. S. Pesce, RCA.
Report of the Standards Committee; E. K. Carver, chairman.
"The Use of Visual Equipment in Elementary and Secondary Schools," C. M. Koon, Office of Education, U. S. Dep't. of the Interior, Washington.
2 p.m.-5:00 p.m.—Sagamore Hotel Roof; Laboratory Session.
"The Performance Record of an Automatic Recording Densitometer," C. Tuttle and M. E. Russell, Eastman Kodak.
"A Developing Machine for Sensitometric Work," L. A. Jones, M. E. Russell, and H. R. Beacham, Eastman Kodak.
"Some Aspects of Reduction Printing," G. Friedl, Jr., Erpi.
"Influence of Sprocket Hole Perforations upon the Development of Adjacent Sound-Track Areas," J. G. Frayne and V. Pagliarulo, Erpi.
"Improvements in Lenticulated Film," G. Gretener, Opticolor Co., Glarus, Switzerland.

Schwartz Gets Pen

Governor Lehman has conferred a signal honor upon A. H. Schwartz, operating head of Century Circuit, by giving the exhibitor leader the pen with which the chief executive signed the Joseph Bill for the admission of children to theatres.

Schwartz was a prime mover in the campaign for passage of the law, which had been his ambition since he entered the business about 25 years ago. Accompanying the cerise pen is a letter signed by the governor. Schwartz has both framed in his private office.

Trouble Mars First Test of Television

LONDON, Oct. 11.—Inaugurating its "trial transmissions" of television, the British Broadcasting Corp. did not score a very great success, reception of the variety turns being marked by a degree of distortion which at last became invisibility. A failure of water supply leading to inefficient valve cooling was given as the reason. Transferred to another studio, the transmissions came through very clearly.

Announcing "a technical hitch" the B. B. C. stated that transmissions on Oct. 2 and 3 would be confined to films. The original schedule was that films would be used in the morning hour and direct transmission in the afternoons. Main news-reel items shown today were the start of the air race to Johannesburg and the arrival of Beryl Markham after her Atlantic flight.

Shubert-Rialto to Reopen with Duals

F. & M. will reopen the Shubert-Rialto in St. Louis as a first run with dual features on Friday, Harry C. Arthur, Jr., stated over the weekend. He also said that the stage policy inaugurated recently at the Ambassador in that city is highly successful.

Accompanied by his wife and son, Richard Charles; his brother, Edwin, who is to take an executive position in the Mound City; and William Schneider, his secretary, Arthur will leave by car tomorrow to join his two sons and make his permanent headquarters in St. Louis.

One week every month will be spent by Arthur in New York. He also will spend his summers here, during which he will do the film buying for the first runs.

Century Takes Over Cedarhurst Theatre

The Century Circuit this week will add the Central, Cedarhurst, L. I., to its string of theatres, having completed a deal with Moss and Rogers, owners. Harry Shiffman recently booked the theatre for the owners, but dropped out of the situation.

The acquisition of the Cedarhurst house will not affect the pooling deal the circuit has with Skouras. The two circuits had come to an understanding prior to the change in management of the Central.

Leonard on "Maytime"

HOLLYWOOD, Oct. 11. — Robert Z. Leonard has been assigned by Hunt Stromberg to direct "Maytime" at M-G-M. Edmund Goulding had been the director, but resigned because he felt that he had worked so closely with Irving Thalberg on the film that he would not do justice to it under another producer. John Barrymore has been cast in support of Nelson Eddy and Jeanette MacDonald.

Indiana May Stay Dark

INDIANAPOLIS, Oct. 11.—The Indiana, the city's largest house, apparently won't reopen this winter. For the last five years the theatre closed for the summer and reopened in late September. The only show booked is "The Great Waltz," for Nov. 16-18. Art J. Baker, manager of the Circle and Indiana, has nothing to say of future plans.

Members Only Is Rule

Because the committee in charge feels the Tower Club of the Park Central would be overcrowded if guests are permitted, the Monday Knighters have ruled that only members will be admitted to the testimonial beefsteak dinner to be tendered to Moe Streimer on Oct. 20. The U. A. home office representative will be presented with a handsome gift by the organization.

Two Abroad for Walsh

Raoul Walsh has been signed by Criterion, of London, to direct two films which will star Douglas Fairbanks, Jr. The first film will be adapted from the novel, "Jump for Glory." Production will begin Nov. 15.

Maxwell G.B. Deal Hinges On 20th-Fox

(*Continued from page* 1)

find a working agreement with Maxwell to be more advantageous from a business standpoint than the sale of the G.B. shares to Maxwell, at a price governed by the balance sheet of G.B.

However, there is a definite possibility that a deadlock in the negotiations will result if Kent insists that the Ostrers are committed to the Twentieth Century-Fox agreements.

It is indicated that M-G-M is not in the deal, since their connection has been tentative and with Twentieth Century-Fox only. The anticipation here is that Maxwell and Kent will announce an agreement tomorrow.

An important factor in the present situation is that the American deal failed on the British control clause, which is considered highly dangerous to alter in view of the British Government's obvious distaste for the arrangement. It is understood that Maxwell advised Joseph M. Schenck, chairman of the board of Twentieth Century-Fox, during the latter's recent visit here of the Government's attitude toward the deal.

Elimination of Ostrers Expected

Maxwell's plans are understood to call for G.B. and Associated British Pictures remaining as separate companies, with himself as liaison. The early elimination of the Ostrers from the company is anticipated, with Mark probably going out within a year. Drastic economies and executive readjustments are also part of the plan.

Nominally the object in retaining the separate identities of the two companies is to safeguard the rights of the G.B. stockholders, but actually it leaves Maxwell in the clear relative to the bad financial state of G.B.

Maxwell is expected to retain separate the studios and circuits, but obviously the probability exists of the ultimate consolidation of the G. B. and A.B.P. interests, under a complete financial reorganization.

Stock Quotation Advances

Maxwell is paying £1,250,000 for the "B" shares of M. & B. The ordinary shares yesterday jumped two shillings, to 19 shillings, with jobbers refusing to make a price on G.B. shares.

The *Financial Times*, which Friday in a lead story scored the failure of the controlling interests to adequately inform the G.B. shareholders of the status of the negotiations, yesterday noted in a lead article that the statement on the Maxwell purchase followed almost immediately on the publication of their Friday story. The paper yesterday stressed the fact that no reference was made to the American stake in M. & B., saying, "The consent of these American parties may be necessary. The possibility of their being required to sell their Gaumont interest to A.B.P. cannot be ruled out. Meanwhile, the question of prompt G.B. action on overdue accounts and the dividend becomes no less urgent. The company (G.B.) by its own declaration shows itself not concerned with the fate of blocks of its shares. Forty per cent of the Gaumont ordinary shares is in the hands of the public, representing an interest whose predominant immediate concern is a knowledge of the financial status of the company for the past year."

Starts Ninth Year

London, Oct. 1.—The ninth year of the Films Act began today with the British quota unchanged at 20 per cent for both exhibitors and distributors. The act formally lapses on Sept. 30, 1938, but the general expectation is that it will be renewed or replaced by a similar measure as a result of recommendations of the sitting Statutory Committee specially appointed to consider the situation created by the end of the act.

"Dimples" Gets Big Start at the Roxy

(*Continued from page* 1)

gathered quite early and continued throughout the day.

The Capitol, on the third week of "The Great Ziegfeld," tallied approximately $33,000. It is expected the fourth week will end with around $26,000. On Saturday morning, the theatre pulled a novelty publicity stunt for "The Devil Is a Sissy," which will start a two-week run on Friday. A parade of 2,600 juveniles, chosen by the Police Department from 30,000 who have some resemblance to Jackie Cooper, Mickey Rooney and Freddie Bartholomew marched down Broadway to the tune of a brass band and then witnessed a preview of the film.

"Ramona" opened to $3,100 at the Criterion last Wednesday and it is estimated the first week's take will be around $25,000.

M-G-M Opens First Theatre in Uruguay

(*Continued from page* 1)

stood to have spent about $250,000 on the house, which seats 1,300.

* * *

Cashiers and theatre ushers are now required to undergo annual medical examination and to hold health certificates from the municipal sanitary department. The purpose of the requirement is the prevention of the spread of disease which is possible through the handling of tickets.

Hamrick in Pooling Deal in Washington

(*Continued from page* 1)

Music Box and Blue Mouse in Tacoma; the Roxy and Liberty in Puyallup, the Riviera in Sumner, and Constanti's Riviera and Beverly in Tacoma.

Ned Edris, Hamrick's Tacoma city manager, will handle bookings for the first run houses in the circuit, it is reported. Barovic will supervise the operation of the subsequent runs.

Shift Three Managers

MONTGOMERY, Ala., Oct. 11.—Frank Dudley, manager of the Tivoli, has been shifted to the management of the Strand, succeeding Olan Fikes, who has been transferred to manage the Rialto in Chattanooga, Tenn. Ellsworth Dye, Jr., formerly of the Empre, has replaced Dudley.

Distributor Concessions Coming Soon

(*Continued from page* 1)

change of their sales policies to meet the exhibitors' requests.

A reference to this is found in Kuykendall's statement in which he says "gratifying progress is being made, I find, in overcoming obstacles and reducing objections of both a legal and practical nature" to effect the ultimate success of the program. Moreover, he reassures such companies that "it should be noted that no formal or informal agreement between M. P. T. O. A. and any one or all of the distributors is necessary; our proposals as submitted in writing with the full approval of our entire board of directors requested definite modifications of sales policies and trade practices on the part of the distributor. All we want is to have them do it."

The principal concessions by at least a majority of the major distributors will embrace unrestricted cancellation, elimination of the score charge, adoption of the short form of contract and the establishment of local conciliation boards, which insure the success of the entire exhibitor program as formulated.

Kuykendall said that he expected to return to New York on Oct. 26.

Tampa Passes Heavy Tax Upon Theatres

(*Continued from page* 1)

provides that all wholesale businesses will have to pay a tax of seven and one-half cents on each $100 of sales. Retail businesses will have to pay a tax of 25 cents on each $100 of sales, and theatres are listed in this class, but, there is a special paragraph devoted to theatres, which provides that each theatre operating Bank Night shall pay an additional tax of $1 on each $100 of receipts.

This clause will hit the Tampa and Victory, both operated by the Sparks circuit; the Ritz in Ybor City and the Royal in West Tampa. Both of these houses are operated by Casino Enterprises.

Cleveland Group to Fight Proposed Tax

CLEVELAND, Oct. 11.—M. B. Horwitz, Henry Greenberger, L. G. Baldwin and G. W. Erdmann, representing the film interests, Alva Bradley, owner of the Cleveland Indians, representing baseball, and J. E. Lambie of Euclid Beach Park, representing amusement parks, were named to a committee to lead the fight against the proposed constitutional amendment eliminating the present three per cent sales tax on food.

It has been proposed to reinstate a 10 per cent amusement tax to help compensate for the $15,000,000 annual loss of revenue which would result from the proposed legislation. Amusement places now pay three per cent of their gross receipts. P. J. Wood, who called the meeting, pointed out that instead of saving three per cent, the public will be forced to pay a 10 per cent tax on a wide variety of articles.

Short Subjects

"The Unpopular Mechanic"

(*Universal*)

Another Oswald Rabbit offering. It concerns his efforts and success in building a trick radio machine. When the beam from the set hits the Duck family they do Apache dances, swimming, tangoes and some fancy piano playing. All come to grief when the Pup receives wrestling waves and tosses everyone out of the house. It is genuinely amusing with clever animation and pictorial invention. Production Code Seal No. 2,445. Running time, 8 mins. "G."

"Stranger Than Fiction No. 28"

(*Universal*)

Following the theme of the title, this number of the issue contains shots of an animal surgeon, wooden training horses for the British cavalry, a method concealing objects in an unlaid hen's egg, and others which have their points. Pretty good stuff. Production Code Seal No. 01,170. Running time, 9 mins. "G."

"Stranger Than Fiction No. 29"

(*Universal*)

A racecourse that crosses a highway, a public elevator in Oregon City, Ore., chaining locomotives that would run away, a marine mail carrier, and a golf course in Cleveland that gives $100 for a hole-in-one and other items make up the usual entertainment and novelty to be found in this series. At times a bit strange, but that is a basic requirement, they have audience appeal. Production Code Seal No. 01,171. Running time, 9 mins. "G."

Hold F. W. C. Conference

SAN FRANCISCO, Oct. 11.—Charles P. Skouras is here from Los Angeles for conferences on new Fox West Coast plans. With Skouras are Albert Hanson, executive assistant; Andrew Krappman, private secretary; Cullen Espy, Los Angeles district manager; Charles A. Buckley, attorney; George Topper, treasurer, and Tom Page, statistician. A. M. Bowles, northern California division head, met with the group.

Raise Price in Columbus

COLUMBUS, Oct. 11.—The RKO Palace has advanced matinee and evening admissions from 30 and 40 cents to 35 cents until 1 P. M., 42 cents until 6 P. M. and 60 cents in the evening for the current stage engagement of "Folies Parisienne." "Two in a Crowd" is the screen feature.

Gilbert Ashes Buried

GLENDALE, Cal., Oct. 11.—The ashes of John Gilbert, who died Jan. 9, were buried in Forest Lawn Memorial Park here. Charles A. Greene, executor of the Gilbert estate, was the only witness to the interment.

Charles J. Davis Dies

WASHINGTON, Oct. 11.—Charles J. Davis, 44, Fox Movietone cameraman, who had covered many of President Roosevelt's trips, died at Georgetown Hospital where he underwent an operation 10 days ago.

Purely Personal

MIRIAM HOPKINS, JACK COHN, RUTH ETTING, ANATOL LITVAK, ERNEST TOLLER, GERMAN author; LILI CHRISTIAN GRATNOFF, film actress discovered by MAX REINHARDT; WILLIAM MORRIS, JR., and PAUL GRAET, Paris representative for Export Film Co., are among the passengers on the *Normandie*, due today.

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FANNIE HURST, BUGS BAER, DONALD FLAMM, JACK DEMPSEY, JOE CONNOLLY and ALFRED McCOSKER will be among the speakers tomorrow night on HARRY HERSHFIELD'S farewell party to be broadcast over WMCA. HERSHFIELD is leaving shortly for the coast to join the Warner writing roster.

•

WALTER J. HUTCHINSON, head of Twentieth Century-Fox foreign activities, will return from his world tour around the first of the year. He will leave the Antipodes next month.

•

MERVYN FREEMAN, Universal Newsreel cameraman who was injured recently by a camel, is in town to photograph the Vanderbilt Cup Race. He'll return to the coast on Tuesday.

•

ALOIS HAVRILLA, radio announcer, has been signed by Universal as commentator for its "Stranger Than Fiction" series under supervision of CHARLES FORD.

•

W. J. FIGUEROA, sales manager of Astor Pictures, left for New Orleans by plane Saturday to visit southern exchanges.

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GERTRUDE LAWRENCE arrives on the *Aquitania* tomorrow. Also aboard that ship is B. A. MEYER, the producer.

•

. . . Los Angeles

ROBERT LEONARD of the Pallo, Escondido, is in town booking. So is WILLIAM NAGEL of El Morro, Gallup, New Mexico.

FRED MEYERS of the Radio home office is here for about 10 days looking over product.

CHARLES STURDEVANT has closed the Orpheum in Yuma for remodeling.

RALPH E. PERKINS has sold the Norwalk in Norwalk, Cal., to DEL O. DEUSLER.

T. J. O'DONNELL, Grand National auditor, has left for San Francisco, Seattle and Denver.

U. A. Promotes Salesman

CLEVELAND, Oct. 11.—Norman Levin, covering the Toledo territory for United Artists for the past five years, has been promoted to city salesman and assistant to branch manager A. M. Goodman. William Barron, formerly in the Pittsburgh office, succeeds Levin in Toledo.

Gable Named Manager

KANSAS CITY, Oct. 11.—William Gable, a distant relation of Clark, has been named manager of the Dickinson, a Glen W. Dickenson unit, at Osage City, Kan.

Skeets Mills goes to the Uptown, Dickenson house at Parsons, Kan.

"Wives" Gets Denver Lead; Pulls $8,500

DENVER, Oct. 11.—"Wives Never Know," with a stage band, nearly doubled par at the Denver by grossing $8,500 for the best showing of the week.

"The Great Ziegfeld" held up to $7,000 in its second week at the Orpheum.

"Stage Struck" took $7,000 at the Denver, under par by $500, and was moved to the Broadway for a second week.

Principal competition this week is George White's "Scandals" for two days, and a walkathon.

Total first run business was $31,000. Average is $28,000.

Estimated takings for the week ending Oct. 8:

"RAMONA" (20th-Fox)
ALADDIN—(1,500), 25c-40c-50c, 7 days, following a week at the Denver. **Gross:** $3,000. (Average, $3,000)
"STAR FOR A NIGHT" (20th-Fox)
BROADWAY—(1,500), 25c-40c, 7 days. **Gross:** $1,000. (Average, $2,000)
"SECRET AGENT" (G.B.)
"SITTING ON THE MOON" (Republic)
CENTER—(1,500), 15c-25c-35c, 7 days. Stage show. **Gross:** $2,000. (Average, $2,000)
"WIVES NEVER KNOW" (Para.)
DENHAM—(1,500), 25c-35c-40c, 7 days. Stage show. **Gross:** $8,500. (Average, $4,500)
"STAGE STRUCK" (F.N.)
DENVER—(2,500), 25c-35c-50c, 7 days. Stage band. **Gross:** $7,000. (Average, $7,500)
"THE GREAT ZIEGFELD" (M-G-M)
ORPHEUM—(2,600), 30c-40c-55c, 7 days, 2nd week. **Gross:** $7,000. (Average, $6,000)
"PUBLIC ENEMY'S WIFE" (W.B.)
"LOVE BEGINS AT TWENTY" (F.N.)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $2,500. (Average, $3,500)

Mantell-Leff Settle Buying Differences

After an argument over the right to buy product for the Art and the Star in which they are partners, Edmund Mantell and Abraham Leff have turned the job over to Henry Suchman, who has just assumed his new duties.

In addition to the Ritz and Stadium, Mantell operates the Tiffany which is in the competitive vicinity of the Star and Art. Leff has the Radio, DeLuxe, Fenway, Lido, Tower and another house on 172nd St. aside from the Freeman, also in the Star and Art zone. Both partners objected to the other buying because of their other interests, with the result Suchman was called in late Thursday night to act as arbitrator. He came out of the conference with the job and now Leff and Mantell are satisfied.

Naval Officer Signed

HOLLYWOOD, Oct. 11.—Lieut. Commander Frank Wead, naval flyer whose service career was halted by an injury, has been signed for the Radio writing staff by Samuel J. Briskin. Wead at the present time is collaborating with John Twist on the adaptation of "Coast Patrol," a Wead original.

Named Censor Clerk

KANSAS CITY, Oct. 11.—Hazel Myers, former chairman of the Kansas board of review, who recently was succeeded by Mrs. L. H. Chapman, has been appointed a clerk for the board.

Cleveland Clubs Will Back "Dream" Shows

CLEVELAND, Oct. 11.—At the invitation of the Cleveland Cinema Club, 78 men and women representing 47 of the leading cultural, educational and civic groups of Greater Cleveland, met in the Statler Hotel to discuss ways of lending support to the first popular priced local showing of "A Midsummer Night's Dream," opening at Warners' Hippodrome, Oct. 17.

Mrs. W. J. MacLachlan, former president of the club, said: "You have asked for this type of picture. Now you've got it, what are you going to do about it?"

Leaders of various groups agreed to sponsor certain days, and to have their own members present at the Hippodrome on that day as hostesses. Among those who will have "days" are the Federation of Women's Clubs, the PTA of Greater Cleveland, the D.A.R., the Daughters of the British Empire, the Shakespeare Garden group and the Cleveland Public Library which agreed to erect a Shakespeare book display in the Hippodrome foyer on "Library Day."

Permanence Voted

The group voted to become a permanent sponsoring body for pictures like "A Midsummer Night's Dream" and "Romeo and Juliet."

Present at the gathering were representatives not only of the local club groups, but also heads of the English departments of Western Reserve University, Cleveland College, the Cleveland Board of Education, the Catholic organization, Jewish groups. Y.M.-C.A., Girl Scouts, and Boy Scouts.

Speakers were Prof. George Kernodle of Cleveland College, Sidney Dannenberg, head of the local Warner publicity department, and Mrs. Georgia Moffett, secretary of the Cleveland Film Board of Trade.

Wall Street

Short Board Gains

	High	Low	Close	Net Change
Columbia	39	39	39	.....
Columbia, pfd.	46½	46½	46½	+ ¼
Consolidated Film	4⅞	4¾	4⅞	+ ⅛
Consolidated, pfd.	17⅞	17¾	17⅞	— ½
Eastman Kodak	176½	176½	176½	+1½
General Theatre Equipment	26¾	26½	26⅝	— ⅛
Loew's, Inc.	58¾	58½	58¾	+ ¼
Paramount	13⅜	13¼	13⅜	— ⅛
Paramount 1 pfd.	98¼	97¾	97¾	— ¼
Paramount 2 pfd.	12½	12½	12½	.....
Pathe Film	8¼	8	8¼	.....
RKO	7½	7⅜	7½	+ ⅛
20th Century-Fox	32	32	32	.....
20th Century, pfd.	39¾	39¾	39¾	— ¼
Warner Bros.	13⅞	13⅜	13⅜	.....

Technicolor Up a Point

	High	Low	Close	Net Change
Grand National	3⅝	3½	3½	— ⅛
Technicolor	27½	27	27½	+1
Trans Lux	4	4	4	.....

Bonds Off Slightly

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	99⅛	99⅛	99⅛	.....
Paramount Broadway 3s '55	64	64	64	— ½
Paramount Pictures 6s '55	98¾	98⅜	98⅜	— ⅜
Warner Bros. 6s '39 wd	96½	96½	96½	— ½

(Quotations at close of Oct. 10.)

Street Closed Today

Trading activities in Wall Street have been suspended today in observance of Columbus Day.

"Godfrey" Is Philadelphia Hit, $20,000

PHILADELPHIA, Oct. 11.—"My Man Godfrey" supplied the cheery news of the week with its $20,000 at the Boyd. It was held for a second week.

Right with it was "Dodsworth's" second week at the Aldine; $14,000, a much better figure than most first week grosses for the house.

The Fox and the Earle, without their stage shows, slipped, though the $13,000 at the former for "Mary of Scotland" and the $12,500 for "Devil Is a Sissy" at the latter probably spelled profits.

"The General Died at Dawn" tilted the average a little with $15,000.

Film men are beginning to eye askance the heat of the political situation here, finding their biggest competition at present from rallies as well as the national political broadcasts.

Total first run business was $88,000. Average is $81,560.

Estimated takings for the week ending Oct. 8:

"DODSWORTH" (U.A.)
ALDINE—(1,300), 40c-55c-65c, 7 days, 2nd week. **Gross:** $14,000. (Average, $8,160)
"A SON COMES HOME" (Para.)
ARCADIA—(600), 25c-40c-50c, 6 days. **Gross:** $1,600. (Average, 7 days, $2,800)
"MY MAN GODFREY" (Univ.)
BOYD—(2,400), 40c-55c, 7 days. **Gross:** $20,000. (Average, $14,000)
"DEVIL IS A SISSY" (M-G-M)
EARLE—(2,000), 25c-40c-55c, 7 days. **Gross:** $12,500. (Average, $14,000)
"MARY OF SCOTLAND" (Radio)
FOX—(3,000), 40c-55c-65c, 7 days. **Gross:** $13,000. (Average, $14,000)
"ROAD TO GLORY" (20th-Fox)
KARLTON—(1,000). 25c-35c-40c, 7 days, 2nd run. **Gross:** $2,900. (Average, $4,000)
"GREAT ZIEGFELD" (M-G-M)
KEITH'S—(2,000), 30c-40c-50c, 7 days. 2nd run. **Gross:** $3,100. (Average, $4,000)
"GENERAL DIED AT DAWN" (Para.)
STANLEY—(3,700), 40c-55c, 7 days. **Gross:** $15,000. (Average, $14,000)
"SEVEN SINNERS" (G.B.)
STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $5,900. (Average, $7,000)

Sign Gordon and Ravel

HOLLYWOOD, Oct. 11.—Darryl F. Zanuck has assigned Mack Gordon and Harry Ravel to write the musical numbers for "Wake Up and Live" and "Sally Irene and Mary," the two musicals soon to go into production at Twentieth Century-Fox.

Earl Carroll and Harold Wilson will jointly be credited as associate producers on "Sally, Irene and Mary," and Allen Rivkin will write the screen play.

Century to Open Two

Century Circuit plans to open the Elm, Brooklyn, and another theatre in Manhasset, L. I., as yet unnamed, on Thanksgiving Day. Loew's, Sam Rinzler and Edward Rugoff have an interest in the Elm.

The new Triangle, Brooklyn, which was opened last Friday, was built by Century with Loew's as a 50 per cent partner. Century is operating.

Credits Two Directors

HOLLYWOOD, Oct. 11.—Samuel Goldwyn will give screen directing credit to both Howard Hawks and William Wyler on "Come and Get It." Wyler finished making the picture after Hawks retired from the job.

When you see a HERALD review quoted:

You know it was not written as a vehicle of verbal antics by a reviewer seeking the glorification of advertising display the next week—or merely trying to be smart.

And the Herald, with its articles and editorials widely and continuously quoted in the world press, enjoys a status and acceptance that can not be enhanced by quotation of reviews inside an industry which already knows the Herald above all others.

Herald reviews are inventories of product for the showmen who will have that product to sell on their screens. Herald reviews have no other purpose.



MOTION PICTURE HERALD

(Member Audit Bureau of Circulations)

"Godfrey" Is Boston Lead With $21,000

BOSTON, Oct. 11.—"My Man Godfrey" led the field by a wide margin at the RKO Memorial on a gross of $21,000, over average by $9,000.

The only other attraction to make a strong showing was "Star for a Night" which garnered $14,000, up by $3,000, at the RKO Boston with a stage show called "Follow the Stars."

A combination of "A Midsummer Night's Dream" and "A Son Comes Home" went $500 over the line to $5,000 at the Fenway and $1,000 over on a take of $8,000 at the Paramount.

"The Great Ziegfeld' held up to a par $11,000 in its second week at Loew's Orpheum, but dipped $1,000 under on a take of $10,000 at Loew's State.

Total first run business was $84,000. Average is $78,500.

Estimated takings for the week ending Oct. 9:

"A MIDSUMMER NIGHT'S DREAM" (W. B.)
"A SON COMES HOME" (Para.)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $5,000. (Average, $4,500)

"MY MAN GODFREY" (Univ.)
"MARCH OF TIME" (Radio)
RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days. **Gross:** $21,000. (Average, $12,000)

"THE GREAT ZIEGFELD" (M-G-M)
LOEW'S ORPHEUM—(2,970), 35c-45c-65c, 7 days, 2nd week. **Gross:** $11,000. (Average, $11,000)

"THE GREAT ZIEGFELD" (M-G-M)
LOEW'S STATE—(3,537), 35c-45c-65c, 7 days, 2nd week. **Gross:** $10,000. (Average, $11,000)

"WIVES NEVER KNOW" (Para.)
METROPOLITAN—(4,332), 25c-50c-65c, 7 days. Stage: Al Donahue & Rainbow Room Orchestra; Dick Merrill in person. **Gross:** $15,000. (Average, $22,000)

"A MIDSUMMER NIGHT'S DREAM (W. B.)
"A SON COMES HOME" (Para.)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $8,000. (Average, $7,000)

"STAR FOR A NIGHT" (20th-Fox)
RKO BOSTON—(3,246), 25c-50c-65c, 7 days. Stage: "Follow the Stars," with Joan Marsh. **Gross:** $14,000. (Average, $11,000)

LaGuardia Inspects Children's Sections

Assuming a personal interest in the observance of the Joseph Law, which provides for specially designated sections in theatres for children with matrons in charge, Mayor LaGuardia has made his first tour of inspection since the bill became law.

LaGuardia divided the city into four zones in which 105 theatres are located and with Fire Commissioner John J. McElligott visited four houses in the Williamsburg area of Brooklyn. The Mayor found one theatre, the Marcy, which did not have a matron on duty at the time of his visit, and where a man was sitting in the children's section, which is prohibited by the law. A report on the infraction was made to License Commissioner Paul Moss.

It took 13 city officials to make the quick tour of the 105 theatres in the Bronx, Manhattan, Brooklyn and Queens.

Pick Comedians' Next

HOLLYWOOD, Oct. 11.—Radio will star Bert Wheeler and Robert Woolsey in "Easy Going," an adaptation of "A Pair of Sixes," well known Broadway production of 20 years ago.

"Swing Time" Seattle Hit; Gets $9,400

SEATTLE, Oct. 11.—"Swing Time" grabbed the big money here on the week, $9,400, which was over normal by $2,400, and the musical was transferred to the Fifth Avenue for a run.

The Paramount dual, "The Gorgeous Hussy" and "Star for a Night," was strong with $6,250, and the bill was transferred to the Music Box for a third week. The Orpheum dual, "The General Died at Dawn" and "Women Are Trouble," garnered $6,100, up by $100, and was shifted to the Blue Mouse for an extended run.

Total first run business was $37,150. Average is $36,000.

Estimated takings for the week ending Oct. 3:

"GIRLS' DORMITORY" (20th-Fox)
"MY AMERICAN WIFE" (Para.)
BLUE MOUSE—(950), 25c-40c-55c, 7 days, 2nd week, extended run from Orpheum. **Gross:** $3,800. (Average, $4,000)

"SWING TIME" (Radio)
FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days. **Gross:** $9,400. (Average, $7,000)

"THE MAN WHO LIVED TWICE" (Col.)
"END OF THE TRAIL" (Col.)
LIBERTY—(1,800), 15c-25c-40c-55c, 7 days. **Gross:** $4,100. (Average, $4,500)

"NINE DAYS A QUEEN" (G. B.)
MUSIC BOX—(950), 25c-40c-55c, 7 days. **Gross:** $3,100. (Average, $4,000)

"THE GENERAL DIED AT DAWN" (Para.)
"WOMEN ARE TROUBLE" (M-G-M)
ORPHEUM—(2,450), 25c-30c-40c, 7 days. **Gross:** $6,100. (Average, $6,000)

"TWO AGAINST THE WORLD" (F. N.)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Vaudeville headed by Al Herman. **Gross:** $4,400. (Average, $4,500)

"THE GORGEOUS HUSSY" (M-G-M)
"STAR FOR A NIGHT" (20th-Fox)
PARAMOUNT—(3,050), 25c-30c-40c, 7 days, 2nd week. **Gross:** $6,250. (Average, $6,000)

"Dormitory" Dual Omaha's Best Draw

OMAHA, Oct. 11.—Although pulled one day early to allow for the installation of new sound and the opening of "Anthony Adverse," "Girls' Dormitory" and "White Fang" at the Omaha were the big noise of the week. The take of $7,200 was $1,700 over par.

"Give Me Your Heart" and "High Tension" at the Orpheum also were in the money, taking $9,100, up by $1,600.

Total first run business was $20,600. Average is $17,000.

Estimated takings:

Six Days Ending Oct. 6:

"GIRLS' DORMITORY" (20th-Fox)
"WHITE FANG" (20th-Fox)
OMAHA—(2,200), 25c-40c, 6 days. **Gross:** $7,200. (Average, $5,500)

Week Ending Oct. 7:

"CRAIG'S WIFE" (Col.)
"THEY MET IN A TAXI" (Col.)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $4,300. (Average, $4,000)

Week Ending Oct. 8:

"GIVE ME YOUR HEART" (W.B.)
"HIGH TENSION" (20th-Fox)
ORPHEUM — (3,000), 35c-40c, 7 days. **Gross:** $9,100. (Average, $7,500)

Gladys George on Tour

HOLLYWOOD, Oct. 11.—Gladys George left today on a tour of seven cities, where she will meet exhibitors, women's clubs and the press in the interests of "Valiant Is the Word for Carrie," in which she stars.

"Dodsworth" Pulls $8,500, New Haven

NEW HAVEN, Oct. 11.—"Dodsworth on the Poli dual with "Sworn Enemy," grossed $8,500, over normal by $1,500, in a week which opened with exceptional Saturday night and Sunday business everywhere.

The Roger Sherman, with "Give Me Your Heart" and "East Meets West," boosted the $4,700 average by $1,200.

The second week of "Swing Time" at the College, with prices raised from the established 25-35 cents to 35-50 cents, hit $3,500, up by $700, while "Wedding Present" and "High Tension" at the Paramount missed the $4,800 average by $500.

The weather was fair and warm. Films were hit by the first Yale football skirmish of the season on Saturday afternoon, but subsequent weekend attendance was increased by the holiday spirit. An overflow from the three evening performances of "Stage Door," new Kaufman-Ferber play, at the Shubert, helped both the Roger Sherman and College.

Total first run business was $22,200. Average is $19,300.

Estimated takings for the week ending Oct. 9:

"SWING TIME" (Radio)
COLLEGE—(1,499), 35c-50c, 7 days, 2nd week. **Gross:** $3,500. (Average, $2,800)

"WEDDING PRESENT" (Para.)
"HIGH TENSION" (20th-Fox)
PARAMOUNT—(2,348), 35c-50c, 7 days. **Gross:** $4,300. (Average, $4,800)

"DODSWORTH" (U. A.)
"SWORN ENEMY" (M-G-M)
POLI—(3,040), 35c-50c, 7 days. **Gross:** $8,500. (Average, $7,000)

"GIVE ME YOUR HEART" (W. B.)
"EAST MEETS WEST" (G. B.)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $5,900. (Average, $4,700)

"Dodsworth Tops Providence Takes

PROVIDENCE, Oct. 11.—Loew's State came under the wire with the biggest take of the week. "Dodsworth" pulled $2,000 over the average $12,000.

Another theatre to better par was the Strand which caught $6,700 with "Wives Never Know" and "Lady Be Careful." Par for the house is $6,500.

Other houses in the downtown belt were below average. "Ramona" and "Postal Inspector" brought in $6,500 at the Majestic, under by $500, and Fay's also was down a like amount with "Isle of Fury" and five acts of vaudeville. "My Man Godfrey," in its second week at the RKO Albee, did $4,400. The usual take is $7,000.

College and prep school football and the World Series broadcasts hurt matinee attendances. The weather was warm and fair.

Total first run business was $38,100. Average is $39,500.

Estimated takings for the week ending Oct. 8:

"WIVES NEVER KNOW" (Para.)
"LADY BE CAREFUL" (Para.)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $6,700. (Average, $6,500)

"DODSWORTH" (U.A.)
"THEY MET IN A TAXI" (Col.)
LOEW'S STATE—(3,400), 15c-40c, 7 days. **Gross:** $14,000. (Average, $12,000)

"RAMONA" (20th-Fox)
"POSTAL INSPECTOR" (W.B.)
MAJESTIC — (2,400), 15c-40c, 7 days. **Gross:** $6,500. (Average, $7,000)

"MY MAN GODFREY" (Univ.)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $4,400. (Average, $7,000)

"ISLE OF FURY" (W.B.)
FAY'S—(1,600), 15c-40c, 7 days. Stage: Five acts of vaudeville. **Gross:** $6,500. (Average, $7,000)

"Swing" Sets Detroit Pace With $14,500

DETROIT, Oct. 11.—"Swing Time" started the Madison off as a first run in a big way by piling up $14,500.

"Ramona," with a stage show headed by Al Trahan at the Fox, garnered $23,300, over normal by $3,300. "The Gay Desperado," also with a stage show headed by Glen Gray and his orchestra, pulled $22,600, up by $2,600. Other first runs found the going rough as a result.

Total first run business was $77,500. Average is $60,000.

Estimated takings for the week ending Oct. 8:

"TWO IN A CROWD" (Univ.)
"SHAKEDOWN" (Col.)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $3,800. (Average, $5,000

"RAMONA" (20th-Fox)
FOX—(5,100), 15c-75c, 7 days. Stage: Al Trahan, Sidney Page, Irene Vermillion & Co., 4 Vespers, Mary Small. **Gross:** $23,300. (Average, $20,000)

"GAY DESPERADO" (U. A.)
MICHIGAN—(4,100), 15c-75c, 7 days. Stage: Glen Gray and orchestra, Grady Watts, Pat Davis, Joe Hall, Lynn Martin, 3 Merry Macs. **Gross:** $22,600. (Average, $20,000)

"THE GENERAL DIES AT DAWN" (Para.) (Second week)
"LET'S SING AGAIN" (Radio)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $4,200. (Average, $5,000)

"GREAT ZIEGFELD" (M-G-M)
UNITED ARTISTS—(2,070), 15c-65c, 7 days. **Gross:** $9,000. (Average, $10,000)

"SWING TIME" (Radio)
MADISON—(2,000), 15c-65c, 7 days. **Gross:** $14,500.

Hispano Opens Office

HOLLYWOOD, Oct. 11. — Hispano Films, recently organized to produce Spanish pictures, has opened offices in the Guarantee Bldg., here. Production will be in charge of Francois B. de Valdez, who will also direct the first two features, with Ramon Peon directing the third. The company has J. J. Marinez Casado signed to an acting contract, and he will be featured in "El Caballero Audaz." World distribution will be handled by Kinotrade, Inc., of New York. The first picture will be made at International Studios and is scheduled to start Nov. 10.

Mascot Case to Go On

N. Y. Supreme Court Justice Wm. T. Collins has signed an order refusing to vacate the service of a summons in a $3,000 breach of contract action brought by Mascot Picture Corp. against Rafael Ramos Cobian, exhibitor at San Juan, P. R. The court ruled that because of conflicting affidavits he would delay decision until hearings are conducted by Referee Daniel M. Cohalan. Cobian charges that he was not served, but that someone else was served in the action.

Plan Hollywood Shorts

HOLLYWOOD, Oct. 11. — Hollywood Newsreel, Inc., has been formed by Erman Pessis and William Klein to produce a series of 26 one-reel subjects. They will all deal with news of Hollywood, and will be released every other week. Klein will have charge of production. No releasing arrangements have been announced.

The Leading Daily Newspaper of the Motion Picture Industry

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Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 88 NEW YORK, TUESDAY, OCTOBER 13, 1936 TEN CENTS

Wolf Elected As President Of S.M.P.E.

Attendance Is Heavy As Fall Meeting Opens

ROCHESTER, Oct. 12.—The election of S. K. Wolf, of Erpi Picture Consultants, subsidiary of Erpi, as president of the S. M. P. E., was announced today as the annual fall convention of the technical society began at the Sagamore Hotel here.



S. K. Wolf

The attendance was recorded as the largest in the history of the society.

Wolf succeeds Homer G. Tasker, and will serve for a two-year term. Tasker, W. C. Kunzmann and J. I. Crabtree were named as vice-presidents; James Frank, secretary; Lawrence Davee, treasurer, and Max Batsel and A. N. Goldsmith members of

(*Continued on page 9*)

Actor Guild Backs Musician Campaign

The Screen Actors' Guild in Hollywood has telegraphed to Local 802 of the American Federation of Musicians backing the local's picketing drive seeking to bring about the reemployment of musicians in film houses.

The telegram, signed by Kenneth Thomson, secretary of the actors' group, mentions the Guild's "wholehearted accord and great interest" in the campaign, and concludes, "the board sends best wishes for overwhelming success."

Local 77 in Philadelphia will hold a public mass meeting on Friday night, at which the mayor is expected to be a speaker, and which it is anticipated, will be followed shortly by the institution of a picketing campaign in Philadelphia similar to that in New York.

"Desperado" Heads For $100,000 Week

"The Gay Desperado," the Columbus Day holiday to its advantage, may gross $100,000 and, perhaps over, at the Music Hall in its first week. The picture will be held.

In its first four days, the film did

(*Continued on page 9*)

No Parents

For once, at least, parents will be barred from the Stork Club while their children disport within its gilded portals.

George Harris Rosenthal, three-year-old son of Harry, the orchestra leader, will give a birthday party there tomorrow afternoon. The guest list will include Joan Dempsey, Margo Whiteman, Walda and Walter (Jr.) Winchell, Georgeane Price, Christopher Holman Reynolds and Edward Allen Blair.

Sees Intern'l Technique In Next 2 Years

Within the next two years Anglo-American cooperation will be complete and the public will not be conscious of any noticeable differences in production technique, Paul Soskin declared on his arrival aboard the *Normandie* yesterday. He is head of the British producing company bearing his name and recently made a deal to make seven features for Columbia at the Amalgamated studios near London.

"Cooperation between the countries is most essential," Soskin added. "My

(*Continued on page 4*)

Columbia's Business Up in Britain—Cohn

Columbia's business in England is 30 per cent better than last year, Jack Cohn, vice-president, stated yesterday upon his return from a three-week visit to London where he held a sales conference with all of the company's foreign managers.

Cohn visited all the English studios

(*Continued on page 9*)

G.B. DEAL NOT SET; MAXWELL EXPLAINS

ABP Head Asserts Aim Is To Prevent Foreign Domination

LONDON, Oct. 12.—John Maxwell, head of Associated British Pictures, today issued a statement identical with that of G.B. relative to the A.B.P. negotiations looking to acquisition of the Ostrer brothers' G.B. holdings in Metropolis and Bradford Trust, and additionally, stressed the desire to prevent the passage of G.B. control from British to American hands as the influencing factor behind his negotiations for G.B. control. He said he has no fear of American threats to stop the deal by resorting to legal proceedings.

Maxwell's statement declared: "In making the agreement I was mainly influenced by a desire to prevent G.B. passing to foreign control. This agreement secures that. I take the view that if the arrangement with the American companies were carried through it would have meant the passing under foreign control of a huge

(*Continued on page 9*)

Coast Production Shows Slight Gain

HOLLYWOOD, Oct. 12.—No radical change marked the production schedule during the past week. Eight pictures started and five finished, making a net gain of three films in work to raise the total to 43 films actually shooting. No change was made in the total of short subjects which are in production, the number remaining at two.

Activity was quite intensive at Columbia, which raised its quota of active product from three to six. Similarly, Paramount has six, Twentieth Century-Fox eight, and Warners six

(*Continued on page 9*)

Shift in Control Hangs On 20th-Fox Consent To "A" Share Sale

By BRUCE ALLAN

LONDON, Oct. 12.—The ultimate conclusion of the pending deal whereby John Maxwell of Associated British Pictures is seeking to acquire the Ostrer brothers' share in the Metropolis and Bradford Trust controlling interest in G.B., is still undetermined, it was clearly indicated in statements issued here today by Sidney R. Kent, president of Twentieth Century-Fox, and by G.B.

There was no room for doubt in the definite implication in the two statements that control of the Ostrer share in G.B. has not yet passed to Maxwell, and that such a termination of the protracted and complicated negotiations still depends upon permission being obtained from Twentieth Century-Fox for the Ostrers to dispose of their "A" share holdings, as has been consistently maintained.

The "A" shares are the vital voting and controlling portion of the outstanding securities involved in the 57 per cent M. & B. interest in G.B. which is held by the Ostrers and Twentieth Century-Fox, the former with 5,100 shares, and the latter holding 4,900 shares. Maxwell already has

(*Continued on page 9*)

London Group Backs Dixey Organization

LONDON, Oct. 12. — The London Branch of the Cinematograph Exhibitors' Ass'n met here today at the Trocadero and unanimously endorsed the plan of an exhibitor-owned distribution company embodied in the Independent Exhibitors' Distribution Co., Ltd., in the process of formation by Captain A. C. N. Dixey.

Dixey declared that the returns so far received from various parts of the country indicate that he will receive the pledged support for his organization of more than 350 exhibitors which he had set as a minimum for the active operation of his plan.

Tally, Corbar File Brief in FWC Case

SAN FRANCISCO, Oct. 12.—Filing a 74-page brief here today in the Fox West Coast bankruptcy case, Col. William H. Neblett, counsel for T. L. Tally and Corbar Corp., in his opening statement said that the appeal

(*Continued on page 9*)

'And Stars Remain' Talks No End, Amuses, Gets Nowhere

"The Theatre Guild, Inc., presents the first play of the nineteenth subscription season," read the handbill last night of "And Stars Remain."

And plays remain for the Guild to produce, but they ought to be charged with more vitality, more purpose, more reason for being.

It was pleasant enough. Like sitting around drinking tea and eating cookies, remarking about the weather and getting nowhere about as rapidly. Anyhow, the surroundings were agreeable and, in varying degrees, the principal characters not too dull and innocuous enough.

In this frail, whisp-like play of a

(*Continued on page 4*)

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Leonard Palumbo Is W. B. Golf Champion

A goodly attendance at the second annual golf tournament of the Warner Club held at the Riverdale C. C. over the weekend saw Leonard Palumbo of the foreign publicity department win the Warner Championship cup with a low gross score of 81. Lou Dennis and Phil Raft took first and second place for the low net score. Additional prizes, consolation and otherwise, were taken by John Holmes, Sol Shernow, Pat Marcone, Bob Williams and Larry Galob.

The golf committee which conducted the tournament included Jerry Keyser, Louis Aldrich, Ernie Ulberg and Gene Warner.

Zabel Starts on Tour

Spyros Skouras and his assistant, Edward Zabel, will leave for Chicago today on the first lap of a four-week general tour of all National Theatres' operating units. Skouras and Zabel originally were scheduled to leave yesterday, but put over the departure a day because of last minute business which had to be cleaned up.

Purely Personal

JOE MOSKOWITZ and BOB GOLDstein killed an afternoon yesterday at the Turkish baths at the Biltmore. In the evening, they were among the many who attended the premiere of "And Stars Remain," first Theatre Guild show of the season.

•

GEORGE SKOURAS said his White Sulphur Springs vacation was ruined. He couldn't break 80 and he was pretty bad at skeet shooting.

•

EDWARD GOLDEN yesterday closed with HENRI ELLMAN for distribution of Chesterfield and Invincible product in Chicago.

•

ARCHIE MAYO is in town, having already dropped in on Philadelphia to see "Call It a Day" which he will next direct for Warners.

•

A. MONTAGUE got back from Chicago yesterday after conferences with PHIL DUNAS, district manager for Columbia.

•

MORT SPRING spent his half holiday yesterday afternoon on the back of a horse in Central Park.

•

LOU SMITH heads west for Paramount and its publicity department on Thursday.

•

RUBE JACKTER returned yesterday from a weekend at Atlantic City, where he played plenty of golf.

•

PAULETTE GODDARD arrived in town over the weekend.

•

FRANK DOLAN'S novel, "Man of the People," has been acquired by M-G-M.

•

ARTHUR LOEW is due back around the first of the year.

CARL LAEMMLE, SR., who left for the coast Sunday, is making several stopovers en route and will not arrive in Hollywood before Sunday.

•

ANITA LOUISE made a personal appearance last night at the Strand where "A Midsummer Night's Dream" is in its second and last week.

•

HENRY KOLKER, ONA MUNSON, DORIS CARSON and ERIN O'BRIEN-MOORE among the town's residents and visitors.

•

ELEANOR HUNT, Grand National player, is in New York for a short vacation.

•

CAB CALLOWAY with his orchestra have been signed for a Vitaphone short, to start in Brooklyn, Nov. 1.

•

HARRY DAVIES, the publicist, is the father of twins.

•

. . . Columbus

NAT HOLT, RKO division manager, Cleveland, is a visitor here.

E. E. BAIR has taken over the Ritz, at Newcomerstown, from Ortt Bros.

PETER WORTHINGTON has been appointed manager of the Bluffton, at Bluffton.

PAUL RADER planning a new house at Newark.

FRED SOMERS has acquired the Lyric at Tiffin.

ROY HAY, at Addyston, has sold the Macks, formerly the Pastime, to VIRGIL MCGAHA.

RUBY E. LEE has become owner of the Cove at Covington, formerly operated by HERMAN BAYER under name of the Favorite.

Rowland to Make 4 For Grand National

Richard A. Rowland has signed to make four features for Grand National, Edward L. Alperson, president, declared yesterday. The new producer will begin immediately. The Grand National head has no plans to return to the coast at present. He flew in from the coast over the weekend to be on hand for his wife's arrival from England yesterday.

Urge Block Booking Law

JACKSONVILLE, Oct. 12.—Among the actions of the Florida Congress of the Parents and Teachers Ass'n, in its 1936 convention here, was "To continue our active support of national legislation prohibiting compulsory block booking and blind selling of films." They also asked for greater use of educational pictures in schools and community houses.

Miss Michael Well Again

Authorities at the Doctor's Hospital, where Gertrude Michael has been confined as a result of a toxemia condition, reported last night that the actress was "almost all better."

Warner-Davis Case Set

LONDON, Oct. 12. — The Warner Bette Davis contract case will be heard Wednesday before the Kings' Bench Court.

Salpeter, Werner in New Republic Posts

HOLLYWOOD, Oct. 12.—Harry Salpeter today was made story editor at Republic. David C. Werner was named casting director to succeed Harold Dodds who remains in the department. Salpeter and Werner arrived from New York over the weekend.

Abe Levine—no relation to Republic's studio head—will take charge of talent and talent trades.

Doane Is Roach Story Head

HOLLYWOOD, Oct. 12. — Warren Doane, for five years producer of short subjects at Universal, was signed today as scenario story head at the Hal Roach studios.

Study Theatre Dismissals

MERIDIAN, Miss., Oct. 12.—A citizen's committee here is investigating the recent discharge of local theatre employes by the Saenger circuit, and will report its findings at a second mass meeting. The committee was named at an earlier meeting. The circuit will have an opportunity to present its side of the case.

Recess Exhibitor Trial

MINNEAPOLIS, Oct. 12.—Municipal Court Judge Vince A. Day has recessed the trial of Bennie Berger, local theatre head charged with disorderly conduct growing out of the showing of "Marihuana" until after he has seen the picture.

Schreiber Appealing Michigan Trust Suit

DETROIT, Oct. 12.—Attorneys William Henry Gallagher and Adrian D. Rosen have appealed the decision of the U. S. District Court here in the case of Jacob Schreiber against Co-Operative Theatres of Michigan, Inc., and the various local exchanges, to the U. S. Circuit Court of Appeals at Cincinnati.

Schreiber, in the suit, asked an injunction against the defendants to halt an alleged conspiracy to prevent him from obtaining sufficient product for his five theatres. The lower court, in rendering its decision last fall, ruled that the licensing of films was not in interstate commerce and, therefore, the case was not within its jurisdiction. Rosen now asks that the case be decided upon merit, claiming that it comes within interstate commerce and that the lower court erred in its ruling.

Two Houses Closed For Lacking Matron

The Avalon, Bronx, and Marcy, Brooklyn, will be closed all day today as a penalty imposed by License Commissioner Paul Moss after a hearing on infractions of the Joseph Law. Operators of both theatres were declared to have violated the law when inspectors visited and found there was no matron to look after children in the specially designated sections of the theatres.

Another theatre, where it was said adults were found in the children's section, will be given a hearing by Moss this week.

J. J. Hoffman Dies

LINCOLN, Neb., Oct. 12.—J. J. Hoffman, veteran exhibitor at Plainview, Neb., died after several weeks of serious illness at his home. He is survived by his widow and his daughter, Phyllis. It is believed they will continue to operate the Plainview.

Rites Held for Griffith, Sr.

OKLAHOMA CITY, Oct. 12.—Funeral services for Henry J. Griffith, Sr., killed in an auto accident, were conducted here at the First Baptist Church. Burial was in Rose Hill Cemetery. Griffith, 73 years old, was killed when his auto overturned and plunged down an embankment west of Meeker, Okla. He was the father of the three Griffith brothers who operate the Griffith Amusement Co. with headquarters here.

Business Up, Says Weeks

A general upswing in theatre business was reported by George W. Weeks, general sales manager of G.B., on his return from a tour of important cities in the south and midwest. He declared that good product and not artificial stimulation at the box-office is the cause of the improved business.

Open New Georgia House

STATESBORO, Ga., Oct. 12.—The new Georgia Theatre was opened formally here today with an elaborate all-day program.

LeBaron at Studios

HOLLYWOOD, Oct. 12.—William LeBaron is back at the Paramount studios, having arrived today from San Francisco.

"SWELL IS THE WORD FOR GLADYS GEORGE FILM" —N. Y. Daily News



Swell are the Reviews!

"Gladys George is the stage's most charming gift to the screen this year."—*N.Y. Times*

"Gladys George gives a magnificent performance in a genuinely touching and absorbing drama, powerful in its emotional appeal and stimulating in its novelty."
—*N.Y. Mirror*

"Role of 'CARRIE' is a film triumph for Gladys George. 'VALIANT IS THE WORD FOR CARRIE' serves well to welcome Gladys George to a luminous spot in the film firmament." —*N.Y. American*

"Gladys George gives one of the most moving, eloquent performances in the history of the screen." —*N.Y. Telegraph*

"From the burlesque of her stage portrayal in 'Personal Appearance' Miss George turns to the challenging demands of the Carrie part brilliantly. Her scenes with young Jackie Moran are masterpieces."
—*N.Y. Herald-Tribune*

. . . . *and Swell the Business!*

"VALIANT IS THE WORD FOR CARRIE"

with GLADYS GEORGE • ARLINE JUDGE • JOHN HOWARD • Dudley Digges • Harry Carey
Isabel Jewell • A Paramount Picture From Barry Benefield's Best Seller • Produced and Directed by WESLEY RUGGLES

"Godfrey" Is 4th Week Top, San Francisco

SAN FRANCISCO, Oct. 12.—"My Man Godfrey" is still the big attraction here in its fourth week. On a dual with "Yellowstone" at the Orpheum it grossed $8,000, over a first week average by $500. This was in spite of a general slump.

The only other attractions to get over normal were "Gorgeous Hussy" and "Three Married Men" at the Paramount and "Dimples" and "The Case of the Velvet Claws," which played at the Fox.

WPA vaudeville at the Columbia and the Duffy stock at the Alcazar offered little competition. The weather was warm.

Total first run business was $85,100. Average is $91,000.

Estimated takings:

Week Ending Oct. 6:

"SWING TIME" (Radio)

EMBASSY—(1,400, 10c-30c,-35c-40c, 7 days, 4th downtown week. **GROSS,** $4,000. (Average, $4,000)

"DON'T TURN 'EM LOOSE" (Radio)
"MARCH OF TIME" (Radio)

GOLDEN GATE—(2,850), 15c-30c-35c-40c, 7 days. Stage, Vaudeville. **GROSS:** $15,500. (Average, $16,000)

Week Ending Oct. 7:

"MY MAN GODFREY" (Univ.)
"YELLOWSTONE" (Univ.)

ORPHEUM — (2,440), 15c-30c-35c-40c, 7 days, 4th week. **GROSS:** $8,000. (Average, $7,500)

"GORGEOUS HUSSY" (M-G-M)
"THREE MARRIED MEN" (Para.)

PARAMOUNT—(2,740), 15c-30c-35c-40c, 7 days. **GROSS:** $14,000. (Average, $13,000)

"LAST OF THE MOHICANS" (U.A.)

UNITED ARTISTS—(1,200), 15c-30c-35c-40c65c, 7 days, 2d week. **GROSS:** $4,500. (Average, $5,500)

"OLD HUTCH" (M-G-M)
"NINE DAYS A QUEEN" (G.B.)

WARFIELD—(2,680), 15c-30c-35c-40c, 6 days. **GROSS:** $11,000. (Average, $13,000)

Week Ending Oct. 8:

"DIMPLES" (20th-Fox)
"CASE OF THE VELVET CLAWS" (W.B.)

FOX—(5,000), 15c-30c-35c-40c, 7 days. **GROSS:** $15,500. (Average, $15,000)

"A MIDSUMMER NIGHT'S DREAM" (W.B.)

ST. FRANCIS—(1,470), 15c-30c-35c-40c, 7 days. **GROSS:** $5,000. (Average, $6,000)

Week Ending Oct. 9:

"SEVEN BRAVE MEN" (Amkino)

CLAY—(400), 15c-35c, 7 days. **GROSS:** $1,100. (Average, $1,000)

"ROMEO AND JULIET" (M-G-M)

GEARY—(1,400), 55c-87c-$1.10-$1.65, 7 days, 5th week. **GROSS,** $6,500. (Average, $10,000)

Victory Starts First

HOLLYWOOD, Oct. 12.—Victory Pictures has started production on "Two Minutes to Play," first of a series of sport action features to star Herman Brix. In addition to the U. S. C. football team, the cast includes Betty Compson, Grady Sutton and Sammy Cohen. The story is an original by Bill Buchanan, and Robert Hill is directing under the supervision of Sam Katzman.

Darmour Starts 'Ranger'

HOLLYWOOD, Oct. 12.—Larry Darmour has started "Rio Grande Ranger," next in his series of Bob Allen westerns for Columbia release. The story is an original by Jacques and Ceila Jacard with screenplay by Nate Gatzert. Spencer Gordon Bennett is directing.

'And Stars Remain' Talks No End, Amuses, Gets Nowhere

(*Continued from page* 1)

society woman who goes to jail because of an involvement in a depression bank scandal in which her husband commits suicide, Julius J. and Philip G. Epstein, the authors, introduce the militant Left Wing lawyer character who represents vigor for the entire cast. It is he with whom the ex-society jailbird finally falls in love, chiefly because, on the rebound, he requickens her interest in what goes on, not within her plush-lined walls, but in the outside world where millions are looking for work and thousands are starving in a land of plenty. Helen Gahagan plays the part.

Clifton Webb, out of musical comedy, is the suave, sophisticated around-the-town character, tired with it all and withal amusing—courtesy of the authors and their distribution of the laugh lines—in love with Miss Gahagan and eventually aroused from his lethargy long enough to turn a political trick on an outrageously smug and die-hard grandfather (Charles Richman) which gives the Left Winger (Ben Smith) a chance at a political life again and the final clinch with Miss Gahagan.

Webb is very good in his languid fashion and Claudia Morgan, as the younger sister who, inferentially, gets her Clifton, is first class in the breezy, modern manner. But the playsmiths, by trying to be clever in their dialogue, either forget to bring their vehicle into some final terminus or depended upon their conversation piece to saunter along, proving little and establishing about the same measure of content.

"And Stars Remain," by stirring up its insides and doing considerable tinkering, conceivably would do for Hollywood. There appears to be little reason, on the other hand, to bother.

Angell Joins Strode

LONDON, Oct. 2.—Sidney Angell, after publicity experience with Columbia, Paramount and others in the United States, has joined with Ronald Strode and Helen Wagstaff as Ronald Strode and Associates. Garrett Klement and the Soskin publicity accounts, among others, are already handled by the Strode office.

Howard in Wanger Pact

HOLLYWOOD, Oct. 12.—Walter Wanger has signed William K. Howard, in London, via telephone, to direct Joan Bennett in "Summer Lightning," which will start in production immediately following Howard's return to Hollywood on Nov. 17.

Jerry Asher Joins Radio

HOLLYWOOD, Oct. 12.—Jerry Asher has resigned from *Silver Screen* and *Screenland,* magazines, to join Howard Benedict's publicity staff at Radio. Asher will develop special ideas for the exploitation of Radio personalities.

Quits Seattle Theatre

SEATTLE, Oct. 11.—Robert Williams has resigned as assistant manager of the Orpheum here, effective Oct. 15. He will be succeeded by Clyde Stroud, formerly of the Paramount here.

Sees Intern'l Technique In Next 2 Years

(*Continued from page* 1)

definite views are that the English public has been educated for American pictures and we shall give them this type of film. The American public also is getting conscious of British films. Several have been shown here.

"I am going to Hollywood in four or five days to sign up writers, technicians and directors. While on the coast I will talk with Harry Cohn, president of Columbia, on sending talent abroad."

Soskin plans to remain in Hollywood about a month. Whatever talent he is able to get from Columbia will serve as a nucleus for his plan.

The Amalgamated Studios will be the largest in England, he said. It will be ready by Jan. 1 and in the new layout every unit will be self-contained with two stages, a theatre and cutting rooms for each producer. Four of his seven pictures will be geared at a cost of $200,000 each, the remaining three, between $400,000 and $500,000 each.

The producer hopes to be able to sign Anton Litvak, who came over on the same boat, for at least one picture.

Litvak and Others Arrive

Anton Litvak is set to make nine pictures for three different companies, he asserted upon his arrival yesterday on the *Normandie.* After a three-day rest here, he will leave for Hollywood by plane and report to RKO, where he will direct an English version of "Equipage." After that he will do "Joan of Arc" for Warners, then "Wuthering Heights" for Walter Wanger and finally check in again at the Warner studios to start work on a series of five features on a three-year contract.

Claudette Colbert will be starred in "Joan of Arc," Litvak said. Sylvia Sidney and Henry Fonda are to be co-featured in "Wuthering Heights."

Schlesinger Aboard

M. A. Schlesinger also returned yesterday after a three-week visit in England. He said he did not acquire product for South Africa, but was on hand for the air races which his brother, I. W., sponsored, and also to look over Daly's theatre in London which the Schlesinger interests are rehabilitating for films.

Jean Gacon de Cavaignac, head of Cavaignac Films Co., of France, arrived to study production in Hollywood and also to acquire a number of color shorts and cartoons. Last year he produced four French pictures. He is said to be the first to dub French versions of American films. He will remain in New York for about two weeks and then leave for an inspection tour of Coast studios.

Paul Graetz, general sales manager for Paris Export Co., also was on the ship. He is here for a two-week vacation, is not going to Hollywood and attached no significance to his visit. He declared, however, he brought over "Beloved Vagabond," starring Maurice Chevalier, which Columbia will distribute in this country.

Mrs. Spyros P. Skouras and Mrs. E. L. Alperson returned from Lausanne, where Mrs. Skouras entered her daughter in school.

Henry Foster, Ruth Etting, Miriam Hopkins, Flora Le Breton and Dudley Murphy were other passengers. Miss Hopkins has just returned from making "Men Are Not Gods" for London Films. She will head for Hollywood shortly to start work in "The Woman's Touch," by Sam and Bella Spewack. Samuel Goldwyn will produce.

N. Y. Pooling Deals Are in Negotiation

Several important pooling deals in the Greater New York region are in negotiation with details expected to be worked out in the next few weeks.

In one of the arrangements being discussed three major circuits are involved, while in another deal, two powerful independent theatre groups and one major circuit are about to get together on joint operation in a specified area, close to Brooklyn.

Latest of the pools to have been completed was that between Saxe Brothers and Warners in Wisconsin. On Oct. 1, the operation of 20 theatres, 10 in each circuit, was merged.

Past experience has indicated to independent theatre heads, it is said, that pooling deals with major operators in competitive spots where profits are scarce have proved a boon to all parties.

Another recent deal was the realignment of the Kansas City first and second run situation as it affected RKO and Fox Midwest. This arrangement had been discussed for many months before it was closed.

La Barba Sues on Pact

LOS ANGELES, Oct. 12.—Ted La Barba, assistant cameraman, has filed suit in Superior Court here against Paramount, seeking $57,100 damages for alleged failure of the studio to live up to a contract dated Aug. 4, 1933.

La Barba contends that he signed with Paramount during the 1933 strike on condition that the studio obtain membership for him in any organization of cameramen the company completed an agreement with. La Barba at the time was a member of I. A. T. S. E., and claims provisions of his individual contract were not carried out.

Sets Akron Stage Show

AKRON, Oct. 12.—After playing straight films for more than a year, Loew's has inaugurated a stage show policy in connection with pictures. This is in opposition to the Palace, a Monarch unit, and is the first time in many years that there has been stage show competition between two local houses.

Delay Detroit Opening

DETROIT, Oct. 12.—The reopening of the Downtown as a first run, originally set for last Friday, has been postponed a week. The theatre will play double bills of independent product and acts of vaudeville at a 40-cent top.


MEN OVERBOARD!

CRITICS GO OVERBOARD WIT

Most welcome addition to the screen's current entertainment list—THE GAY DESPERADO is a bargain at any price. A witty, hilarious, tuneful lampoon that is worth anybody's money at the box-office.
—William Boehnel,
N. Y. WORLD-TELEGRAM

A rich and hilarious burlesque that can stand by itself as entertainment . . . a swift-paced production . . . a refreshing and delightful screen operetta.
—Howard Barnes,
N. Y. HERALD-TRIBUNE

Hilarious is the word for "The Gay Desperado" . . . Simply elegant comedy, a grand cast, lilting music and fast-moving action. —Rose Pelswick,
N. Y. JOURNAL

Film gives rare enjoyment . . . there's no telling when you'll come across a more diverting picture . . . I'll eat my words if it isn't to your liking . . . Mark it must by all means. —Robert Garland,
N. Y. AMERICAN

One of the most delightful film entertainments the Music Hall has ever provided . . . Martini has developed into sparkling light comedian . . . distinguished by inspired direction and thrilling songs by Martini. —Bland Johaneson,
N. Y. DAILY MIRROR

Martini enters into picture's comic spirit . . . pure comedy played hilariously . . . first-rate musical comedy. —Frank Nugent,
N. Y. TIMES

One of the gayest, most tuneful, and all-around delightful entertainments of the season . . . heartily recommended to all who appreciate a good laugh on top of fine music. —Kate Cameron,
N. Y. DAILY NEWS

Everything that a musical picture should be, "The Gay Desperado" is . . . this one is among the best . . . this picture has a lot of everything. —Archer Winsten,
N. Y. POST

"The Gay Desperado" is sheer fun mixing comedy, romance and melodrama with some pretty grand sound . . . a charmingly frivolous satire. —Eileen Creelman,
N. Y. SUN

A direct hit with any audience! Certainly the most entertaining musical of the season and easily the most original of all tune films! —Jimmy Starr,
LOS ANGELES HERALD-EXPRESS

Distinctly a fascinating addition to the screen's entertainment! Original, clever and popularly amusing! —Edwin Schallert,
LOS ANGELES TIMES

"The Gay Desperado" is delightfully incredible stuff which defies description as farce, comedy, or light opera, but which has the ingredients of all three.
—James Francis Crow,
HOLLYWOOD CITIZEN-NEWS

Nino Martini's glorious singing, a superlatively delightful romance, and a beautifully staged production make "The Gay Desperado" a picture not to be missed.
—Marie Canel,
MOVIENEWS & PORTLAND OREGONIAN

A refreshingly original and tasy dish for the cinema menu. —Jesse D. Spiro,
DETROIT FREE PRESS

I count it a privilege to be among the first to proclaim "The Gay Desperado" as one of the very funniest pictures ever turned out of Hollywood. —Ralph Holmes,
DETROIT EVENING TIMES

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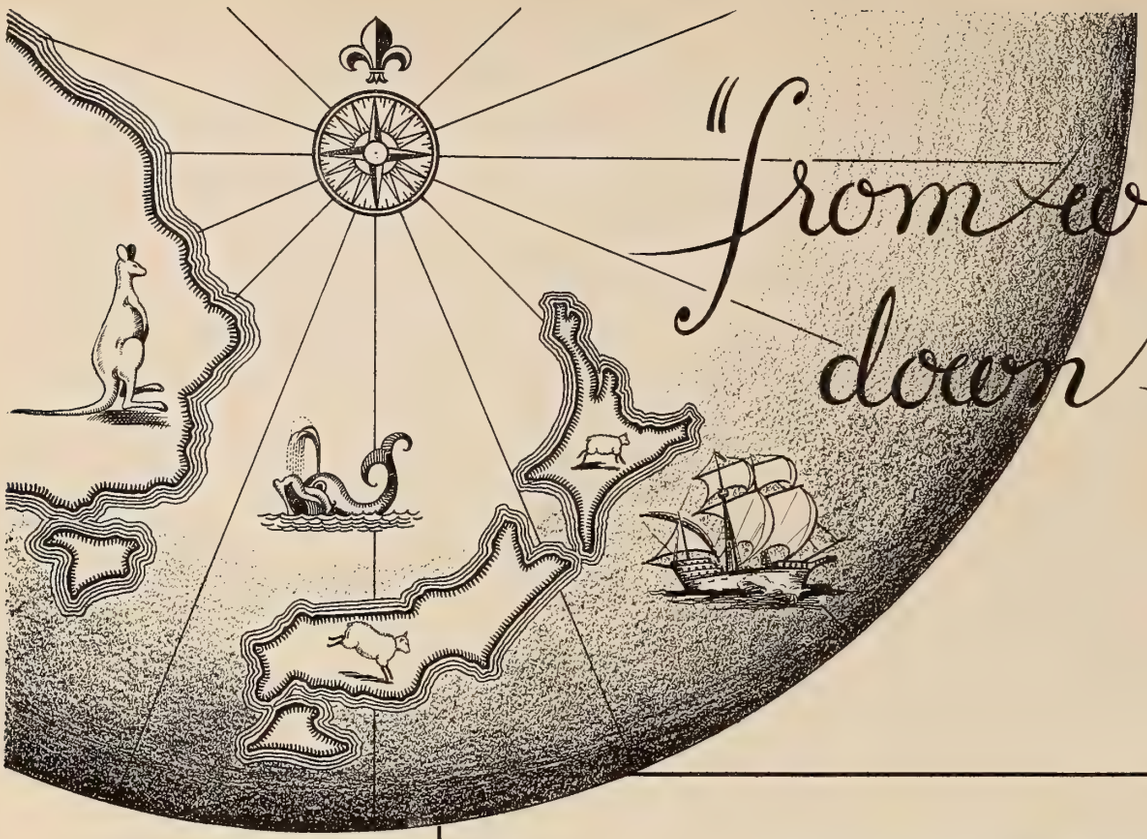
Put this on your must list! Nino Martini tops everything a singing star has done.
—Henry Sutherland, UNITED PRESS

A picture which assuredly is one of the finest of the year in artistry and surefire entertainment values, and a smash money entry!
—VARIETY

The most original and best comedy of the year! Headed for big grosses everywhere!
—HOLLYWOOD REPORTER

Here is box-office for any theatre! Original and different—it has inherent exploitation quality enabling showmen to go to town.
—MOTION PICTURE DAILY





"from way down under"

AUCKLAND CINEMAS LTD.

DIRECTION: HENRY AND PHIL HAYWARD

24 Lorne St.
ADDRESS
~~MAJESTIC THEATRE~~
AUCKLAND
NEW ZEALAND.

August 4th. 1936.

The Publisher,
Motion Picture Herald,
Quigley Publishing Company,
Rockefeller Center,
NEW YORK CITY. U.S.A.

Dear Mr Quigley,

Will you please forward us a copy of your "Motion Picture Almanac" (1936-37) for which we enclose the necessary money?

Whilst on the point of writing you we would very much like to tell you how much we appreciate your trade magazine: "The Motion Picture Herald", which we always find of the greatest possible use in our theatre business.

As we have been in the business since it was a "business" at all in this faraway country "down under", we have watched, with interest, how your "Herald" has gradually developed into the finely produced edition it is to-day. If you require any information on the picture business in New Zealand, at any time, we will be delighted to do our best - and when we tell you that we have been actually screening motion pictures since 1906 (first as a travelling unit) we should be able to.

With every good wish,

Yours sincerely,
Henry Hayward,
Phil Hayward,
Directors:
Auckland Cinemas Ltd.
& Fuller-Hayward Theatre
Corporation Ltd.

Phil Hayward

Enclosed:
Bank draft for 3.5s. 0d.

MOTION PICTURE HERALD

Wolf Elected As President Of S.M.P.E.

(Continued from page 1)

the board of governors. Wolf has served two terms on the governing board, and was named executive vice-president in January, 1936. He was also chairman of the projection screen committee of the society.

It was decided that the next two conventions of the organization would be held in New York and Hollywood.

The opening day began with the registration of delegates, and was featured by an address of welcome by Mayor Charles Stanton of Rochester at an informal luncheon, and the announcement of new officers of the society.

Various committee and officers' reports were read during the morning session, and the delivery of the numerous and highly varied technical papers was begun shortly after the convention convened.

The opening paper, on "The Development of the Art and Science of Photography in the Twentieth Century," was read by C. E. Kenneth Mees of Eastman Kodak. The lecture was illustrated.

Afternoon Schedule Full

Following the luncheon the sound and apparatus session was held. R. H. Heacock of the RCA Manufacturing Co., at Camden, N. J., read a paper on "A Record Word-Spotting Mechanism"; C. Flannagan, R. Wolf and W. C. Jones of Erpi delivered another on "Modern Loud Speaking Telephones and Their Development"; S. Read, Jr., of RCA Manufacturing spoke on "A Neon Type Volume Indicator," and J. Frank, Jr., of the International Projector Corp., New York, described "The Schwarzkopf Method of Identifying Criminals," as devised by Col. H. Norman Schwarzkopf, former head of the New Jersey state police.

Mees, who is vice-president and director of research of Eastman Kodak, delivered a special lecture demonstration on "Color Photography," this evening at the Eastman Theatre.

Tomorrow the delegates will be guests of the Kodak Research Laboratories at Kodak Park, at a general technical session.

"Desperado" Heads For $100,000 Week

(Continued from page 1)

about $63,000 with an anticipated $15,000 to $18,000 yesterday when, by 2 P. M., the gross had reached $5,475, or $1,000 ahead of the Saturday figure by the same hour.

Business along Broadway and byways assumed expected holiday proportions yesterday and last night.

Business at the Strand last week on the first seven days of "A Midsummer Night's Dream" at popular prices ended with $26,000. Indications are that the second week will average around the same.

The Roxy is doing a terrific attendance business with "Dimples." Long lines continue to wait at all performances, the crowds mostly composed of children.

Gaumont British Deal Is Not Set; Maxwell Explains Stand

(Continued from page 1)

block of the British cinema and film industry.

"If that had happened other large American companies, to preserve their interests, would have endeavored to make similar arrangements. In fact, some already have tried to do so, with the result that in a short time, the bulk of the cinemas in this country, or certainly most of the best ones, would have passed to foreign control.

"Such a situation would have been intolerable in any country and in my view a humiliation a great nation such as ours would have been compelled to stop, if necessary by Governmental and legislative measures.

"No Fear of the Threats"

"I have no fear of the threats from America of our transaction being stopped by legal proceedings. I recollect two previous statements, first that a deal had been completed for the realignment of G.B. control, and second that such realignment did not mean foreign control. Both proved to be incorrect.

"In entering this agreement both parties have had the highest legal opinion in this country, but it does not in any way infringe the rights of Twentieth Century-Fox, who are the other partners with the Ostrers in Metropolis and Bradford Trust."

It was said that the Prime Minister and the Chancellor of the Exchequer are delighted with Maxwell's deal for G.B. control.

A.B.P. is believed planning to pay for the "B" shares of G.B. already purchased out of company reserves.

(Continued from page 1)

purchased 250,000 "B" shares of G.B. in Metropolis and Bradford, and holds an option on the Ostrers' 5,100 "A" shares.

Kent's statement, issued today following conferences with Maxwell over the weekend, and in Kent's capacity as the authoritative representative in the matter for Joseph M. Schenck, chairman of the board of Twentieth Century-Fox, and presumably, of Nicholas M. Schenck, head of Loew's and M-G-M, said:

"I am aware that some agreement has been made between Maxwell and the Ostrers. A copy of this agreement has been asked for by us but has not yet been received. I am assured, however, that the sale of the Ostrer shares is dependent on the sale of not less than half of the voting shares held by Twentieth Century-Fox, and that the control so far has not passed.

Kent Awaits Fuller Information

"When I know more I shall be in a position to discuss more fully with my corporation and with counsel, and then decide whether our rights have been infringed and what our course will be for the future."

The G.B. official statement read:

"The agreement which has been signed between the Ostrers and A.B.P. (Maxwell) provides for the acquisition of the Ostrers' holdings in Metropolis and Bradford Trust, which holds the controlling shares of G.B.

"This agreement falls into two stages, the first of which is the acquisition of 250,000 'B' shares of Metropolis and Bradford Trust by A.B.P., which has been completed, the shares having been transferred and an appropriate part of the purchase cost paid over. The second stage, with regard to the 5,100 'A' shares of Metropolis and Bradford Trust, will be dealt with as soon as possible. Until the completion of the second stage of the agreement, the administration of G.B. remains exactly as at present."

Test Bank Night in Florida High Court

TAMPA, Fla., Oct. 12.—The Florida Supreme Court will be asked to rule on the legality of Bank Night in theatres. Gulf Theatres, Inc., a subsidiary of the Sparks organization, to get the question quickly before the court, permitted a default judgment to be entered against it in a suit by W. A. Rice, soft drink salesman, who brought suit against the theatre in August for failure to pay him $1,550 which he said he won in a Bank Night drawing.

Rice was told by the management that he did not reach the stage in the prescribed two minutes after the announcement of his name. Rice said he did. The sole question before a Supreme Court, attorneys agreed, would be whether Bank Night contains the legal element of a contract.

The theatre contends that no one can have a legal complaint, as the award is a free offer and that no one but the theatre stands to lose anything. Rice's counsel maintains that the trouble to which a person puts himself in going to the theatre and awaiting the drawing constitutes consideration on his part and gives him the right to sue if the award is withheld.

May Drop Phila. House

PHILADELPHIA, Oct. 12.—It is reported that Warners may change the policy, or abandon the Stanton, local first run, coincident with the beginning of construction on the new Central. It will seat 500.

Tally, Corbar File Brief in FWC Case

(Continued from page 1)

results from the only instance in judicial history where the court denied itself the power to set aside a judgment procured by fraud.

The brief as filed today reiterates the acts of the bankrupt as brought out in the previous hearing before Judge Alger Fee and which it alleges to have been fraudulent. In demanding a new trial it cites cases and authorities.

Fox West Coast must file an answer within 30 days, after which Neblett will be given 10 days in which to reply.

"U" Buys McGuire Yarn

HOLLYWOOD, Oct. 12.—"Dancing For Love," original by William Anthony McGuire, has been bought by Universal as a possible story for Doris Nolan and George Murphy. E. M. Asher will produce.

Coast Production Shows Slight Gain

(Continued from page 1)

on the stages. Fifty-seven pictures are being edited and 22 being prepared for production shortly.

New pictures at Columbia include "Interlude," which will star Grace Moore, and "Lady of New York." Matching the Columbia pace, Warners likewise started two, "San Quentin," and "Bad Man's Territory." For Paramount release Major Prod. started "Mind Your Own Business." Universal began work on "Murder in Mississippi." Radio started "Criminal Lawyer" and Chesterfield "Ellis Island."

A recapitulation shows Columbia had six features shooting, five preparing and seven editing. Goldwyn had one, zero and one; M-G-M three, one and 13; Paramount, six, two and seven; Republic, two, two and four; Radio, three, five and 10; Roach, two, zero and one; Selznick, zero, zero and one; Twentieth Century-Fox, eight, four and five; Universal, three, one and one, and Warners six, two and seven.

Columbia had one short subject working; two preparing and four editing; M-G-M, zero, two and 10; Radio, one, zero and one; Roach, zero, one and one; Warners, zero, zero and one.

Columbia's Business Up in Britain—Cohn

(Continued from page 1)

and described them as the "finest in the world. England looks like Hollywood, there are so many Americans working there."

Only English producers will make Columbia's quota product, Cohn added. Several companies already have been signed to make the necessary output, he asserted, and those that are very successful in England will be distributed on an international scale by the company.

Joseph Seidelman, head of the foreign activities, will return on the *Queen Mary*, which is due next week.

Ever on the alert, Cohn produced a program of the films shown on the *Normandie*, "Stage Struck" and "Nine Days a Queen."

"See," Cohn said, "the pictures are so bad that even the boats have to dual feature them."

"Broadcast" Hits Record

"The Big Broadcast of 1937," starring Jack Benny, Gracie Allen and George Burns, set a new record at the Malco in Memphis, according to a wire sent by M. A. Lightman to Neil F. Agnew at the Paramount home office.

Lightman wired: "Broadcast broke all Sunday records at Malco despite being third day of picture grossing over $1,700. Give us more 'Broadcasts' and Paramount worries will be over. Am going to step on 'Valiant'."

Plans Southern Circuit

NEW ORLEANS, Oct. 12.—Mort H. Singer, controlling both the Liberty and Orpheum here, said he plans a string of neighborhood and suburban theatres here. He may go as far as Gretna, Harvey and Westwego, small towns just across the river from New Orleans.


"SENSATIONAL
AERIAL
THRILL
AND
ACTION!"
. . . M. P. Daily

WITHOUT ORDERS



"TERRIFICALLY EXCITING!"
. . . Daily Variety

"FAST-MOVING . . ACTION-FILLED!"
. . . Film Daily

"EXCITING STORY OF COMMERCIAL AVIATION!"
. . . Hollywood Reporter

RKO RADIO PICTURE
with
SALLY EILERS
ROBERT ARMSTRONG
FRANCES SAGE
CHARLEY GRAPEWIN
VINTON HAWORTH

DIRECTED BY LEW LANDERS
ASSOCIATE PRODUCER CLIFF REID



POPULAR

A MIDSUMMER NIGHT'S DREAM

AT ANY PRICE!

Max Reinhardt's Production of
'A MIDSUMMER NIGHT'S DREAM'
By William Shakespeare
Music by Mendelssohn
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Directed by Max Reinhardt and William Dieterle

BOSTON, MASS. • CHARLESTON, W. VA. ST. LOUIS, MO. • JOHNSTOWN, PA. OAKLAND, CAL. • STOCKTON, CAL. • NEW YORK CITY . . . FIRST CONTINUOUS-RUN BOOKINGS EVERYWHERE PROVE IT!

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The 'Anthony Adverse' Company!

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 89 NEW YORK, WEDNESDAY, OCTOBER 14, 1936 TEN CENTS

Three Owners In G. B., But Ostrers Rule

20th-Fox Checked Until Voting Shares Sold

By BRUCE ALLAN

LONDON, Oct. 13.—The legal position resulting from John Maxwell's buy into Metropolis and Bradford Trust seems to be a three-way ownership of Gaumont British with control still resting with the Ostrer brothers.

If the Ostrers act as nominees of Maxwell, using their control under his instructions, Twentieth Century-Fox appears to have no court remedy in the absence of a formal sale of the "A," or voting shares.

The situation implies a threat to Twentieth Century-Fox, as it cannot challenge British control. The company may sell part, or all, of its shares to Maxwell on the best terms possible, with a guarantee of playdates for quota pictures from Maxwell and Gaumont British.

Twentieth Century-Fox may sue, alleging that control has passed by secret agreement, but is seen having little chance of getting the original

(*Continued on page 6*)

Report Chase Bank Ready to Talk Sale

LONDON, Oct. 13.—On good authority it has been learned that S. R. Kent, Twentieth Century-Fox president, has instructions from the Chase National Bank to deal with John Maxwell, Associated British Pictures head.

It is understood that if a good price can be obtained for Twentieth Century-Fox shares in Metropolis and Bradford Trust, Joseph M. Schenck will not be allowed to fight the transfer of G. B. control to Maxwell's company.

No comment was obtainable from Chase Bank officials in New York.

H. J. Ochs Is Named Assistant to Sears

Herbert J. Ochs, Warner branch manager at Atlanta, has been named as assistant to Gradwell L. Sears, general sales manager. He will begin his new duties immediately.

Bob Mochrie is another assistant to Sears.

Ochs is now in Atlanta installing

(*Continued on page 6*)

Metro Units Will Dissolve To Cut Taxes; Brand Stays

Metro-Goldwyn Pictures Corp., Metro-Goldwyn-Mayer Dist. Corp., Metro-Goldwyn-Mayer Corp. and Culver Export, the latter handling the company's foreign sales, will be dissolved shortly to ease income tax payments and the entire business of these various wholly-owned Loew's, Inc., subsidiaries is to be cleared through the parent company.

The Metro-Goldwyn-Mayer brand name with its highly valuable trademark value on which millions of dollars have been spent, obviously will be continued, but contracts for product, once the changeover is completed, will be made by exhibitors directly with Loew's Inc.

Attorneys for Loew's and M-G-M have been working nights and weekends in an effort to effect the change by Jan. 1. The policy is one which has been adopted by large companies in other fields and is very likely a future one for other companies in this field, including Radio where reports have been current for several days that the theatre end of that enterprise will be placed under the future

(*Continued on page 6*)

M-G-M Moves Shorts Activities to Coast

All M-G-M short subject activities, including sales, will be centralized at the studios in Culver City in the future. Fred C. Quimby, general manager of this department, tomorrow will leave for the coast with his family to make his permanent headquarters on the coast. He will, however, maintain an office in New York for periodic trips and conferences with eastern executives.

James A. FitzPatrick also will

(*Continued on page 6*)

Not to May 1

Hollywood, Oct. 13.—The M-G-M production schedule to May 1, 1937, includes no plans for future Norma Shearer vehicles. Insiders here, however, discredit reports that, when she resumes her professional career, she will confine her activities to production, as has been reported.

By the terms of Irving Thalberg's will, Miss Shearer is now a heavy holder of Loew's, Inc., stock.

Stereoscopic Screen Device Is Submitted

By W. A. WHITNEY

WASHINGTON, Oct. 13.—The long-dreamed-of stereoscopic projection of pictures is possible, says Peter Serge Litt, 28-year-old Washington inventor.

Litt, who was formerly with the experimental departments of RCA, now is with Sylvania-Hi Grade radio tube manufactory.

Without the use of spectacles or added projection equipment—and without special methods of camera manipulation or equipment, the Litt method achieves its end entirely

(*Continued on page 6*)

"Laughing Woman" Fails in Effort to Bestir Emotions

Good-looking and young genius, mowed down in the early days of the war. Left behind the woman, old enough to be his mother, who first had guided and then loved him, and a world made poorer with that genius gone.

In the rough outline, here would seem to be enough of the makings in drama and tragedy for evolvement into a play which might hammer touchingly and hard at the heartstrings. But "The Laughing Woman," latest hopeful adventurer to reach Broadway for a run and profits, it must be admitted, simply has not got it.

It may be the unchanged monotone of its tempo, punctuated occasionally by a burst of noisy fire and anger as Tonio Selwart, the young sculptor, clashes with his guiding force, Helen Menken. It may have been the fashioning of the play, its guarrulity which made it ramble. Loquacity has a habit of doing that. Perhaps it was these several damaging factors, in combination, but the inevitable reaction is clear, even if the causes leading to it may be mixed,

(*Continued on page 7*)

Independents, B. & K. Settle On Clearance

Duals Approved; Extra Clearance Dropped

CHICAGO, Oct. 13.—The proposed suit which independents here had planned to file against Balaban & Katz and major distributors over clearance difficulties and double featuring will not materialize. The abandonment of the legal action results from a settlement reached here today between legal counsel representing B. & K. and independents involved in the dispute.

In accordance with the compromise reached, B. & K. will not take advantage of the extra clearance between C week and the first week of release which they had asked and were granted in the current season's contracts. In recognition of the circuit's concession, the independents have agreed to advance no objection to double featuring by B. & K., who plan to start dual programs in five outlying houses this week.

Each faction in the controversy considers itself to have won a victory, the independents for having eliminated the extra clearance and the circuit for having gained assent to its double featuring policy. The suit was to have been filed this week, probably

(*Continued on page 8*)

Grants Hilles Leave To Appeal Katz Case

The Paramount reorganization trustee, Charles D. Hilles, was granted leave yesterday by Federal Judge William Bondy to appeal to the U. S. Circuit Court of Appeals from a ruling by Federal Judge Alfred C. Coxe which allowed the claim of Sam Katz for $265,000 against Paramount. Katz's claim is based on an unexpired employment contract which was in existence at the time he left Paramount in 1932.

The Paramount trustee's appeal, it

(*Continued on page 7*)

"Dimples" Sets New 4-Day Roxy Record

"Dimples" set a new four-day attendance record at the Roxy. During the first four days of the run 113,262 persons visited the theatre, which is far above any previous figures recorded during the receivership and trusteeship of Howard S. Cullman.

On Sunday, 31,779 admissions were

(*Continued on page 7*)

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May Delay Sailings

Ben Goetz, who has passage booked on the *Normandie*, which will sail today for England, may have to delay his departure.

Herbert Marshall, RKO star, also is scheduled to sail on the same ship. He was having difficulty yesterday on getting a re-entry pass. Unless it comes through by today he may have to cancel until the next liner leaves.

Seidelman Embarks

LONDON, Oct. 13.—Joseph H. Seidelman, foreign manager for Columbia, who has been in Europe for some time, sailed on the *Queen Mary*. John Baxter and Frederic Lonsdale are also aboard.

Garbo Answers Suit

LOS ANGELES, Oct. 13.—Greta Garbo, in an answer filed in court here today, contended that the statute of limitations applied in a suit brought against her for $10,500 allegedly lent her in Swedish kronen and German marks in 1924. H. Fitzpatrick, assignee for D. Schratter, a German producer, brought the action against the actress.

Insiders' Outlook

By RED KANN

REMAKES are not always the most comfortable pictures to make. Where the original emerged as a memorable effort, the latter day version provides itself with an additional obstacle. Yet, sometimes it works and, in the instance of the British-made version of "Broken Blossoms," quite definitely it has. The producer, Twickenham of London, graciously not only acknowledges the Thomas Burke vignette of Limehouse which supplied the story base, but also the 1919 effort of David Wark Griffith and that, we suggest, is in itself an uncommon circumstance in this business. . . .

▼

Emlyn Williams, young English actor currently appearing on the New York stage, plays the idealistic Chinaman who, you may remember, was portrayed in the Griffith version by Richard Barthelmess; Arthur Margetson is the battler, the Donald Crisp role, and Dolly Haas, the frightened, half-starved and brutalized girl which was one of the best things Lillian Gish ever attempted. Hans Brahms is responsible for the direction and Imperial has acquired the rights for America. That clears away the facts in the case. . . .

▼

As a dramatic effort, more can and will be said about "Broken Blossoms." Slightly rough technically, it may be. Margetson's callousness may be overplayed and Williams, it might be said, does not look startlingly like a Chinaman. But the heartbreak and the tragedy are there. The delicacy in the long scenes between the girl and "Chinkie" are there to raise havoc with the emotions. For much of the picture has a gossamer-like quality despite the sordidness and the squalor of its background and to say that about any film strikes us as venturing forth with a great deal. Miss Haas, far and away, is the standout in point of performances. Her interpretation of the frightened, sunshine-less girl of the slums is a completely touching one and stamps with certainty the day, probably not long off, when one of the major studios will hurry her across ocean and continent for future work of like calibre, may it be, in Hollywood. . . .

▼ ▼

A timely illustration emphasizing the essence of the tax consolidation plan now being worked over at Loew's where the Metro-Goldwyn-Mayer companies *per se* will be dissolved is the case of the Schrafft stores. In the public's eye, the trademark value rests in this name. Few know that the controlling and operating company is the Frank G. Shattuck Corp. So it will be at M-G-M. Obviously, the internationally known symbols will be maintained, but Loew's, Inc., will be the control and the administrator. That's all there is to it except, of course, the savings in income taxes for which the procedure has been devised. Which is Loew's and M-G-M's business. . . .

▼ ▼

The fracas between Twentieth Century-Fox and the Music Hall goes into no abatement with the booking by W. G. Van Schmus of "As You Like It." It appears Van Schmus saw the Bergner film, another effort from Shakespeare and London, and liked it. Thus, he made his deal. In the meantime and not necessarily related unless you want to make the blood tie, "Dimples" is delivering an excellent account of itself, so excellent, in fact and in deed, that its week's gross at the nearby Roxy will enter the ledger at about $52,000. . . .

▼ ▼

This is as good a time and spot as any to correct an impression. Recent typewriter poundings here expressed a lack of understanding as to why and how the Music Hall had passed up "Follow Your Heart," that very good musical made by Republic with Marion Talley. We have been told that Van Schmus did not, that his proffered date was in December and that Republic decided not to wait. Thereafter, followed the booking at the new Criterion. . . .

▼ ▼

"As You Like It" and Shakespeare remind of comment passed by Kelcey Allen at one of the week's earlier stage debuts. "I've looked at the current plays and the conclusion is that the Bard still is the best writer of them all." Shakespeare's shade is being offered no compliment. Not only is the stage season late, it is also tardy on merit. Hollywood consistently is doing a far better job of it. . . .

▼ ▼

"Well, it worked out alright for both boys. They're both general sales managers now," mused Sam Dembow yesterday.

Referring, of course, to the appointment of Smith at United Artists the other day and of Sears at Warners after Andy pulled up stakes there recently. . . .

▼ ▼

For twenty-four unmolested hours, "Sailor, Beware" blazoned from the marquee of the Rialto. Then Paramount went into an injunctive mood and Arthur Mayer had to swing over to the release title, "Lady, Be Careful." Among his contemplations is still another change. This one he would call "Mayer, Be Careful." . . .

▼ ▼

Jimmy Grainger hit town from the coast yesterday, reporting he felt well aside from neuritis in one shoulder.

"That's not neuritis, it's Bob McNeill," remarked Jimmy's brother, Edmund. . . .

Fox Lists $75,000 In Additional Gifts

ATLANTIC CITY, Oct. 13.—William Fox contributed about $75,000 in 1931 for the purpose of purchasing paintings for art galleries and for other gifts to the cause of art, according to testimony given here today in his bankruptcy hearing.

The day was given over to going slowly through old checkbooks, with Fox and Herbert Leitsteen, his family bookkeeper, collaborating at the witness table in trying to remember the history of each check throughout that year. This was a continuation by the creditors' counsel of the effort to compile a complete list of Fox gifts.

"You can well understand," Fox mildly protested at one point, "that I have no reason not to tell you of the gifts. I'm rather proud and happy that I made them." He reasoned patiently with Walter Hanstein, one of the lawyers, on methods of speeding up the search.

The resulting list, by the end of the day, included $44,075 to the American Art Ass'n and somewhat smaller amounts to various galleries, $25,000 to the Emergency Unemployment Commission, $9,375 to the Beth Israel Hospital of New York, $8,000 for a pearl necklace for Mrs. Fox and various amounts to other members of the family, relatives and employes.

Chas. Previn Heads Music Dept. at "U"

HOLLYWOOD, Oct. 13.—Charles Previn today was named musical director at Universal in a studio music department shakeup. Herman Heller has resigned as business manager and has been succeeded by Lou Forbes who will work under Previn's supervision.

Heretofore the question of authority in the department had not been very clearly defined.

Criterion-G. N. Deal Set

Carl Leserman, general sales manager of Grand National, yesterday closed with Harry Charnas for the showing of "In His Steps" at the Criterion, starting Oct. 30. Another deal is on tap for at least two more Grand National bookings.

G. N. Changes Plans

HOLLYWOOD, Oct. 13.—The move to house all of Grand National's units in one studio plant has been temporarily abandoned.

Leonard Starts at U. A.

Charles A. Leonard, former advertising manager for Universal, yesterday assumed his new post as head of the exploitation department of United Artists.

HERE COMES CARTER!

With a screenful of gags, gats and gals in a grand new laff-slant on radio romeos!





HERE COMES CARTER!

With the reigning rhythm favorites, 'Thru the Courtesy of Love' and 'You On My Mind'!

HERE COMES CARTER!

With the Surprise Performance that Makes a Million-Dollar Star Personality Out of

ROSS ALEXANDER

GLENDA FARRELL · Anne Nagel · Craig Reynolds · Hobart Cavanaugh
George E. Stone · John Sheehan · Joseph Crehan · Dennis Moore

Directed by William Clemens · A First National Picture · Songs by M. K. Jerome & Jack Scholl



HERE COMES CARTER!

With Another Big October Show from Warner Bros.



You never have to take a finesse when you play M-G-M. It's in the cards that this season tops M-G-M's greatest previous years! "Gorgeous Hussy" started the winning streak. "Great Ziegfeld" at Popular Prices is hot after "San Francisco" records. And the Aces continue with "Libeled Lady" sensational in all opening engagements. The trade papers were right! "Box-office riot" said Film Daily. "Knockout box-office picture said Daily Variety. "It makes selling a pleasure" says M. P. Daily. "Big grosses everywhere," says Showmen's Trade Review. "They just don't come any better," says Hollywood Reporter. And you'll say HOORAY!

ANOTHER M-G-M GRAND SLAM!

THEY'RE RASCALS! THEY'RE ROWDY! AND THEY'RE RARIN' FOR ROMANCE!

Isn't it wonderful? Four favorite film frolickers in the year's swellest entertainment!



Jean HARLOW

She thought her marriage would be front-page news... but it landed in the comic section.



William POWELL

He was the best man... but he walked off with the bride. He'd do anything for a pal!



Myrna LOY

Her disguise was perfect, but he could recognize those once-in-a-lifetime ankles anywhere!



Spencer TRACY

The lovely ladies were fascinating!... But to him a marriage license was just a permit to fight.

PUT THEM ALL TOGETHER THEY SPELL J-O-Y!

LIBELED LADY

with WALTER CONNOLLY

A Metro-Goldwyn-Mayer Picture • Directed by JACK CONWAY • Produced by LAWRENCE WEINGARTEN

LEFT: *One of the many ad ideas used in big national campaign.*

Three Owners In G. B., But Ostrers Rule

(Continued from page 1)

deal into court against the attitude of the Government.

The *Financial Times* comments on the obscurity of the Gaumont British and Associated British Pictures' statements and, referring to the Twentieth Century-Fox interests, suggests the deal must be incomplete until S. R. Kent is satisfied. The paper further comments on the absence of any mention of an offer to "the large body of general investors owning 40 per cent of Gaumont British ordinaries." It also refers to the "noticeable and regrettable absence of intimation from Gaumont British board as to earnings and any dividend." It suggests the deferment of completion of the deal, leaving directors free to settle this matter, which should have been done a month ago, the paper states.

No statements were made today by any of those concerned.

It is understood to be Maxwell's view that the second part of the Ostrer agreement covering sale of the "A" shares cannot be completed for weeks, perhaps months.

M-G-M Moves Shorts Activities to Coast

(Continued from page 1)

transfer production activities on his Traveltalks to the M-G-M studios. The independent producer will keep his New York office, but work on his travel subjects at the studio.

Heretofore, Quimby has made several trips to the coast each year. The switching of his permanent headquarters will obviate a lot of traveling for him in the future. He originally came from the coast and says it's more practical to operate from there.

Circuit Deals Completed

With the closing of the McNeil & Naify circuit yesterday, M-G-M has virtually completed product deals with every important independent circuit in the country.

The latest pact embraces 60 theatres in nothern California and is for a two-year period. William F. Rodgers, general sales manager; E. M. Saunders, western division manager, and George Hickey, western district manager, represented the distributor, while Bob McNeil and Mike Naify acted for the circuit in the negotiations.

After finishing the deal yesterday, Hickey left for Salt Lake City. He was in town about a week. McNeil and Naify plan to leave for San Francisco tonight.

H. J. Ochs Is Named Assistant to Sears

(Continued from page 1)

his successor, Joe Vergesslich, who has been Florida representative for the company, working out of the Atlanta office. Vergesslich was formerly New Jersey manager and later manager for First National in the Chicago area.

Metro Units Will Dissolve To Cut Taxes; Brand Stays

(Continued from page 1)

administration of the picture company when reorganization is completed.

In view of the new Federal income tax rates, the inclination appears to be to forego the procedure largely in effect until now, under which the liability of each major subsidiary was made a limited one in order to keep the parent company as free of legal obligation as possible.

In the case of Metro, for instance, Federal taxes pyramid several ways, earnings of the distributing company are payable in the form of dividends to the picture company which, in turn, is controlled by the Metro-Goldwyn-Mayer Corp. Profits of the latter reflect in dividends payable to Loew's, Inc., the parent company which owns it. All of these corporations, of course, must file returns under the law, but this duplication will be eliminated under the consolidation plan which was described yesterday as mere intra-corporate activity without bearing of any description on the operations of the Loew companies outside of their own offices.

The identical procedure is being followed in respect to subsidiary theatre companies throughout the United States.

Few Have Signed—Howard

BOSTON, Oct. 13.—Arthur K. Howard, business manager of Allied, today stated that 90 per cent of exhibitors attending a meeting of their association today have not signed new deals with M-G-M.

The meeting revolved around the question, "Can M-G-M deliver 30 big pictures this year?" the unit drawing its own conclusion that the company cannot and offering as evidence what purports to be Metro's latest rider to its contracts. Allied asserts the rider asks exhibitors to give up nine big pictures bought on 1935-36 contracts and allow the distributor to sell them again at 1936-37 prices.

Goldwyn's Demurrer Is Taken by Court

LOS ANGELES, Oct. 13.—Judge William P. James in U. S. District Court has taken under advisement Samuel Goldwyn's demurrer in the suit filed by Paramount against him for alleged tampering with Gary Cooper while still under contract to Paramount.

Goldwyn's attorney, Herman P. Servin, contended the complaint failed to set forth a valid cause of action and there existed too many contingencies to measure damages.

Von Tilzer Ends Suit

A stipulation was filed in N. Y. Supreme Court yesterday in connection with an action brought by Harry Von Tilzer, song publisher, to discontinue his suit against M-G-M. No other papers were filed and the facts in the case were not revealed.

Warner Party Saturday

NEW HAVEN, Oct. 13.—The Warner Club's annual dinner-dance at the Seven Gables Inn will be held on Saturday, with an expected attendance of 400.

Third Dimension

Rochester, Oct. 13.—Dr. Alfred N. Goldsmith yesterday predicted third dimensional pictures in natural color in which the voices of players would follow them about the screen, within 50 years, in a talk before the S.M.P.E., in convention at the Sagamore Hotel here.

Implied in Goldsmith's talk were advancements in sound and color on the screen which eventually may do away with the stage player. Science must feel its way slowly, he said.

Stereoscopic Screen Device Is Submitted

(Continued from page 1)

through the use of a special screen, he asserts.

Whatever silver sheet a house may be using is coated with a special chemical. Then, superimposed upon the reflecting curtain is a 16, 18, or 20-mesh wire screening, equal in size to the "sheet."

By treating the screening with a chemical to compensate for inherent distortions, an experimentally perfect stereoscopic illusion is attained, he claims.

When the MOTION PICTURE DAILY reporter called upon Litt, projection equipment and the specially designed screen were en route to Rochester. However, observers who had seen the apparatus at work stated that the third dimension was actually achieved.

Litt emphasizes that his invention does not involve the use of red-and-green spectacles.

Cost Moderate

While Litt, who is from Tonawanda, N. Y., makes no claims to perfection for his invention, he says he believes he has found the first practical solution to the problem. He estimates that production of his screen would not cost much over $10 or $15 more than the present screen price.

Litt achieves his stereoscopic effects with any film, with color films seeming to give better results than black and white. In this regard, Litt points out that production cost on regular film is about 2.5 cents a linear foot, that, for example, on "Audioscopics" being around $1.20 a linear foot.

Litt also is working on apparatus to eliminate distortion from pictures when viewed from side seats.

Poe, Schlaifer Assistant

Seymour Poe, formerly head of United Artists sales promotion department, has been named as home office assistant to Jack Schlaifer, western division manager.

S. M. P. E. Fire Rules Urged At Convention

ROCHESTER, Oct. 13.—The necessity for the preparation by the S.M.P.E. of a standard set of instructions indicating to the theatre projectionist exactly how to proceed in the event of fire in the projection booth, was stressed in a paper on "Fire Prevention in the Film Industry," read by H. Anderson of Paramount at today's meeting of the annual fall convention of the society, which opened yesterday at the Sagamore Hotel here.

The Anderson paper was one of six which were delivered before approximately 200 delegates assembled here.

Anderson pointed out that the film exchanges have an excellent fire record, the lowest fire loss total of any industry in the United States. The adoption of active fire prevention measures by the exchanges was credited by Anderson for that record. He suggested that individual film engineers keep fire prevention in mind in connection with their work, whether it is operation or design.

Tour Kodak Park

Today's session was held at the Kodak Research Laboratories at Kodak Park, as the guests of Eastman Kodak. The general technical session was held in the auditorium of the laboratory. The reading of papers was confined to the morning, luncheon having been followed by an inspection tour of Kodak Park.

In two papers on "Stability of Films as Determined by Accelerated Age," and "Care of Slide-Films and Motion Picture Films in Libraries," J. R. Hill and C. G. Weber of the National Bureau of Standards at Washington declared that film of the safety type shows great promise as a material upon which to preserve records of permanent value. Its value has been indicated by tests made at the Standards Bureau, the paper pointed out.

In the second paper the two engineers declared the reference libraries of the future may contain files of photographic films in addition to shelves of conventional books.

H. B. Tuttle of Eastman Kodak read a paper on "Medical Motion Pictures in Color," in which he cited the improvements made in the past year in the methods, apparatus and materials employed in the production of medical films.

Film Manufacture Described

A detailed description of the manufacture of films was given by E. K. Carver of Eastman Kodak in his paper, "Manufacture of Motion Picture Film."

J. G. Capstaff, O. E. Miller and L. S. Wilder of Eastman prepared a paper on "The Projection of Lenticular Color Films," in which were pointed out the changes necessary in standard theatre projection equipment for the satisfactory use of lenticular films. Successful experiments have been carried out at Loew's Rochester and in New York, it was said.

Speakers generally today stressed the most important method yet devised for recording of surgical work, current events and criminal identification.

"Adverse" in 3d Big Week On the Loop

CHICAGO, Oct. 13.—After two weeks at the Chicago "Anthony Adverse" moved over to the Apollo and had another smash week, grossing $10,500, which was more than 100 per cent over par.

"Sing, Baby, Sing" maintained its fast pace in a second week at the Garrack by garnering $8,000, over the line by $2,500, and "The Last of the Mohicans" turned in an excellent $14,000 in 10 days at the Roosevelt. This was $3,000 over a seven-day average.

"Piccadilly Jim," with Leo Carillo heading a stage show at the Chicago, ran up to a nice $34,500, up by $2,500.

Total first run business was $120,100. Average is $115,000.

Estimated takings:

Week Ending Oct. 7:

"SWING TIME" (Radio)
PALACE—(2,509), 30c-40c-60c, 7 days, 5th week. Stage: "Shooting High" Revue. **Gross:** $16,000. (Average, $19,000)

"PICCADILLY JIM" (M-G-M)
CHICAGO—(4,000), 35c-50c-75c, 7 days. Stage: Leo Carrillo and Revue. **Gross:** $34,500. (Average, $32,000)

"YOURS FOR THE ASKING" (Para.)
ORIENTAL—(3,490), 25c-40c, 7 days. Stage: Vaudeville revue. **Gross:** $16,700. (Average, $15,000)

Week Ending Oct. 9:

"THE LAST OF THE MOHICANS" (U. A.)
ROOSEVELT—(1,591), 30c-40c-60c, 10 days. **Gross:** $14,000. (Average, $11,000)

"THE GORGEOUS HUSSY" (M-G-M)
UNITED ARTISTS—(1,700), 30c-40c-60c, 7 days, 3rd week. **Gross:** $15,000. (Average, $15,000)

"ANTHONY ADVERSE" (W. B.)
APOLLO—(1,400), 30c-40c-60c, 7 days. **Gross:** $10,500. (Average, $4,500)

"SING, BABY, SING" (20th-Fox)
GARRICK—(900), 30c-40c-60c, 7 days, 2nd week. **Gross:** $8,000. (Average, $5,500)

"POSTAL INSPECTOR" (Univ.)
STATE-LAKE—(2,776), 20c-30c-35c, 7 days. Stage: "Continental Gaieties" Revue. **Gross:** $15,400. (Average, $13,000)

Grants Hilles Leave To Appeal Katz Case

(*Continued from page* 1)

is understood, is to be based on Section 60 of the N. Y. Stock Corporation Law, which concerns the right of an employer to discharge an employe under contract without compensation for the term of the contract.

Cine Roma Is Closed

The Cine Roma, Broadway house which has been showing Italian films exclusively since its opening several months ago, closed yesterday temporarily. Reports that the house was closed because of insufficient Italian product could not be verified at the theatre or at the offices of Nuovo Mondo, distributor of Italian films and the chief source of product for the Cine Roma.

"Broadcast" Does Well

"The Big Broadcast of 1937," in its first 16 key city engagements, is grossing above the average weekly take at the theatres where it is playing, according to Paramount. An opening day record was set at the Florida in Jacksonville, the home office reports.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Rose Bowl"

(*Paramount*)

HOLLYWOOD, Oct. 13.—Collegiate comedy and romance are the entertainment essences of this picture. Not pretentious, the film is rather one that concentrates its bid for audience appreciation on the light, gay quality of the story content. Its chief appeal is to younger patrons. Well put together, the plot runs coherently and is played by a youthful cast with sparkle and zest.

In the story Tom Brown and Buster Crabbe, high school rivals for the affection of Eleanore Whitney, go to different colleges. Both become gridiron notables. In the senior year, the respective teams are in line for the Rose Bowl game. Brown's fresh water college is little known to the football fans but William Frawley, the coach, aided by newspaper men, seizes upon the romantic rivalry between Brown and Crabbe, plus the comedy contrast involving Brown's pal, Benny Baker, and Priscilla Lawson, a budding screen star, to kick up excitement. The finale is typical with a football game in which Brown's team wins over Crabbe's, and the hero-romance angle of the story winning over the football theatrics.

While there is exciting material in the film, main attention is focused on the campus comedy-romance. Brown, Crabbe, Baker, Miss Whitney and Miss Lawson turn in creditable performances, with Baker accounting for the most fun. In the football sequences Nick Lukats is good.

The story by Frances Wallace with the screenplay by Marguerite Roberts is just enough off the beaten path to permit exhibitors to exploit the film as novel and fresh.

Production Code Seal No. 2,596. Running time, 75 minutes. "G."

"Laughing Woman" Fails in Effort to Bestir Emotions

(*Continued from page* 1)

and that reaction is that this play does not even touch the general area of the heart.

It seemed to develop an aloofness with its audience at the Golden last night. There was nothing to bestir the emotions, nothing to move the spectators onto the stage to suffer and enjoy the disappointments and the brief pleasures of the two leading characters.

The plot has the young artist meet Miss Menken. She represents his ideal woman and, together on a platonic basis purely, they leave Paris for London. When Lora Baxter, a pre-war feminine menace moving in literary and art circles, makes a play for Selwart, he very early falls, only to be pulled back to art and poverty by Miss Menken. Then comes the war and Selwart, looking towards the flies, decides he must volunteer. It seemed that here the plot fumbled pretty badly. The character of the artist, until this juncture, had placed him virtually apart from mundane matters, including newspaper headlines. He was totally unorthodox in his viewpoint on life and presumably unfamiliar with its commercial and, also, political whirligigs. Yet, one headline finds him abandoning a career in which he, at least, believed, to go to the front. Consistency went for a stroll in Scene 3, Act. 2. He is killed, of course, and thereafter his memory becomes stored in Miss Menken's treasure chest.

Selwart was all right without brilliance. Miss Menken continued her Menken-esque gestures and suffered nobly, but Miss Baxter's siren ought to induce someone connected with the James R. Ullman-Shubert producing auspices to ask her what the idea is anyway.

Hollywood? Well, "The Laughing Woman" possibly, perhaps and maybe will interest someone in those parts, but a faster-beating pulse would have more reason to increase its norm over something else.

"Dimples" Sets New 4-Day Roxy Record

(*Continued from page* 1)

tallied. The take for the four days totaled $41,350 with indications that the first week's gross will wind up with approximately $55,000. A second week is assured.

Shift Mills Department

The advertising and publicity department of Mills Artists, Inc., has been reorganized under the direction of Ned E. Williams. Helen Oakley handles special features and the trade press, Irving Hyland metropolitan press and advertising, and Lupin Fien out-of-town press and exploitation.

Steerman Is a Father

PITTSBURGH, Oct. 13.—Ben Steerman, chief auditor for Warners here, is passing around the cigars. It's a girl and his first child. Mrs. Steerman was formerly Miriam Wald, a stenographer in the Warner booking department.

Newspaper Men Will Fete Film Notables

The Ass'n of Foreign Press Correspondents will be host tomorrow afternoon at the Lombardy to a number of film executives, stars and directors including Dr. A. H. Giannini, president of United Artists; William Wyler, Rouben Mamoulian, Paulette Goddard, Fredric March, Nino Martini and, if possible, Miriam Hopkins, and Gertrude Lawrence.

A. Bernard Maloney, president of the association, will preside at the luncheon which will start at 1 P.M.

Mamoulian Hits Stars on Air

The participation of film stars in radio programs was scored as being bad for them and for theatres by Rouben Mamoulian in an interview at his hotel here yesterday.

"I do not think that more than one or two radio appearances a year are good for film people," Mamoulian said. "Any more frequent appearances than that are injurious. We all know that what is too easily available loses its value, and in the case of film stars the injury done is visited upon the theatres which sell their entertainment as well as upon the individuals themselves."

Mamoulian's condemnation of broadcasting by studio personalities is the first to be made here by a Hollywood figure. Mamoulian added that the vast amount of material consumed by radio programs makes an occasional poor program inescapable, and said it was his opinion that the injury to a star's standing, when identified with such a program, is vastly more serious than an appearance in an occasional poor picture.

Mamoulian came here for the opening of "The Gay Desperado," which he directed for United Artists. He leaves for the coast tomorrow to go over a script which he may direct for Paramount. He said that he intended to continue as a free lance.

Wall Street

Keith Up 7 Points on Board

	High	Low	Close	Net Change
Columbia	39⅝	39	39	.....
Columbia, pfd.	46⅛	46⅛	46⅛	— ⅜
Consolidated	5	4⅞	4⅞	.....
Consolidated, pfd.	17⅞	17⅝	17⅝	— ¼
Eastman	176½	176½	176½	.....
Gen. T. Equip.	26½	26	26	— ⅝
K.-A.-O., pfd.	102	102	102	+7
Loew's, Inc.	58¼	57⅛	57⅛	—1⅝
Paramount	13⅜	12¾	12¾	— ⅝
Paramount 1 pfd.	97¾	97¼	97¾	.....
Paramount 2 pfd.	125⅝	123⅜	123⅜	— ⅛
Pathe Film	8¼	8	8	— ¼
RKO	7½	7⅛	7⅛	— ⅜
20th Century-Fox.	32⅛	31⅞	32⅛	+ ⅛
20th Century, pfd.	39¾	39½	39⅝	— ⅛
Universal, pfd.	103	103	103	+ ¼
Warner Bros.	13⅞	13¼	13¼	— ⅜
Warner, pfd	62	61	62	+2

Little Curb Activity

	High	Low	Close	Net Change
Grand National	3⅝	3⅜	3⅜	— ¼
Technicolor	27¾	27⅛	27⅛	+ ⅛
Trans-Lux	4	3⅞	4	.....

Bonds Gain Fractionally

	High	Low	Close	Net Change
Keith B. F. 6s '46	96⅜	96⅛	96⅛	— ⅜
Loew's 6s '41 ww deb rights	99⅛	99⅛	99⅛	+ ⅛
Paramount B'way 3s '55	64	64	64	.....
Paramount Pict. 6s '55	99¼	98½	99⅛	+ ¾
Warner Bros. 6s '39 wd	96½	96½	96½	.....

(Quotations at close of Oct. 13)

Purely Personal

DICK POWELL and JOAN BLONDELL visited the Tavern yesterday for lunch and were the cynosure of many eyes. GRADWELL SEARS who sells their pictures, is accompanied by HARRY CHARNAS at a table in the opposite corner and took it all calmly, as did E. L. ALPERSON and CARL LESERMAN, who later joined SEARS and CHARNAS. JIM NORMALLY, CHARLES D. PAINE and GEORGE BATCHELLER were grouped together in deep conversation, while HARRY SHIFFMAN, CHARLES MOSES, EDWARD SCHNITZER and HENRY BROWN discussed the Monday Knighters' beefsteak dinner to MOE STREIMER at the Park Central on Oct. 20. BROWN advised no more reservations are being taken and just as he finishes in walks STREIMER, accompanied by EDDIE MULLEN of the U. A. exchange.

Declaring there's no significance to the gathering despite the impending deal between G.B. and A.B.P., BUDD ROGERS, JOHN MAXWELL's representative in America, informally chats with ARTHUR LEE and GEORGE W. WEEKS, who are in good spirits. At another table, JACK HOFFBERG, JULES CHAPMAN and JACK BARNSTYN revive their talks on the independent market and its outlook. JAMES A. FITZPATRICK has a group of friends with him. ED FAY and COLVIN BROWN are seated at one of the side tables, and MONROE GREENTHAL, GEORGE BROWN, TESS MICHAELS and SAMMY COHEN manage to get in a plug for U.A. during the meal. SAM RINZLER and HENRY RANDEL reminisce over the wedding of LOUIS FRISCH's son, EMANUEL, on Sunday night. Motion pictures were taken, it seems, but no one has seen them, as yet. A. P. WAXMAN and BILL SAAL chat for a few moments when the latter decides to make the rounds of the various tables for a friendly greeting. EMIL JENSEN and ARNOLD VAN LEER are in the far end of the place where "The Gay Desperado" is the topic of conversation.

•

HARRY C. ARTHUR will leave by car with his family today for St. Louis where he will make his permanent residence. WILLIAM SCHNEIDER will be in the party as well as Arthur's brother, EDWIN.

•

ANTON LITVAK brought his car over with him on the *Normandie*. There was a lot of excitement on the dock Monday when the director couldn't locate the machine for half an hour.

•

GEORGE HIRLIMAN is planning to bring GEORGE O'BRIEN in from the coast for personal appearances with "Daniel Boone." O'BRIEN may arrive next week.

•

MERLE OBERON, having finished in "Love Under Fire" for Samuel Goldwyn, will sail Oct. 21 on the *Queen Mary* for England and eight months of work for ALEXANDER KORDA.

•

ARTHUR W. KELLY, United Artists vice-president in charge of foreign distribution, is aboard the *Alcantara* en route to Rio de Janeiro from London.

•

MARION DIX and LESSER SAMUELS, G. B. scenarists, have sold to the company the rights to their stage play, "Gilbert Meets Sullivan," based on the lives of W. S. GILBERT and SIR ARTHUR SULLIVAN, lyricist and composer respectively of the Gilbert and Sullivan comic operas.

•

WILLIAM RAY and CHESTER MITTENDORF of Warners are in from the coast and stopping at the Warwick.

•

LEO SPITZ has put off his departure for the coast indefinitely.

•

ARTHUR MAYER has booked "The Big Game" for the Rialto, starting Oct. 23.

•

HARRY FOSTER, the British theatrical agent who arrived on the *Normandie*, will leave for Hollywood in about 10 days.

•

GEORGE TEMPLETON's original story, "Million Dollar Amateurs," has been purchased by Radio.

•

JEANNETTE MCDONALD left for the M-G-M studios Monday night by train after a short vacation here.

•

IZZY RAPPAPORT of the Hippodrome, Baltimore, was in town yesterday.

•

BOB MOCHRIE, assistant to GRADWELL SEARS, left yesterday by plane for Detroit and Chicago.

•

HERBERT J. YATES and EDWARD SCHNITZER will leave Sunday for Cleveland.

•

WILLIAM F. RODGERS, general sales manager of M-G-M, will leave for a tour of exchanges next week.

•

JOHNNY WEISMULLER sailing on the *Normandie*.

•

J. J. MILSTEIN, general sales manager of Republic, is in Detroit.

•

A. H. SCHWARTZ will leave in the next day or two for Lake Placid.

•

ED FINNEY is due back from Hollywood in 10 days.

Admiral Kuykendall Still Tossing at Sea Yesterday

Ed Kuykendall, the prominent yachtsman from northeastern Mississippi; "Buddy" Harris, the Dallas, Tex., tar, and Hal Young, who left late last Friday night on a cruise to Philadelphia, were still somewhere at sea without having reached their destination at a late hour yesterday. The trio are aboard the *La Vedatte*, an 82-foot cruiser owned by J. Don Alexander, the Colorado Springs, Col., seaman.

From a few chips from the ship's log which were floated to shore near Gravesend Bay yesterday in a Haig & Haig pinch bottle it was learned that the cruiser had to run for harbor on the Jersey shore from heavy seas on Saturday. Venturing out again Sunday, the mariners were off Atlantic City when engine trouble developed and a forced landing was made for repairs. They took off again Monday and were last seen on their way up the Delaware River, but the welcoming committee at the Philadelphia dock, which included Jay Emanuel, Lewen Pizor, Dave Barrist and Ed Segal, after a full day of pinochle while they waited, gave up and returned to their offices yesterday.

Young transferred to a fishing schooner off Cape May and was landed here yesterday, but was unable to shed any light on the present whereabouts of his erstwhile cruise companions.

"Romeo" Sales Hold Up

Although the picture is now in its ninth week, "Romeo and Juliet" continues to maintain an advance sale of more than $5,000, it was stated yesterday at M-G-M. For the week just ended, the take tallied $12,500. Some weeks the advance has topped $6,000, and, according to company executives, there is no indication when the Shakespearean film will be withdrawn for "The Good Earth."

Bill Would Up Licenses

JACKSONVILLE, Fla., Oct. 13.—A proposed new city license law, if enacted at the next session of the city council, would increase theatre licenses from $100 and $200 to $300 for all houses, and would raise circus licenses from $1,000 to $1,500.

Allied to Meet Oct. 20

Allied of New Jersey will hold its next meeting Oct. 20 at the Stacey Trent Hotel, Trenton. Discussions will revolve around legislation and product. Lee Newbury, president, will preside.

Morris Wins

The stork race between the Charlie Einfelds and the Buddy Morrises ended yesterday morning with the Morrises the winners. Their third daughter, weight 6¾ pounds, was born at the Doctor's Hospital.

Dudelson and Soskin Hurt in Auto Crash

DETROIT, Oct. 13.—Morris Dudelson, United Artists branch manager, and Leonard Soskin, state salesman, are in St. Mary's Hospital, Grand Rapids, suffering from injuries received when their car crashed into a sand truck on the road between Grand Rapids and Marshall.

Dudelson received wrist and leg fractures and was seriously cut and bruised. He will be in the hospital for 10 days after which he will be brought to Detroit in an ambulance. Soskin was badly shaken up and cut and bruised. He will be able to leave the hospital in a few days.

Witnesses said that the truck turned onto the highway from a side road in front of Soskin's car and stalled.

Wins "Ecstasy" Action

KANSAS CITY, Oct. 13.—Judge Thomas J. Seehorn of the Circuit Court has found Breckenridge Fagin and Robert F. Lakenan, Jr., of the Royal not guilty on a charge of showing "Ecstasy" without a city permit. Judge Sehorn based his decision on the fact that Fagin and Lakenan were showing the picture during the time a Circuit Court order was in effect restraining city officials and police from interfering with its exhibition.

Bandit Gets $6,000

INDIANAPOLIS, Oct. 13.—Police have been unsuccessful thus far in capturing the masked bandit who robbed Ted I. Nicholas, manager of the Lyric, of $6,000 last night. The money represented the receipts for Saturday, Sunday and Monday.

Claxton, Ga., House Sold

CLAXTON, GA., Oct. 13.—The Claxton, operated for 16 years by S. G. Tos, has been sold to Pal Theatres, Inc., of Vidalia.

Independents, B. & K. Settle On Clearance

(*Continued from page* 1)

Thursday afternoon, in order to get an injunction against dualling put into effect before the circuit could get a restraining order.

Today's settlement halts what might have developed into a serious and expensive battle for all concerned. Further, it permits the resumption of selling which had entirely ceased pending the outcome of the dispute.

Representatives of independents, at a meeting called late this afternoon by Aaron Saperstein, decided to postpone the inauguration of double featuring until they feel that their theatres are directly affected by the adoption of the policy by others.

November releases, which at the present time are set up in accordance with the disputed clearance plan, are to be changed to conform to the old clearance policy.

Tom Manning Dead

HOLLYWOOD, Oct. 13.—Tom Manning, veteran stage and screen actor, died Saturday of a heart attack while on the set of "San Quentin." Manning had a featured role in "Councellor at Law." He was also a pioneer announcer in New York in the early days of radio broadcasting.

Grey Very Seriously Ill

The condition of George Grey, gravely ill at the New Rochelle Hospital, was reported at an early hour this morning as being very serious but unchanged during the past three days.

Oscar Hanson Recovering

TORONTO, Oct. 13.—Oscar Hanson, head of the Hanson circuit and Empire Films executive, is ill at his home and has been under a doctor's care for the past week. He is reported recovering, but will not return to his office for the next few days.

Lichtman on Way West

CHICAGO, Oct. 13.—Al Lichtman, assistant to Nicholas M. Schenck, passed through here today en route to the M-G-M studios. He will be gone several weeks on production matters.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 90 NEW YORK, THURSDAY, OCTOBER 15, 1936 TEN CENTS

End of Waste Is Called For By Aylesworth

Studio Cooperation Need, S. M. P. E. Is Told

ROCHESTER, Oct. 14.—Real cooperation among the major producing companies in prohibiting waste of manpower and money is the only means of meeting the steadily increasing cost of production in Hollywood, declared Merlin H. Aylesworth, chairman of the board of RKO, in an address at the semi-annual banquet of the S.M.P.E. at the Oak Hill Country Club tonight.

The banquet was the feature of the third day of the society's four-day annual fall meeting at the Sagamore Hotel here. During the banquet the progress medal and the S.M.P.E. *Journal* award were presented.

Aylesworth declared that the necessary cooperation can be accomplished "even in a business as competetive as ours," by the heads of the companies "realizing and putting into practice a coordinated plan of real cooperation which is bound to lessen the cost of

(*Continued on page 6*)

RKOReorganization Plan In Preparation

Efforts to complete a plan of reorganization for RKO within the next week are to be made by influential factors, it was learned authoritatively yesterday.

While that objective is stated to be a definite possibility, numerous negotiations of importance in any plan which may be drawn remain to be completed. Concurrences of holders of large claims against RKO to a reorganization plan have not yet been obtained. Although the lack of these

(*Continued on page 6*)

Calls Minneapolis House Ban Illegal

MINNEAPOLIS, Oct. 14.—The proposed ordinance to limit the building of new theatres and to force showhouses to provide parking space for patrons' automobiles was declared invalid today in an opinion given to the City Council Committee on Ordinances and Legislation by John F. Bonner, assistant city attorney.

The proposal provided no more than 62 licenses should be issued until the

(*Continued on page 6*)

British CEA Protests Spread Of Foreign Theatres Control

London, Oct. 14.—The Cinematograph Exhibitors' Ass'n general council has passed a resolution opposing acquisition of control of any more British theatres by foreign interests.

The resolution reads: "All possible steps should be taken to prevent the acquisition of control of more British cinemas by foreign interests, now or in the future."

Copies were sent to the Prime Minister and leaders of all political parties.

Maxwell Made G.B. Director In New Moves

By BRUCE ALLAN

LONDON, Oct. 14.—Indications that the Ostrer brothers and John Maxwell have no fear of legal obstacles in the path of his entrance into Gaumont British are seen in the fact that he has been formally elected as a member of the board as a result of his acquisition of "B" stock in Metropolis and Bradford Trust, holding company.

A possible legal dispute over the deal with Twentieth Century-Fox turns on an interpretation of three articles of association in Metropolis and Bradford Trust.

No. 23A says the Ostrers cannot transfer any part of their "A" shares while Twentieth Century-Fox retains 2,431 shares. No. 30 gives the directors power to refuse registration of transfers. No. 89 says refusal of transfer must be agreed to by four directors, and if no such resolution is

(*Continued on page 6*)

KRS Stand on Dixey Scheme British Worry

LONDON, Oct. 3.—Fears that the Kinematograph Renters' Society, representative body of distributors, may take steps against the Independent Exhibitors' Distribution Co., cooperative scheme fathered by Capt. A. C. N. Dixey, are a leading factor in forming theatre owners' reactions to the scheme, and are now being openly expressed, after having been whispered ever since the scheme was propounded.

Securing more or less unanimous support for the principle of his scheme from exhibitor meetings in English provincial cities, Capt. Dixey found more scepticism from Scottish exhibitors gathered at Glasgow, where there was a request that he should retire from the meeting while exhibitors privately discussed the proposition.

On his return Capt. Dixey was specifically asked for his opinion as to

(*Continued on page 6*)

Patricide and Homicide Dot New Tragedy; Not for Films

"Daughters of Atreus," Robert Turney's melodrama, which opened last night at the 44th Street, seems to offer evidence that theatrical producers, at least, are convinced of a New Deal in the theatre. Otherwise, it seems doubtful to this observer that any producer would undertake the presentation of a full-fledged Greek tragedy, without the paternal aid and protection of the WPA, unless he were convinced the time was economically ripe to cater to what must be a limited group of theatregoers. However, in a season ranging from "Pre-Honeymoon" to two versions of "Hamlet," and a study of Napoleon, among other things, even Greek tragedy in the grand manner ought to have the opportunity of stating its case to those who care for it. Certainly, they are not legion.

In spite of what struck this reviewer as a competent and often beautifully written play, there seems little reason for Turney's restatement of Aeschylus's majestic epic of Agamemnon and Orestes, unless it, and it very likely, is his intention to elucidate and humanize this heroic drama of vengeance, for the many, instead of the

(*Continued on page 3*)

General Shift For Corporate Setups Coming

All Industry's Branches Seek Cuts in Taxes

Wholesale revamping of the corporate structures of all large and medium-sized companies in all branches of the industry for the purposes of eliminating pyramided Federal income and profits taxes is either under way or contemplated. The plan, outlining in detail the method to be applied to Loew theatre subsidiaries and to major M-G-M companies yesterday, is merely a case in point.

Meetings were conducted at Paramount in the last few days to figure out a practicable procedure of applying the consolidation scheme to important theatre subsidiaries as another concrete case in point. R. J. O'Donnell of the Interstate Circuit, who is one of those attending these sessions, sounded the keynote when he informed MOTION PICTURE DAILY yesterday that all of the properties owned or operated by his company under their individual setups will be fused into the major holding corporation when the detail is cleared away.

The expectancy is that various subsidiaries now operating studios in

(*Continued on page 6*)

Confusion Follows B&K Chicago Move

CHICAGO, Oct. 14.—Film Row was in an uproar today as a result of a withdrawal by B. & K. of its clearance demands and the resultant dropping by independents of their suit.

All release schedules are mixed up with circuits and independents trying to work out a November release schedule to the satisfaction of all. The job is complicated because distributors have not sold to independents and

(*Continued on page 6*)

Garyn Rejoins NSS As Sales Executive

W. P. ("Pat") Garyn, long with M-G-M as a divisional sales manager and subsequently with National Screen Service as general sales manager, has returned to the latter company in a special sales capacity. He resumed his duties on Monday and later this week will leave for Atlanta on his first assignment. Garyn has a wide acquaintance among exhibitors up and down the land.

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Re-elect Major Levinson

HOLLYWOOD, Oct. 14. — Major Nathan Levinson was today elected to the chairmanship of the Academy technicians' branch for the fifth consecutive term.

Forty-nine technicians' qualifications for membership were also approved, making an increase of 102 branch members during the past year and bringing the total to 327.

George Grey Dead

George Grey, member of the exploitation department at Columbia, died at 5:45 yesterday afternoon at the New Rochelle Hospital. He had been suffering for some time from a cardiac condition.

Grey was a well-known figure in the industry for many years, having at one time been a member of the Pathe serial staff on the coast.

Rogers Plans Trip Here

HOLLYWOOD, Oct. 14.—Charles R. Rogers will leave next Tuesday for New York on a 10-day story and talent hunt. He will make a stopover at Dallas.

Kuykendall Sights Camden and Lands

Ed Kuykendall, the seafaring exhibitor leader from Columbus, Miss., came ashore at Camden, N. J., yesterday, four and a half days out from the port of New York on the *La Vedatte,* the seagoing cruiser owned by the Colorado Springs yachtsman, J. Don Alexander. Buddy Harris, the deep-water navigator from Dallas, was in charge of the cruise, which started last Friday night from the New York Yacht Club anchorage at 26th St. and the East River, and was interrupted in the interim by such incidentals as heavy seas, wind storms and engine trouble.

"Columbus was a piker," Kuykendall wired friends here yesterday. "He should have tried to discover Philadelphia."

The M.P.T.O.A. president left immediately for his Mississippi home, but by rail. Reports that he would begin work at once on a sequel to "Two Years Before the Mast" for production by Alexander Film Co. could not be verified yesterday. Friends said that Kuykendall planned to be in Memphis Sunday for an exhibitor convention, but probably would not make the trip by water.

Salesmen to Induct 21 Into Membership

Twenty-one new members will be inducted into the M. P. Salesmen, Inc., tomorrow, at a special meeting and luncheon at Leon & Eddie's. Joe Lee, president, will preside, and it is expected that another dozen will be proposed for membership.

The list includes William A. Scully, David A. Levy, Myron Starr, Harry Shiffman, Charles Moses, Harry Brandt, Edward Stern, Harry Thomas, Edward Rugoff, Harry Harris, Budd Rogers, Sam Yellen, David Snaper, Louis Kutler, Clarence Secor, Joe St. Clair, Louis Weinzimmer, Harry Egert, Jerry J. Jonas, Herman Becker and Harry W. Donniger.

Hershfield Lunch Guest

Harry Hershfield was tendered a luncheon yesterday at the Hotel Commodore by friends and associates. The veteran Broadway master of ceremonies and writer leaves today for the coast and duties at the Warner studios. Among those who attended the affair, which was also a birthday celebration, were "Bugs" Baer, Gene Buck, Cornelius Vanderbilt, Jr., Harry Warner, Leslie Howard and Jolly Bill Stienke.

Conn. Meet on Oct. 27

NEW HAVEN, Oct. 14.—The Connecticut Independent M. P. T. O. has postponed to Oct. 27 its membership vote on proposed affiliation with Allied States. The postponement was made to accommodate the guest speaker, Sidney E. Samuelson, and the place changed to the Hotel Garde here.

Schaefer to Chicago

George J. Schaefer, vice-president and general manager of U. A., and L. Jack Schlaifer, western division sales head, left last night for Chicago, Des Moines and Minneapolis and will return next Tuesday.

It's Cruelty

Bridgeport, Oct. 14. — A judge in Superior Court here did not hesitate to grant a Norwalk woman the divorce she sought, when she explained that her husband refused to permit her to attend films, although he goes regularly. She had not seen a film in 27 years, she declared.

Court Approves RKO Canada Theatre Deal

An order approving the dissolution of RKO Canada, a theatre operating subsidiary of RKO, and a related agreement with Famous Players Canadian, was signed yesterday by Federal Judge William Bondy.

The agreement provides for the surrender by RKO Canada of three theatre leaseholds in the Dominion to Famous Players Canadian and the release of the latter from a $220,000 obligation to RKO Canada in return for the assumption of the leases, and other considerations. Promissory notes amounting to $160,000, payable 15 years from last June 1, will be issued by RKO Canada to Maritime Corp., a realty company, and on the conclusion of the payments the RKO Canadian subsidiary will be dissolved. The RKO petition, which was presented by Irving Trust Co., trustee in reorganization, set forth that the Canadian theatre operations involved had been unprofitable over a long period of years.

Fox Court Fight Begins

ATLANTIC CITY, Oct. 14.—The legal fight to take away the All-Continent Corp. from the wife and daughters of William Fox and to turn over its assets to the trustee in his $9,500,000 bankruptcy, began here today in New Jersey Chancery Court.

Vice-Chancellor Frank W. Sooy ordered the All-Continent officers (Mrs. Eva Fox and the Misses Mona and Belle Fox) to show cause on Nov. 10 why the All-Continent assets should not be turned over to Hiram Steelman, trustee in bankruptcy. Meanwhile, he granted to Steelman an *ad interim* injunction restraining them from disposing of the assets before that date. Papers setting forth these orders were served tonight on the family.

The petition by Steelman makes the request on the theory that the All-Continent assets, estimated between $7,000,000 and $8,000,000, belong to William Fox despite his story of turning them over to the members of his family through a trust agreement. Steelman also asks the return of various other gifts which Fox made to his wife and daughters, including the estate at Woodmere, L. I., which he gave to his wife.

Fox Again on Stand

ATLANTIC CITY, Oct. 14.—William Fox and his bookeeper, Herbert Leitsteen, continued today their searching through check stub books for the purpose of sorting gifts for listing by creditors' lawyers at the bankruptcy hearing today.

Referee Robert E. Steedle adjourned the hearing at noon on Fox's plea of illness. It will be resumed at 10 A.M. tomorrow.

Jersey Exhibitors Refuse to Pay Tax

After many months of paying under protest, most of the northern New Jersey theatres being served from local exchanges are now refusing to swell New York's emergency relief coffers.

While most of the distributors continue to send out bills with the sales tax added, exhibitors in general are ignoring this item in film rental payments. Branch managers and cashiers at the local exchanges are not pressing the demand for the tax, since the N. Y. Supreme Court recently ruled that it was unnecessary to pay the tax. The City of New York has appealed the decision in the Court of Appeals at Albany.

Distributors also are appealing a decision handed down recently that theatres in the five boroughs are subject to the tax, their contention being that the contracts are for the rental of film and not for a sale.

Paine Amends His Suit Against Erpi

An amended complaint asking for $211,743 was filed in Federal Court yesterday in behalf of John G. Paine, as agent and trustee for a group of music publishers and other owners of musical compositions, against Erpi. The amount asked for represents royalties allegedly due since 1929 when E. C. Mills resigned from the trusteeship now held by Paine.

In September, 1927, according to the amended complaint, Mills and Paine, on behalf of the owners of thousands of songs, entered into a royalty agreement with Erpi granting licenses to record and sub-record all the compositions over which they had control.

No answer to the complaint has been filed yet.

Warner-Bette Davis British Action Opens

LONDON, Oct. 14.—Sir Patrick Hastings opened the Warner case against Bette Davis in King's Bench Court by saying that the company's contract with her called for $1,350 per week, rising to $3,000 in six years. She had been bribed to break the contract, he said, and this was "not a thing respectable people in this business do."

Jack Warner gave evidence. The case was adjourned.

FitzPatrick to Sail Soon

James A. FitzPatrick will sail on the *Queen Mary* next week for England where he will begin work on "Auld Lang Syne," the life story of Bobby Burns, at the Cinesound studios. The producer plans to return to New York around Christmas and then go to the coast to cut and edit the remaining Traveltalk for M-G-M release this season. All the subjects have been photographed.

After completing his short subject lineup for 1936-37, FitzPatrick will take a Technicolor unit to Peru, Chile and Patagonia, South America; Robinson Crusoe Islands, and Buenos Aires. He will also make a subject on the China Clipper route, picturing the Midway Island, Wake Island, Guam and Manila.

Greece and Africa Back Studio Plans

Greece and Africa are entering the international film market with ambitious studio plans, and representatives of the backers of the new production enterprises in both countries are in New York now to attempt to interest American production talent in utilizing the facilities which will soon be available, it was learned yesterday.

The Greek studios will be located in Athens and several others are planned for locales on the north coast of Africa. The envoys are emphasizing the scenic and historic advantages of their respective studio locations in their conversations with American production talent, it was said. Their visits here follow closely that of Carlo Roncoroni, Italy's film envoy, who endeavored to interest American producers in utilizing the new $10,000,000 Italian studio project near Rome, which is scheduled to be opened next spring.

Rouben Mamoulian, who leaves for the coast today after a 10-day visit here, and who was one of those contacted by the representatives of both the Greek and African studio enterprises, cited the developments as a significant example of the increasing world interest in film production.

"Valiant" $38,000 Draw at Paramount

"Valiant Is the Word for Carrie" garnered approximately $38,000 at the Paramount for the first week ending Tuesday night. The picture will be supplanted by "The Big Broadcast of 1937" next Wednesday and this will be followed by Mae West in "Go West Young Man."

The new Criterion grossed about $21,000 on the first seven days of "Ramona." At the Music Hall "The Gay Desperado" in six days tallied $90,000. It's being held for another week.

Executives Quitting Old Studios of Fox

HOLLYWOOD, Oct. 14.—By next Monday, all equipment and executive personnel will have been moved to the Westwood studio from the Twentieth Century-Fox Western Ave. lot.

"Career Woman" and "Crackup" are still shooting, and will be completed on the old lot. In the future it is planned to keep a number of pictures going on the six stages on Western Ave., but all executive activities will be concentrated at Fox Hills.

Steiner Gets Tobis Post

Joseph Steiner has been named sales manager of American Tobis Corp. by W. E. Van Beveren, managing director. Steiner will start immediately on a sales campaign for "Carnival in Flanders," the French film which opened here as "Kermesse Heroique."

Sells Three Serials

Stage & Screen Prod. have sold three Weiss-Mintz serials to Samuel J. Davidson of Cameo Screen Attractions, for distribution in the New England territory. The three are "Custer's Last Stand," "The Clutching Hand" and "The Black Coin."

Patricide and Homicide Dot New Tragedy; Not for Films

(*Continued from page* 1)

few who might prefer Aeschylus's own version. Otherwise, Turney might have followed the example of Eugene O'Neill in transplanting his tragic theme to modern times, as O'Neill did in "Mourning Becomes Electra."

Last night's gory proceedings, interspersed with eye-compelling tableaux, ran the gamut of patricide, regicide and plain homicide, offering the impatient and irreverant a sort of lyric vendetta, in togas and tunics, in the hills of Greece. Even "Macbeth" seems an evening of light entertainment in the theatre compared to the relentless march of murder committed by the House of Atreus. Klytaimnestra, who is, in her way, the Lady Macbeth of antiquity, is ably played by Eleanora Mendelssohn, in her first American appearance, and she presents a truly regal appearance as the brooding murderess of Agamemnon. A capable supporting cast features Maria Ouspenskaya who gives a touching performance as Polymnia, the aged nurse, despite a Russian accent; Joanna Roos, truly her mother's daughter, makes a properly implacable Electra, while the rest of the players lend more or less competent support to the drama which unfolds against splendidly effective settings by Jo Mielziner, distinguished for their simplicity. Beautiful lighting effects and unusually handsome costuming by James Reynolds add up to make "Daughters of Atreus" a commendable dramatic venture in itself—to a necessarily limited audience.

As Hollywood material it offers nothing in the way of salable merchandise to movie fans. It will be remembered that not even the robust humor of "Lysistrata" or "The Warrior's Husband" served to overcome lack of interest in Greek costume plays, not even with the Skourases.

Councilmen at Odds On Jacksonville Tax

JACKSONVILLE, Oct. 14.—A split on the proposed new theatre license ordinance developed in the City Council's Laws and Rules Committee following a hearing at which business men protested. Among the objectors was Guy Kenimer, representing the Sparks interests.

The measure proposed a flat fee of $200, instead of the present rate running from $100 to $200.

Bombs Mystifying K. C.

KANSAS CITY, Oct. 14.—Early Monday morning a bomb exploded on the roof of Louis Sutter's Hollywood. The result was a two-foot hole in the roof, and damage to the screen.

The previous Monday employes of the theatre discovered a bomb on the roof which had failed to explode. Neither George Ellis, manager, nor Sutter, could assign a reason for the bombs.

Recently a bomb was found on the roof of the Castle.

Manager Conn. Candidate

BALTIC, Conn., Oct. 14.—Henry Phaneuf, manager of the Jodoin, is the candidate for state representative on the Democratic ticket.

No Touchdown

Pullman, Wash., Oct. 14.—It took a screening of the closing moments of the Washington State College-Stanford game to convince the coaching staff of Washington State that their backfield ace had not gone over the line in the fourth quarter. The referee said no, a storm of protest arose, and the film settled the matter. No touchdown.

General Gets Space In RKO Pathe Plant

HOLLYWOOD, Oct. 14.—The newly formed General Pictures has leased space at the RKO Pathe Studios and intends to start three features in six weeks. The titles are: "Trouble on Wheels," "Old Curiosity Shop" and "Let's All Sing."

F. Fenn Kimball is head of the new company with Mack Weinberger as sales manager and Robert Welsh, former Monogram executive, as production chief.

The company plans 26 features annually, eight to be musical westerns using the Dunning two-color process. San Francisco capital is understood to be behind the company, with plans set for an exchange system and offices in Rockefeller Center.

Seven of Equity's Members Join SAG

HOLLYWOOD, Oct. 14.—Seven of the 25 players who were warned three weeks ago to join the Screen Actors' Guild or lose their membership in Equity have joined S. A. G. prior to the expiration of the time limit set. The new members are John Barrymore, Barbara Stanwyck, De Witt Jennings, J. Farrell MacDonald, Lionel Atwill, Erik Rhodes and Arthur Hoyt.

Reports are current here that new moves are planned by the I.A.T.S.E. Union executives have refused to comment pending the arrival of George Browne who is due this week for executive conferences. One of the reports is that a new flareup will result in closed shop demands being made involving all employes from studio players to theatre ushers.

Write Five for Shirley

HOLLYWOOD, Oct. 14.—Gordon and Revel have completed five new songs for Shirley Temple's next film at Twentieth Century-Fox. They are "Good Night, My Love," "One Never Knows, Does One?" "S-M-I-L-E," "I Want to Go to the Zoo" and "A Choo-Choo to Lullaby Town."

Mooney Sells a Story

HOLLYWOOD, Oct. 14. — Martin Mooney has sold an original children's story called "There Is a Santa Claus" to Invincible. Mooney recently sold five scripts to Chesterfield.

Mickey Mouse Is Big Business in Europe

Mickey Mouse has entered the ranks of Big Business in Europe, where merchandise employing his name or likeness now has an annual gross sale of $20,000,000, George Kamen, who handles the commercial activities and publicity abroad for Walt Disney-Mickey Mouse, Ltd., reported yesterday.

Kamen is here on an annual visit and leaves for the coast tomorrow, where he hopes to obtain definite information concerning the release of Disney's Mickey Mouse feature-length picture. More questions are asked concerning this release, which has been widely publicized throughout Europe, than about any Disney creation which has preceded it, Kamen said.

Far-Flung Branches

The Disney representative has headquarters in London and a branch office in Paris. The Mickey Mouse foreign merchandise business now has 285 licensees operating in 14 European countries, all supervised by either the London or Paris offices. Merchandise using the Mickey Mouse brand varies from breakfast foods and hot water bottles to soap and tooth brushes. In addition, the London office publishes 2,000,000 copies of Mickey Mouse books and publishes Mickey Mouse magazines in England, France and Italy, with circulations of 500,000 weekly in each country."

"Business is fine," Kamen reported, "and if we could get our money out of central Europe it would be unsurpassed."

Baseball Awards Made

The Motion Picture Athletic Ass'n met last night at the Valhalla Restaurant for the formal bestowal of the baseball league prizes for the current season. The awards were as follows:

Quigley Cup, won by RKO, captained by Jack White; Variety Cup, for the most number of runs, won by Consolidated Film; Billboard Cup, for the most number of victories, won by the Music Hall, and the President's Cup, for the second highest number of victories, also won by RKO.

About 60 enthusiasts attended the affair.

Mrs. Youngclaus Buried

OMAHA, Oct. 14.—D. V. McLucas, local head of United Artists, one of his salesmen, Edward Rostermund, and R. S. Ballantyne of Scott-Ballantyne, represented Film Row as pallbearers at funeral services held at Shelby, Nev., for Mrs. W. N. Youngclaus, 36, wife of the operator of the Empress at Grand Island. Mrs. Youngclaus died in an Omaha hospital following an operation.

Assign Jones, Hathaway

HOLLYWOOD, Oct. 14.—The new director-producer policy at Paramount was continued today with the appointment of Henry Hathaway and Grover Jones to cooperate on the production and direction of "Souls at Sea," starring Gary Cooper.

Manager Legion Head

FITZGERALD, Ga., Oct. 14.—I. T. Taylor, local theatre manager, has been elected commander of the Mars McDonald post of the American Legion.

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End of Waste Is Called For By Aylesworth

(*Continued from page* 1)

production by the coordinated use of specialized man-power in every department among the various studios."

He pointed out that he is not referring to reductions in salaries, and that such coordination as he suggests has already been proved feasible. "It can and must be done," he said.

Noting that attendance is closely approaching the peak of 1929, the RKO chairman declared that admissions are lower than they were eight years ago.

"We have now returned to prosperity and there is no reason why the public should not voluntarily pay an admission price commensurate with the service offered," he said.

Condemns Duals

Aylesworth scored double featuring, declaring it a child of the depression. "The practice of giving one grade A picture with a grade B picture is like eating too much ice cream at one time, and when the public is fully informed, the theatre industry will have no trouble in doing away with what I consider a wasteful, injurious practice," he said.

The speaker said there is real consideration being given by individual companies and theatre groups to more satisfactory film contract arrangements, and he expressed the belief that the next year would see proper treatment accorded the problem.

He stressed his opinion that the radio helps the films and the theatres, and that the two media should work together, but that only players with radio personalities should broadcast, and that the interference of broadcasting with production should be avoided.

Dr. Mees Honored

Aylesworth declared his belief that the industry should cooperate with those who are developing television, which "will be with us in a short time." Radio broadcasters, he said, should develop the slogan, "Take your family to a theatre twice a week.

He paid tribute to the work of the members of the S.M.P.E. in furthering the development of the screen.

Dr. C. E. Kenneth Mees, vice-president of Eastman Kodak, in charge of research and development, was awarded the annual progress medal, in recognition of work resulting "in a significant advance in the development of film technology."

Edward W. Kellogg, of RCA Mfg. Co., received the *Journal* award for the best technical paper published in the S.M.P.E. *Journal* during 1935. The paper was on "A Comparison of Variable Density and Variable Width Systems."

It was noted that the award to Dr. Mees was a token of recognition of his contribution to film technology over a period of 35 years, rather than for any single development.

The morning meeting was devoted to the reading of papers in the optics and lighting session, and included the report of the Studio Lighting Committee by R. E. Farnham, committee chairman.

The papers read at the session included: "Effect of Lens Aberrations Upon Image Quality," by W. B. Rayton, Bausch & Lomb; "Mercury Arcs of Increased Brightness and Efficiency," by L. J. Buttolph, of the General Electric Vapor Lamp Co., Hoboken; "Recent Developments of High-Intensity Arc Spotlamps for Film Production," by E. C. Richardson, of Mole-Richardson, Hollywood, and "Trick and Process Cinematography," by J. A. Norling, Loucks & Norling Studios, New York.

The delegates were the guests of Bausch & Lomb at luncheon, and the afternoon was spent in an inspection tour of the Bausch & Lomb plant.

Tomorrow will be the closing day of the four-day meeting, with numerous papers scheduled for an apparatus and equipment symposium during the morning, and a laboratory session in the afternoon.

It was decided today to hold the next spring meeting in Hollywood and the fall meeting next year in New York.

Under 1723 Law

Ellicott City, Md., Oct. 14.—Jackson D. Wheat has been convicted by a jury of operating on Sunday in violation of a law passed in 1723. He was fined $60 plus $30 costs by Judge William H. Forsythe, Jr., in Circuit Court.

RKO Reorganization Plan In Preparation

(*Continued from page* 1)

concurrences would not bar the completion of a plan and its presentation to the Federal court, they would have to be resolved at some time before approval of a plan could be had.

The capitalization of the new RKO company has been formulated by the proponents of the plan and the treatment of various classes of creditors has been tentatively designated. No agreement has been reached yet on the treatment of the $9,100,000 Rockefeller Center claim but there is a possibility that this largest of the unsecured claims against RKO will be treated separately for the purposes of the plan.

Rob Brooklyn Theatre

Two men held up the manager of the Hollywood, Brooklyn, Tuesday night and took $356 from the safe. The manager and two porters were tied for half an hour before they were released.

A robber who took $211 from the cashier of the Renaissance in Harlem couldn't hold on to the money, apparently, when a by-stander stepped in front of the man fleeing with the receipts and upset the cash box. All but $90 was scattered in the melee. Onlookers made a grab for the loose change and scampered off with it.

Holds Party for Press

BRIDGEPORT, Oct. 14.—The opening of the stage show season at the Majestic was marked by Morris Rosenthal, manager, with a party to the press at the Stratfield Hotel. Guests included Hamilton Fisher, James Montgomery Flagg, Russell Patterson, Harry Shaw, Earl Wright and Matt Saunders.

KRS Stand on Dixey Scheme British Worry

(*Continued from page* 1)

the danger of a "boycott" by the K. R. S.

Describing the danger as a "bogey," Capt. Dixey declared that the K. R. S. could not boycott a circuit and that the I. E. D. C. would be the most powerful circuit in the country. He also stated that the I. E. D. C. would apply for membership in the K. R. S. If there was any suggestion of a boycott, the matter would be raised in the House of Commons.

The meeting ultimately expressed general approval of the scheme.

Comment in London trade circles is generally to the effect that, the I. E. D. C., being in no sense a booking circuit but a distributing company in which exhibitors are shareholders, the K. R. S. is not in a position to operate against it the existing ban on booking circuits. What exhibitors really fear, according to this view, is unofficial discrimination by distributors against exhibitors known to be I. E. D. C. members and the success or failure of the Dixey scheme may well be determined by the extent and depth of this fear.

Said one London trader: "The K. R. S. has no legal right to interfere with an exhibitor investment in distributions, but if exhibitors believe they can do so, then the scheme may well be defeated, not by the K. R. S., but by exhibitors' fears of the K. R. S."

Maxwell a Director In New GB Election

(*Continued from page* 1)

passed in two months the transfer is good.

As two directors of the four are Ostrers refusal to register the transfer to Maxwell cannot be obtained by form, and the transfer will go through in two months unless Twentieth Century-Fox establishes Article 23A as having legal priority and overriding Article No. 89.

Move F. W. C. Managers

LOS ANGELES, Oct. 14.—F. W. C. has switched managers of several houses in the Cullen Espy and Earl Rice districts. Those affected are John Klee, who goes from the Lyric, Huntington Park, to the Stadium, Los Angeles, replacing W. C. Ricord, Jr., who goes to the Belmont. Louis Vega, assistant manager of the Dome, Ocean Park, will take the spot vacated by Klee. A. L. Haynie, whom Ricord replaces, has not yet been assigned.

Renominate Brylawski

WASHINGTON, Oct. 14.—The M.P. T.O. of the District of Columbia has again nominated A. Julian Brylawski as president for the ensuing year. Elections will be held at the November meeting.

Other officers nominated—all of whom stand for re-election—are: Sidney B. Lust, vice-president; Dr. William P. Herbst, treasurer, and Nat B. Browne, secretary.

General Shift For Corporate Setups Coming

(*Continued from page* 1)

Hollywood will be submitted to the same move. Companies like RKO Radio Studios, Inc., and others which manage and administer studios will not be exempted.

The realization is present, especially among major circuit operators, that this will wipe out the limited liability aspects of their present corporate structures and open the way to a wholesale liability stemming to the parent companies, but their attitude definitely is that the savings in taxes through dissolution of subsidiaries will more than offset litigation which may be piled up against the parent enterprise. For years, it has been the practice in exhibition to organize a separate company for each theatre with a view to centralizing litigation locally and to keep the controlling corporation as free of legal entanglements as possible.

Confusion Follows B&K Chicago Move

(*Continued from page* 1)

want contracts signed before setting up certain pictures for release.

The decision of B. & K. was unexpected and came after a conference with New York when some of the details regarding charges independents intended bringing into court reached B. & K. executives.

It was feared, it is said, that the filing of the suit might start a Federal investigation of monopoly charges.

Aaron Saperstein is the recipient of many congratulations from Allied members.

Duals will be started tomorrow at B. & K. houses, but other exhibitors say they will not follow suit at the present time.

Calls Minneapolis House Ban Illegal

(*Continued from page* 1)

city had reached a population of 550,000 and that thereafter only one new license be allowed for each additional 10,000 persons; that houses should not be located within 1,200 feet of any church or school; and that no license be issued unless provisions had been made for parking sufficient automobiles at the rate of approximately one machine for every two seats in the theatre.

It was his belief, Bonner said, the ordinance was invalid because it applied only to new licenses and because parking and increased population clauses did not take into account various traffic and fire conditions in different sections of the city. The committee will meet tomorrow afternoon to act on the ruling of Bonner.

Discuss Democratic Plans

Members of the Democratic Committee of the local film industry met yesterday at campaign headquarters in the Mayfair Bldg. to discuss plans for the next few weeks.

Purely Personal

BEN GOETZ made the *Normandie* yesterday after all. There was a possibility he would be held in New York a few days before sailing.

•

JACK PARTINGTON will leave by plane Sunday for St. Louis, where he will spend the day and then take another airship for the coast. He'll be gone three weeks. HARRY C. ARTHUR, who was scheduled to leave yesterday for the Mound City, has delayed his departure until tomorrow.

•

FERNAND GRAVET, French film actor, is due to arrive here Oct. 27 on the *Ile de France*. After a short visit he will go to the coast for a part in Warners' "The King and the Chorus Girl."

•

LOUIS WEISS, head of Weiss Prod., is en route here for two weeks of conferences on distribution of the Weiss-Mintz serials with ROBERT MINTZ of Stage and Screen Prod.

•

HELEN LYND, following completion of her role in Grand National's "Hats Off," will come east for the leading role in the Broadway production, "Double Dummy."

•

LOUIS DREYFUS of Chappell Music Co., England, has arrived from England to negotiate a deal with Warners for taking over operation of Harms, Inc.

•

BURGESS MEREDITH, who will appear in the MAXWELL ANDERSON play, "High Tor," is scheduled to appear on the RCA Magic Key hour Sunday.

•

HERBERT MARSHALL sailed yesterday on the *Aquitania*. VILMA BANKY also left on that boat to attend her sister's wedding in Budapest.

•

JOHN A. SCHULTZ, head of the Fanchon & Marco Agency, flew to the coast to line up film stars for personal appearances.

•

BILL HEINEMAN, Universal drive leader, is headed for Albany and Buffalo after holding a meeting at the New York exchange.

•

SIDNEY M. BIDDELL, story editor and talent scout for Grand National, will return from the coast in about a week.

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E. L. ALPERSON is figuring on making another trip to London after the first of the year.

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IRVING EPSTEIN of the G. B. print department on Saturday will marry Edna Roochnik.

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VIOLA KEATS, English actress, is due today on the *Washington*.

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. . . Omaha

CHARLES PROKOP, owner of the Wahoo at Wahoo, Neb., has been given a large diamond ring by MRS. PROKOP.

RUBY HART of Clay Center, Miss Nebraska of 1936, officiated at ceremonies inaugurating the Omaha's new sound.

REGINA MOLSEED, secretary of the Omaha Film Board of Trade, attended funeral services at Sioux Falls, S. D., for her uncle.

JOE SCOTT, Twentieth Century-Fox local chief, is back at the office after having been ill in bed for a week with a cold.

WAYNE VARGASON, who suffered a breakdown last winter while stage manager for the Tower in Kansas City, now is connected with an Omaha finance company.

GEORGE HINTON, formerly Paramount salesman here and now Paramount manager in Minneapolis, is in town for three weeks helping the local sales drive.

RALPH HINTZ has bought the Gem at Sterling, Neb.

W. R. CARR of Warners and LEO ADLER of United Artists, traveling auditors, are visiting the local exchanges.

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. . . Pittsburgh

SAM STERN, the Warner artist, will have an exhibition of his paintings at Wunderley's.

HAROLD LUND is back on the job for Ross Federal after two months in England and France with HARRY ROSS.

MIKE CULLEN's mother is here from Washington for a short visit.

Out Hollywood Way

HOLLYWOOD, Oct. 14.—KAREN MORLEY to New York for a three-week vacation before starting "Happiness Preferred" at Major. . . . RICHARD ARLEN off for three weeks of fishing in Mexican waters. . . . ARTHUR JANISH and BILL RILEY added to PAUL SNELL's publicity staff at SOL LESSER's studio.

GEORGE CUKOR planning a vacation in Europe immediately after finishing "Camille" at M-G-M. . . . LEWIS STONE off on his yacht, the *Serene*, for a month's fishing. . . . DAVID DUNBER, former star of silent pictures, signed at M-G-M as makeup man. . . . TED HEALY chartered a special plane to take friends to New York City. . . . CLAUDETTE COLBERT sufficiently recovered from her motor accident to resume work on "Maid of Salem."

United Artists planning their first annual golf tournament at Altadena on Oct. 18. . . . Paramount held a fall tourney at the same club recently. . . . NICHOLAS ERMOLIEFF, son of the director, JOSEPH ERMOLIEFF, joining HOWARD BENEDICT's publicity department at Radio to handle foreign news. . . . ARTHUR LUBIN, ANDY DEVINE and JAMES DUNN back in New Orleans, where they were on location with Universal's "Murder on the Mississippi."

Negotiations are under way between JANET GAYNOR and DAVID O. SELZNICK to play opposite FREDRIC MARCH in "A Star Is Born." . . . MISS GAYNOR has just completed her Twentieth Century-Fox contract. . . . JOHN WAYNE and J. CARTER HERMAN have written an original screen play, "Alcazar," based on the Spanish civil war, and have submitted it to TREM CARR, producer of the WAYNE films at Universal.

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Casting—JUNE TRAVIS in "Trial Horse," Warners. . . . KENNETH HARLAN in "Penrod and Sam," same studio. . . . SIDNEY BLACKMER in "A Man and a Woman," B. P. SCHULBERG. . . . HENRY ARMETTA in "Top of the Town," Universal.

SAMUEL MCDANIELS, ROGER GREY, DAVE WENGREN, DAVE THURSDAY and CHRISTIAN RUB in "Captains Courageous," M-G-M. . . . MARY RUSSELL and CHRISTINE MAPLE in "The Big Show," Republic. PIERRE WATKINS in "The Country Gentleman," same studio. . . . FRANK ORTH, EDMUND COBB and HENRY OTHO in "Bad Man's Territory," Warners. . . .EL BRENDEL in "Career Woman," Twentieth Century-Fox. . . . JACK LARUE, FRANKIE DARRO, WILLIAM DEMAREST and PAUL HARVEY in "Mind Your Own Business," Major Pictures. . . . JOHN BURTON in "Lloyd's of London," Twentieth Century-Fox. . . . BILL O'BRIEN, MARILAN MARLIN, JEAN GALE, CHARLES MARSH, KERNAN KRIPPS and GLORIA and BARBARA BREWSTER in "Hats Off" at Grand National.

JAMES CARLISLE, DICK GORDON, ARTHUR TOLLASSO, GEORGE FRENCH, W. U. SKIDMORE, VERNE RICHARDS, F. M. WATSON, J. C. DUNN, HARRY VAN METER, HENRY RINGUE, ARTHUR CERELENGTON, OLIVER ECKHART, WILLIAM H. WHITE, TOM DEMPSEY and SID JARVIS in "Hats Off," BORIS PETROFF musical for Grand National. . . . DORIS VAUGHN, THOMAS POGUE, WILLIAM BARISS and ALICE SMITH in "After the Thin Man," M-G-M. . . . ALAN MARSHALL borrowed from Selznick International for M-G-M's "Parnell." . . . DORIS NOLAN and JACK DUNNE in the leads of "St. Moritz," Universal. . . . AILEEN PRINGLE in "Criminal Lawyer," Radio.

✚

New Contracts—ROBERT WHITNEY at Universal. . . . HELEN VALKIS, Pasadena Community Playhouse actress, at Warners. . . . RICHARD ROSSI at Radio.

BRONISLAW KAPER and WALTER JURMANN, song writers, signed for a new term by M-G-M.

Soldiers See Films

SPOKANE, Wash., Oct. 14.—Evergreen circuit donated the Fox for an entire morning to Major M. B. Fortier of the Fourth Infantry at Fort Wright, so that 600 soldiers could see new regulation training films. The fort has no equipment.

Boston Party Oct. 20

BOSTON, Oct. 14.—The annual party of employes of the Metropolitan will be held this year at the Narragansett, Jr., tearoom, on Oct. 20. Jack O'Brien, chief of service at the house, is handling arrangements.

To Shift House Policy

BRIDGEPORT, Oct. 14.—Warners will institute a new split-week policy at the Cameo, local first run, beginning Oct. 21. Instead of a full week, the house will now play two changes, double feature.

M-G-M Re-Signs Three

HOLLYWOOD, Oct. 14. — Franchot Tone, James Stewart and Virginia Reid have signed new contracts with M-G-M.

Variety Club

Cincinnati

CINCINNATI, Oct. 14.—A delegation of local barkers will go to Pittsburgh for the eighth annual banquet of the Mother Tent Oct. 25, and will also witness the Pitt-Notre Dame football game on the preceding day.

A surprise party was tendered WILLIAM ONIE and his wife in the clubrooms this week in honor of their wedding anniversary.

BABB KROGER, advertising director for the Phil Chakeres theatres at Springfield, O., is the latest non-resident member. PETE NEILAND and AL KOLITZ have been transferred from the non-resident to the resident classification.

FRITZ M. ("DOC.") WITTE now wears the moniker of "The Big Broadcast" around the club quarters.

The Heart Committee, of which BILLY BEIN is the main guy, is arranging for the purchase of a portable projection machine to be used in showing pictures to juvenile wards of local institutions.

Des Moines

DES MOINES, Oct. 14.—About 60 members of Variety Club have chartered a special car on the special homecoming train that will go from Des Moines to Iowa City Oct. 17 for the annual homecoming football game at Iowa State University.

The train will be made up here and will leave early in the morning and return late in the evening.

Pittsburgh

PITTSBURGH, Oct. 14.—JOHN J. MALONEY, M-G-M exchange head here, has been named chief barker for Variety Club, Tent No. 1. Other new officers include GEORGE TYSON, first assistant barker; DR. L. B. BEINHAUER, second assistant; HARRY G. FELDMAN, treasurer; JAMES G. BALMER, secretary; M. J. GALLAGHER, JOHN H. HARRIS, BEN KALMENSON, HARY KALMINE, RALPH SHUGAR and FRANK SMITH, canvasmen.

They will be installed under the Big Tent at the Pittsburgh Variety Club's annual banquet in the William Penn hotel Sunday, Oct. 25. Among the guests already assured are three state governors, EARLE of Pennsylvania, DAVEY of Ohio and CHANDLER of Kentucky.

Scores of showmen coming in from the east and west for the affair will get here a day before the banquet in order to attend the Pitt-Notre Dame football game in the Stadium.

Detroit Raises Extended

DETROIT, Oct. 14.—Having recently raised their Saturday, Sunday and holiday prices five cents, Michigan avenue theatres here now are making the price hike effective week days also. This is in keeping with the general drive to increase admissions.

On the East side, the Lakewood, Harmony, Plaza, Maxine, East End and Aloma, now 20-cent houses, shortly will go to a quarter top.

Baltimore Scales Cut

BALTIMORE, Oct. 14.—Moe Kohn, proprietor of the Europa, has reduced admissions to 25 cents to 6 P. M., then 35 cents to closing and children 15 cents always. George Browning has become publicity man.

"Broadcast" Los Angeles' $25,000 Hit

Los Angeles, Oct. 14.—"The Big Broadcast of 1937," with a stage show headed by an F. & M. Revue, piled up the big money of the week at the Paramount, $25,000. This was $7,000 over normal.

"Libeled Lady" and "Back to Nature" went $5,000 over par at Loew's State on a take of $19,000 and $2,000 over at the Chinese on a gross of $14,500.

"Dodsworth," with "The Case of the Velvet Claws," beat par by $500 at both Warners' Hollywood and Downtown in the second week. The take at the former was $14,500 and at the latter $12,500.

"Swing Time" and "Second Wife" beat normal by $500 on a take of $8,500 at the Hillstreet, but dipped under par with $7,400 at the Pantages.

The weather was normal for the season, with important football games Saturday and Sunday.

Total first run business was $117,550. Average is $107,950.

Estimated takings for the week ending Oct. 14:

"ROMEO AND JULIET" (M-G-M)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 2nd week. **Gross:** $12,500. (Average, $17,000)

"LIBELED LADY" (M-G-M)
"BACK TO NATURE" (20th-Fox)
CHINESE — (2,500), 30c-55c, 7 days. **Gross:** $14,500. (Average, $12,500)

"EAST MEETS WEST" (G.B.)
4 STAR—(900), 30c-55c, 7 days, 2nd week. **Gross:** $1,900. (Average, $3,250)

"I DESIRE YOU"
GRAND INTERNT'L—(750), 35c-40c, 7 days. **Gross:** $1,750. (Average, $1,200)

"SWING TIME" (Radio)
"SECOND WIFE" (Radio)
HILLSTREET—(2,700), 30c-65c, 7 days, 3rd week. **Gross:** $8,500. (Average, $8,000)

"LIBELED LADY" (M-G-M)
"BACK TO NATURE" (20th-Fox)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $19,000. (Average, $14,000)

"SWING TIME" (Radio)
"SECOND WIFE" (Radio)
PANTAGES—(3,000), 30c-65c, 7 days, 3rd week. **Gross:** $7,400. (Average, $8,000)

"THE BIG BROADCAST OF 1937" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: F. & M. revue, Sammy White, Rube Wolf and orchestra. **Gross:** $25,000. (Average, $18,000)

"DODSWORTH" (U.A.)
"THE CASE OF THE VELVET CLAWS" (F.N.)
WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 7 days, 2nd week. **Gross:** $14,500. (Average, $14,000)

"DODSWORTH" (U.A.)
"THE CASE OF THE VELVET CLAWS" (F.N.)
WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 7 days, 2nd week. **Gross:** $12,500. (Average, $12,000)

Mrs. Shiffman Gaining

Mrs. Harry Shiffman, wife of the president of the Isle circuit, yesterday was operated on at Mt. Sinai Hospital. She was reported coming along nicely late in the afternoon.

Mrs. Irving Wormser, wife of the Columbia sales executive, underwent an appendicitis operation Monday at the Le Roy Sanitarium. Her condition was reported as good yesterday.

Early Wilson Recovering

Bridgeport, Oct. 14.—Early J. Wilson, who operated the Victory here for many years, is recuperating from a long illness at Laurel Heights sanitarium, Shelton.

"Swing" a $17,412 Smash in Buffalo

Buffalo, Oct. 14.—"Swing Time" rated top money in a big week downtown. It drew $17,412 to the Great Lakes, above average house figures by $10,112.

The Century's dual, "Jailbreak" and "Lady, Be Careful," packed a powerful pull, taking $8,100 to break par by $3,300. The weather was cold and wet.

"Romeo and Juliet," roadshowing at the Erlanger at 50 to $1.50, did bang-up business in its first week, drawing $10,800, over normal by $4,000.

Total first run business was $49,837. Average is $38,400.

Estimated takings for the week ending Oct. 10:

"GIVE ME YOUR HEART" (W. B.)
BUFFALO—(3,000), 30c-50c, 7 days. **Gross:** $12,165. (Average, $12,000)

"WALKING ON AIR" (Radio)
"SECOND WIFE" (Radio)
HIPPODROME—(2,500), 30c-50c, 7 days. **Gross:** $4,760. (Average, $7,300)

"SWING TIME" (Radio)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $17,412. (Average, $7,300)

"JAILBREAK" (W. B.)
"LADY, BE CAREFUL" (Para.)
CENTURY—(3,000), 25c, 7 days. **Gross:** $8,100. (Average, $5,800)

"ADVENTURE IN MANHATTAN" (Col.)
"TRAPPED BY TELEVISION" (Col.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $7,400. (Average, $6,000)

"Adverse" $10,000 Indianapolis Draw

Indianapolis, Oct. 14.—"Anthony Adverse," at increased prices, took a smash $10,000 at the Circle, $6,000 over normal, in a week that saw excellent first run business, so-so weather and zero in competing attractions.

"Dodsworth" went $3,000 over the line to bring Loew's $9,000. "Give Me Your Heart," plus a vaudeville bill, sweetened the Lyric box-office for $9,850, $2,850 upstairs. Despite this heavy artillery, "Ramona" in its second and final week at the Apollo, touched normal with $4,000.

Total first run business was $32,850. Average is $21,000.

Estimated takings for the week ending Oct. 9:

"RAMONA" (20th-Fox)
APOLLO—(1,100), 25c-40c, 7 days, 2nd week. **Gross:** $4,000. (Average, $4,000)

"ANTHONY ADVERSE" (W. B.)
CIRCLE—(2,800), 25c-35c-55c, 7 days. **Gross:** $10,000. (Average, $4,000)

"DODSWORTH" (M-G-M)
"SWORN ENEMY" (M-G-M)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $9,000. (Average, $6,000)

"GIVE ME YOUR HEART" (W. B.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: Vaudeville. **Gross:** $9,850. (Average, $7,000)

Charges Radio Slander

A suit for $100,000 damages was filed in N. Y. Supreme Court here yesterday against the March of Time, Remington-Rand and the Columbia Broadcasting System by Donald F. Jackson, a student at the University of North Carolina, who alleges that he was slandered in material presented in a March of Time broadcast which he charges depicted him as the culprit in an examination cheating episode at the university.

Jackson is represented by George E. Quigley, former vice-president of Vitaphone, now engaged in private law practice here, and Raymond S. Norris, former assistant to the U. S. Attorney General.

"Godfrey" $4,400 Knockout, Lincoln

Lincoln, Neb., Oct. 14.—Laughs and lucre gathered round for "My Man Godfrey" on its seven-day run at the Stuart, topping the town by a considerable margin. The take on the week was $4,400, bettering average by $1,300.

The Varsity took the lead in the Ballyhoo parade on a world premiere of "In His Steps," the first Grand National picture. It was tied up with the Nebraska origination of Ed Alperson, president of the company, and rated a newspaper spread. The take was moderate, however, and $1,200 was the till finish, $100 over par.

Helped by a football weekend, the Orpheum, vaudeville house, scamped away with $2,700, $950 up. This was with the help of three pictures, "Girl on the Front Page," "Pepper" and "Sittin' on the Moon." Jay Clarke in his second week at the Lincoln with his mental act justified the holdover and "Girls' Dormitory" took $2,700.

Total first run business was $11,950. Average is $9,000.

Estimated takings:

Week Ending Oct. 7:
"THREE MESQUITEERS" (Republic)
"LOVE, HONOR AND OH BABY" (Univ.)
"KING OF THE ROYAL MOUNTED" (20th-Fox)
"SPIRIT OF NOTRE DAME" (Univ.)
LIBERTY—(1,200), 10c-15c, 7 days, dual splits. **Gross:** $950. (Average, $850)

Week Ending Oct. 8:
"GIRLS' DORMITORY" (20th-Fox)
LINCOLN—(1,600), 10c-20c-25c, 7 days. Stage: Jay Clarke, mentalist, 2nd week. **Gross:** $2,700. (Average, $2,200)

"GIRL ON THE FRONT PAGE" (Univ.)
"PEPPER" (20th-Fox)
"SITTIN' ON THE MOON" (Republic)
ORPHEUM—(1,350), 10c-15c-20c-25c, 7 days. Stage: "Parisian Follies" for first three. **Gross:** $2,700. (Average, $1,750)

"IN HIS STEPS" (G. N.)
VARSITY—(1,100), 10c-20c-25c, 7 days. **Gross:** $1,200. (Average, $1,100)

Week Ending Oct. 9:
"MY MAN GODFREY" (Univ.)
STUART—(2,000), 10c-25c-40c, 7 days. **Gross:** $4,400. (Average, $3,100)

"Craig" Leader as Milwaukee Slumps

Milwaukee, Oct. 14. — "Craig's Wife," on a dual with "They Met in a Taxi," turned in the best showing of a dull week by getting $6,000, over par by $1,000, at the Palace.

The only other house to get over normal was the Strand with "The Gorgeous Hussy," which reached, $1,700, up by $200. "Ramona" and "Star" for a Night" at the Wisconsin took a par $8,000.

Total first run business was $25,200. Average is $24,500.

Estimated takings:

Week Ending Oct. 8:
"CRAIG'S WIFE" (Col.)
"THEY MET IN A TAXI" (Col.)
PALACE—(2,400), 25c-35c-50c, 8 days. **Gross:** $6,000. (Average, $5,000)

"SITTING ON THE MOON" (Republic)
RIVERSIDE—(2,300), 20c-25c-30c, 7 days. Stage: Benny Ross, Maxine Stone, Arthur Lefleur, Jay and Lou Seilers, Sylvia and Clemence. **Gross:** $4,500. (Average, $5,000)

"GIVE ME YOUR HEART" (W. B.)
"WALKING ON AIR" (Radio)
WARNER—(2,400), 25c-35c-50c, 7 days. **Gross:** $5,000. (Average, $5,000)

"RAMONA" (20th-Fox)
"STAR FOR A NIGHT" (20th-Fox)
WISCONSIN—(3,200), 25c-35c-50c, 7 days. **Gross:** $8.000. (Average, $8.000)

Week Ending Oct. 9:
"THE GORGEOUS HUSSY" (M-G-M)
STRAND—(1,400), 25c-35c-50c, 7 days. **Gross:** $1,700. (Average, $1,500)

"Glory" Hits $15,000 High In Cleveland

Cleveland, Oct. 14.—"The Road to Glory" was the outstanding box-office draw of a poor week, due to rainy weather and extra pressure to boost attendance during the closing weeks at the Great Lakes Exposition. "Glory" had a take of $15,000 at Warners' Hippodrome, $5,000 over the average take.

"The Great Ziegfeld," at Loew's Stillman, grossed almost as much as it did the previous week with a take of $7,300. Average for the advanced scale is $6,000. The picture was held a fourth week.

"Ramona" on the RKO Palace screen with Noble Sissle on the stage made good with $17,000, or $2,000 above par. "The Texas Ranger" at Loew's State and "East Meets West" at the Allen held to average.

Ben Bernie and his show offered only mild competition. He is playing a two-week engagement at the Mayfair Casino.

Total first run business was $44,500. Average is $47,000.

Estimated takings for the week ending Oct. 9:

"EAST MEETS WEST" (G.B.)
ALLEN — (3,300), 30c-35c-42c, 7 days. **Gross:** $4,000. (Average, $4,000)

"THE TEXAS RANGERS" (Para.)
LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $12,000. (Average, $12,000)

"THE GREAT ZIEGFELD" (M-G-M)
LOEW'S STILLMAN—(1,900), 35c-42c-56c, 7 days, 3rd week. **Gross:** $7,300. (Average, $6,000)

"RAMONA" (20th-Fox)
RKO PALACE — (3,100), 30c-42c-60c, 7 days. Stage: Noble Sissle & Band. **Gross:** $17,000. (Average, $15,000)

"THE ROAD TO GLORY" (20th-Fox)
WARNER'S HIPPODROME — (3,800), 30c-35c-42c, 7 days. **Gross:** $15,000. (Average, $10,000)

Wall Street

20th Century Best Board Gain

	High	Low	Close	Net Change
Columbia, vtc	39⅞	39	39¾	+ ⅜
Consolidated	4⅞	4¾	4¾	— ⅛
Consolidated, pfd.	17¾	17½	17¾	+ ⅜
Gen. T. Equip.	26½	26	26⅜	+ ⅜
Loew's, Inc.	57⅛	56	56	—1⅛
Loew's, Inc., pfd.	106½	106½	106½	.....
Paramount	13¼	12⅞	13	+ ¼
Paramount 1 pfd.	97⅞	97	97½	+ ¼
Paramount 2 pfd.	12½	12¼	12⅜	.....
Pathe Film	8	7⅞	8	.....
RKO	7⅜	7⅛	7¼	+ ⅛
20th Century-Fox.	33⅜	32	33	+ ⅞
20th Century, pfd.	41⅜	40⅛	41⅛	+1½
Universal, pfd.	103	103	103	.....
Warner Bros.	13½	13⅛	13¼	.....
Warner, pfd.	62⅛	62⅛	62⅛	+ ⅛

Sonotone Lone Curb Advance

	High	Low	Close	Net Change
Grand National	3⅜	3¼	3⅜	.....
Sonotone	2⅛	2	2⅛	+ ⅛
Technicolor	27⅛	26½	26¾	— ⅜
Trans-Lux	4	3⅞	4	.....

Loew Bonds Up ⅛

	High	Low	Close	Net Change
Keith B. F. 6s '46	96	96	96	— ⅛
Loew's 6s '41 ww deb rights	99	99	99	+ ⅛
Paramount Pict. 6s '55	98½	98	98	— ⅞
Warner Bros. 6s '39 wd	96⅜	96	96	— ½

(Quotations at close of Oct. 14)

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"U" to Revamp Setup of Its Subsidiaries

Action Similar to Moves Of Other Companies

Universal has begun work on a simplification of its corporate structure with the general objective of eliminating non-essential subsidiaries in order to effect important tax economies, it was learned yesterday. The move is in line with similar corporate revamping under way in Paramount, Loew's, Warners and RKO, and which, it is believed, will ultimately embrace all major organizations in the industry.

No definite line of procedure has been decided upon by Universal as yet, and company officials are of the opinion that another 60 to 90 days may be required to develop an acceptable plan. Indications are, however, that either Universal Corp., the present holding company controlling the Universal organization, or a new company which may be organized

(*Continued on page* 12)

Discuss Moves For Getting Sales Tax

Local exchange managers may take action next week to enforce payment of the two per cent sales tax by New Jersey exhibitors.

A meeting of the branch heads was held early this week to discuss the question, but action was deferred until another session next week.

Northern New Jersey theatre owners have refused to pay the tax in the last few months as a result of a decision handed down excluding them from payment of emergency relief levies in New York. The city has taken an appeal.

Meanwhile, distributors are anxious

(*Continued on page* 12)

Chicago Operators To Run Long Reels

CHICAGO, Oct. 15.—The local operators' union today was notified to accept and run 2,000-foot reels. Authorization came from the international headquarters in Washington. It ended six weeks of opposition to use of the reels in local theatres.

A city ordinance barring the long reels is to be changed, according to officials, so that the new reels can be used. This will eliminate considerable trouble that has followed the introduction of the new reels.

G. B.'s American Selling Organization to Continue

LONDON, Oct. 15.—Gaumont British's selling organization in America will be maintained without alteration under John Maxwell, Jeffrey Bernerd informed MOTION PICTURE DAILY today.

Bernerd has resumed his duties as general manager of G. B. Distributors, the company which handles selling of G.B. product throughout the world, and David Ostrer, who was officially referred to as the possessor of this title quietly and without undue attention some months ago while Bernerd was in New York, has been returned to his old post in charge of foreign sales. Bernerd has constantly maintained that his contract had designated him as general manager of distribution.

Any deals which may have been pending for the sale of British International product in the United States have been held up pending completion of the Maxwell negotiations for G. B. On Oct. 5 MOTION PICTURE DAILY reported that the Maxwell interests were seriously considering

(*Continued on page* 12)

Lasky to Radio as Associate Producer

HOLLYWOOD, Oct. 15.—Jesse L. Lasky joins RKO as an associate producer and will undertake as his first effort a picture co-starring Lily Pons and Nino Martini. The deal takes Martini, who is under personal contract to Lasky, to Radio, where he will do one a year, and perhaps two. The producer is now in the east, but not in New York.

DeMille May Stay

Cecil B. DeMille would continue as a producer at Paramount for the next two years under terms of a preliminary contract drawn, it is understood. The arrangement, as it now stands, provides for two pictures a year.

Majors Working on Concession Detail

Major distributors are at work on sales policy and exhibition contract revisions which will embrace the concessions which each is willing to make in accordance with the M. P. T. O. A. trade practice program. Although the work has been in progress within each company since Ed Kuykendall, M. P. T. O. A. president, concluded his conferences here last Friday, and original expectations were that the first announcement of definite concessions from at least one of the major companies could be had this week, indications yesterday were that the first

(*Continued on page* 12)

Trustee's Petition Charges Fox Fraud

ATLANTIC CITY, Oct. 15.—William Fox now stands definitely accused in New Jersey Chancery Court of planning to defraud his creditors as far back as 1930. This was one of the claims in the petition filed by Hiram

(*Continued on page* 12)

"Tovarich" 1st Real Hit Of Year and All Filmable

The excitement, the handclapping and the clarion calls which rent the West 45th Street atmosphere last night was "Tovarich." It can be said quickly and with no need for fancy phrase-making that this is the first definite and clear cut hit of the new season.

The word was around anyway. Those who had seen the Jacques Deval play in London came back to sing its praises. There with Leontivich as the imperial grand duchess and Sir Cedric Hardwicke as her prince consort, here with Marta Abba, a charming and intelligent Italian actress whose first appearance here this is, and John Halliday, known to Hollywood, as the prince.

Paris, several years after the Russian revolution, is the place. With 4,000,000,000 francs deposited in his name at the Bank of France, Halliday and his wife are living a hand-to-mouth existence, facing penury together but strong in their mutual love and in their unflinching fidelity to the

(*Continued on page* 9)

Kent Dropping British Deal; Future Hazy

Will Return to America Shortly, He Says

By BRUCE ALLAN

LONDON, Oct. 15.—S. R. Kent stated today that negotiations for the sale of the Twentieth Century-Fox interest in Metropolis and Bradford, Gaumont British holding company, to John Maxwell would not be conducted at this time and that he would return to New York in a few days.

The outlook for the future was not clear, he said, and he could not predict what would happen in the course of time.

Kent's statement follows:

"After lengthy telephone conversations with our board of directors in New York and with Joseph M. Schenck, my associate, in Hollywood, I have been advised to terminate all negotiations for the sale of our interests in Metropolis and Bradford Trust to John Maxwell or Associated British Pictures Corp.

"Upon finishing my work here I shall return to New York in a few days time. We do not consider the present atmosphere conducive or proper to well-thought-out negotiations, while the outlook for the future is not clear enough to indicate what our attitude during a period of time will be.

"We intend to make use of every resource at our command to protect

(*Continued on page* 12)

Giannini Praises Film Improvement

Dr. A. H. Giannini, president and chairman of the board of United Artists, yesterday praised American producers for the improvement in their standards and emphasized the willingness of the public at large to accept quality in its motion pictures regardless of point of origin. He was the chief speaker at a Lombardy Hotel

(*Continued on page* 4)

Paramount's Forces Gather at St. Louis

Headed by Neil F. Agnew, general sales manager, a group of home office and divisional sales executives left for St. Louis last night to attend a two-day conclave, scheduled to start tomorrow at the Coronado Hotel.

The home office contingent included

(*Continued on page* 12)

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Bette Davis-Warner Case in Second Day

LONDON, Oct. 15.—The Bette Davis-Warner contract case started its second day in King's Bench Court today with Sir William Jowitt, K.C., Miss Davis' attorney, stating that the contract under question was a life sentence for Miss Davis if Warners won the case. Sir Patrick Hastings, Warner attorney, said that his client was asking only for an injunction in this country. He agreed to produce the form of injunction tomorrow.

Alexander Korda appeared in court today and gave evidence of similar contracts, which, he said were common. Counsel for Ludovico Toeplitz was also on hand and protested the accusation made yesterday that his client was guilty of bribery, a criminal offense, in signing Miss Davis.

"Desperado" at $98,500

"The Gay Desperado" chalked up a $98,500 gross for its first week at the Music Hall. The Palace, which finished a week's run of "Anthony Adverse" without a second feature, tallied around $9,000.

Ziegfeld's Friends To Attend Showing

More than 100 friends and associates of the late Florenz Ziegfeld this morning will pay tribute to the memory of the deceased showman at the first performance of "The Great Ziegfeld" at the Ziegfeld Theatre. A special program has been prepared by Louis K. Sidney, who will broadcast it over WHN.

Among those scheduled to attend are Bernard Sobel, Fannie Brice, Vincent Lopez, Peggy Fears, Harry Richman, Ned Wayburn, Vivienne Segal, Claire Montgomery, Norma Terris, Katherine Dix, the Fairbanks Twins, Dr. Jerome Wagner, Gypsie Lee, Dorothy Mackaill, Annie Hart, Ada May, Albert Cheney Johnson, Lorenz Hart, Cobina Wright, Mrs. Dan Curry and Dorothy Brown Fox.

Report a U. S. Firm After London House

LONDON, Oct. 15.—An unnamed American company is reported dickering to purchase the Palace as a key house. Stockholders, including Charles B. Cochran and A. E. Bundy, are understood to be asking $1,750,000. Rumor has it that Columbia, or possibly Warners, are after the theatre. Efforts to confirm the reports here were unavailing.

Jack Cohn, vice-president of Columbia, yesterday dismissed the report tersely with the comment: "We are not in the theatre business." Sam E. Morris, head of Warners foreign activities, said he knew nothing whatever about the story.

Comerford to Build 3 in Wilkes-Barre

WILKES-BARRE, Pa., Oct. 15.—Plans of the Comerford Amusement Co. call for the construction next year in Wilkes-Barre of three theatres.

A house with a seating capacity of 2,400, the largest on the Comerford circuit, will be built on Public Square, work to start in February.

Later, a theatre will be built on Hazle St. and the third building will be constructed in Forty Fort. No figures on the costs of the three have been revealed.

W. E. Schmidt, assistant general manager, has moved his office staff here from Scranton so that he can handle details connected with the construction.

Union Cinemas Plans Big Stock Flotation

LONDON, Oct. 15.—Union Cinemas, which recently effected a management deal with Paramount's theatre holdings in Great Britain, plans to merge various of its own subsidiaries in a £6,000,000 company, to float a public issue of £3,000,000 and to develop its circuit to 300 theatres. Immediate plans provide for 12 new theatres, each to seat 3,000.

Merriam Investigating

SACRAMENTO, Oct. 15.—Governor Merriam said today that he has launched an investigation into the manner in which Warners obtained permission to take shots of San Quentin prison. The Governor expressed his disapproval of exploitation of the state's unfortunates.

Grasshopper Stars

Des Moines, Oct. 15.—The private life of a grasshopper, with some scenes showing the damage he does and how he can be controlled, is an educational film just completed at Iowa State College, to be used next year to aid farmers in combatting the grasshopper invasions.

Ned Clarke Shifts To RKO Foreign Job

Ned Clarke, formerly west coast representative for RKO's home office booking department, will join the foreign department next Monday when he arrives from California. Phil Reisman has delegated Clarke to a foreign assignment. The latter will sail for Europe shortly.

Succeeding Clarke on the coast is Elmer Sedin, who formerly handled St. Louis, Kansas City and Memphis exchanges. M. A. Downing who has been in Boston, is now in St. Louis covering branches in the division. A. A. Schubart, head of RKO exchange maintenance and operation, now is in the Mound City instructing Downing on teh new setup.

Grand National Sets Deal with Criterion

LOS ANGELES, Oct. 15.—Grand National has set a first run deal with the Criterion of New York for the B. F. Zeidman production, "In His Steps," the first release of which will open Oct. 30. An advertising budget of $10,000 has been appropriated to supplement the theatre campaign.

G. N. Closes Midwest Deals

KANSAS CITY, Oct. 15.—Grand National has closed for its entire product list with the Glen W. Dickinson circuit of 25 theatres and with the W. D. Fulton group of eight houses.

Settle Hutchinson Suit

A stipulation declaring that the $1,000,000 suit brought by Edward Hutchinson, night club owner and designer, against Warners, has been settled out of court was filed in N. Y. Supreme Court yesterday.

Hutchinson sued Warners and Vitagraph for $500,000, each charging that the picture, "Go Into Your Dance" contained defamatory matter concerning him.

Hutchinson said that he converted a theatre into the Casino de Paree, which was used as a setting for "Go Into Your Dance."

Orders Katz to Appear

Federal Judge William Bondy yesterday signed an order directing Sam Katz to appear in the U. S. Circuit Court of Appeals on Nov. 9 in connection with Paramount's appeal from an award to him of $265,000 for alleged breach of contract.

Waters with Phila. Paper

PHILADELPHIA, Oct. 15.—Arthur B. Waters, former drama critic on the defunct *Public Ledger*, has taken over the drama and film critic's post on the *Philadelphia Gazette-Democrat*, one of the outstanding German dailies in the country.

Equity Awaits Move By Those Suspended

Most or all of the 24 Hollywood actors who were indefinitely suspended from Actors' Equity Ass'n on Tuesday for failure to join the Screen Actors' Guild after having been given 30 days' notice are expected to apply for reinstatement in the near future, a spokesman for Equity said yesterday. Reinstatement could be obtained, it was said, by applying to Equity's council after becoming a member of the Guild.

No comment could be obtained from officials of Equity on the report that the suspension marked the opening of a new Equity drive for a "closed shop" in Hollywood. Frank Gillmore, Equity president, was "not available," according to his secretary, and Paul Dullzell, executive secretary of Equity said he "knew nothing about the reports" and could add nothing to what was contained in the press release given out by the organization, which listed those suspended.

One Equity representative pointed out that under the organization's agreement with Screen Actors' Guild no alternative was possible in the present situation, and insisted that the suspensions were less significant insofar as a "closed shop" move was concerned than the making of the agreement between Equity and the Guild a year ago.

Six Joined

Of thirty Hollywood actors who were given notice by Equity a month ago only six complied with the notices by joining the Guild. They are John Barrymore, Lionel Atwill, Arthur Hoyt, J. Farrell McDonald, Walter C. Kelly and Lloyd Nolan. Those on the suspension list are Lionel Barrymore, Alice Brady, James Burtis, Harvey Clarke, Cecil Cunningham, Roy D'Arcy, Al Hill, De Witt Jennings, Dorothy Lee, Eric Linden, Lucien Littlefield, James McDonald, William Mong, Jack Oakie, Nat Pendleton, Marion Schilling, Frank Sully, Robert Warwick, Harry Worth, Elizabeth Allen, Rosalind Russell, Ian Keith, Arthur Aylesworth and Edwin Maxwell.

In local film quarters the Equity move is regarded as having practically no significance insofar as studio employment for those on the suspended list is concerned. It was admitted, however, that there was just as little chance of any of those suspended being able to appear on the Broadway legitimate stage until they were reinstated by Equity.

Symon Joins 20th-Fox

Burk Symon has been named dramatic coach and test director at the home office for Twentieth Century-Fox. Symon was associated with David Belasco as general stage director.

Columbia Votes Dividend

Columbia Pictures has voted a quarterly dividend of .68¾ a share on the $2.75 convertible preferred stock, payable Nov. 16 to stockholders of record Nov. 4.

A T & T Net $42,942,001

A. T. & T. and its 23 associated companies reports a net for the quarter ending Aug. 31 of $42,942,001, equal to $2.30 a share.

Here's to the Ladies!

They're the sensation of the nation! • Held over in *both* pre-release runs... **BALTIMORE** and **ROCHESTER** • **SAN FRANCISCO** opening tops "Sing, Baby, Sing," "Private Number," "In Old Kentucky." • Leads "Country Doctor" and "Sing, Baby, Sing" in **OKLAHOMA CITY!** • Smash **DENVER** business insures hold-over! • **PITTSBURGH** opening days beat "Ramona," "Girls' Dormitory," "To Mary—with Love" • Ahead of "To Mary," "Private Number," "Ramona" in **SYRACUSE!** • Tops "Ramona", "Sing, Baby," "Girls' Dormitory" in **MILWAUKEE!** • Out-grossing "To Mary—with Love" and "King of Burlesque" in **LOUISVILLE!** • 80 per cent bigger than "Sing, Baby" in **ATLANTA!** • **SPRINGFIELD** *Thursday* opening beats "Sing, Baby's" *Saturday* business! • "Girls' Dormitory" opening eclipsed in **ST. LOUIS** • First 3 days greater than "Girls' Dormitory," "Road to Glory," "Ramona" in **CINCINNATI** • Opening days swamp "Country Doctor," "Private Number" in **CHICAGO!**











Janet Loretta Constance

GAYNOR · YOUNG · BENNETT

in

Ladies in Love

with

SIMONE SIMON

DON AMECHE • PAUL LUKAS

TYRONE POWER, Jr. • ALAN MOWBRAY

Directed by Edward H. Griffith

Associate Producer B. G. DeSylva

Screen play by Melville Baker

Based on the play by Ladislaus Bus-Fekete

Darryl F. Zanuck in Charge of Production

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

S.M.P.E. Ends Fall Meeting At Rochester

ROCHESTER, Oct. 15.—The reading of 10 technical papers in an apparatus and equipment symposium, and a laboratory session at the Sagamore Hotel here today brought to an end the four-day annual fall convention of the S.M.P.E., said to have been the most heavily attended meeting in the history of the society.

The delegates, who numbered almost 200, began leaving for their homes at the conclusion of the afternoon session.

The papers read at the apparatus equipment symposium which occupied the morning included the following: "Film-Editing Machine Embodying Optical Intermittent Projector," by J. L. Spence, Akeley Camera, Inc., New York; "New Recording Equipment," by D. Canady and V. A. Wellman, Canady Sound Appliance Co., Cleveland; "An Improved Reel-End Alarm," also by Canady & Wellman; "Three-Wire D-C Supply for Projection Arcs," by C. C. Dash of the Hertner Electric Co., Cleveland, and "A Demonstration Triode for Visualizing Electric Phenomena," by F. E. Eldredge and H. F. Dart, Westinghouse Lamp Co., Bloomfield, N. J. The morning session was concluded with a report of the Standards Committee, by E. K. Carver, committee chairman.

Final Papers Read

The laboratory session was featured by the reading of the following papers: "The Performance Record of an Automatic Recording Densitometer," by C. M. Tuttle and M. E. Russell of Eastman Kodak; "A Developing Machine for Sensitometric Work," by L. A. Jones, M. E. Russell and H. R. Beacham of Eastman Kodak; "Some Aspects of Reduction Printing," by G. Friedl, Jr., of Erpi, and "The Influence of Sprocket-Hole Perforations Upon the Development of the Adjacent Sound-Track Areas," by J. G. Frayne and V. Pagliarulo, Erpi.

Duals Up to Theatres

"Recent developments in Chicago's double feature situation confirm a belief I have always held—that the theatre operator alone should be permitted to determine whether his house is to play one or more pictures," said W. Ray Johnston, head of Monogram, yesterday.

Johnston said no attempt should be made to foist a policy on an exhibitor contrary to his own interests or personal desires.

Biltmore Theatre Sold

Arthur A. Hershkowitz, an attorney, representing unnamed interests, yesterday purchased the Biltmore for $150,000, the upset price fixed by the court, at an auction sale.

State Opens at 8 A. M.

With the showing of "The Great Ziegfeld" today, Loew's State will open every morning at 8 o'clock for the duration of the run.

They Meet the Foreign Press



The dais at the luncheon of the Ass'n of Foreign Press Correspondents at the Lombardy yesterday, left to right: Nino Martini, Paulette Goddard, A. Bernard Maloney, Dr. A. H. Giannini, Walter Huston, Rouben Mamoulian and William Wyler.

Giannini Praises Film Improvement

(*Continued from page 1*)

luncheon of the Ass'n of Foreign Press Correspondents.

"I hear everywhere today of foreign entanglements," he said. "I advocate friendly and sympathetic cooperation with foreign nations and I do not believe in narrow nationalism. The recent tercentenary of Harvard University where scholars and savants from all over the world met to discuss progress in the sciences and in the humanities and the conference of the British scientists at Blackpool illustrate what I mean.

"Just as these two meetings contributed much, so does the tripartite agreement between England, France and the United States on the gold standard. An established currency cements commercial relations and sound commercial relations make for universal peace.

Credits Films

"Motion pictures are playing their part in this movement. When I was in London last I heard much about domination by the American film and a great deal about the kind of American films being sent to all parts of the world. It was also said in London that the nation reaching dominance in film production also would dominate the world.

"However, I know that today producers in this country are much more careful than in years past, that they are actually endeavoring to deliver a finished and a wholesome product."

Giannini was introduced by A. Bernard Maloney, president of the association and general manager in America of Reuters News Agency. Maloney also introduced other guests, who took bows but did not talk. They included Paulette Goddard, Walter Huston, Rouben Mamoulian, William Wyler and Nino Martini. Guests included trade paper reporters and, among others, these:

Harold Burcher, *London Daily Herald;* K. Iwamoto, Associated Press of Japan; C. Kuriyama, *Nichi Nichi,* Tokyo; Raymond Lange, *Pour Vous,* Paris; G. J. Simons, *Der Telegraaf,* Amsterdam, Holland; Dixie Tighe, *London Daily Express;* R. Socas, *La Nacion,* Buenos Aires; Robert Gueydan, *T. S. F. Tribune,* Paris; Comte Charles de Ferry de Fontnouvelle, consul general of France; Richard Plummer, editorial staff, *London Daily Express,* who is visiting here, and Maurice Cowan, Odhams Press, Ltd. of London.

Washingtonians Pay Tribute to Wilcox

WASHINGTON, Oct. 15.—Exhibitors and distributors gathered here earlier in the week at a dinner in honor of William Eustace Stowe Wilcox, operator of the Seco, Silver Spring, Md. The function had no reason other than a desire on the part of the local trade to honor a theatre operator held in high standing.

Nearly 200 guests gathered at the Variety Club, later adjourning to the main ballroom of the Willard Hotel where a surprise party was sprung.

In charge of the proceedings were Harry S. Brown, branch manager for Grand National, and Sara Young, booker at Twentieth Century-Fox.

Tangible tribute to Wilcox took the form of a pocket watch, presented by Brown. A scroll, signed by all present was subsequently presented.

WRC's Gordon Hittenmark was master of ceremonies, presenting Singers Helen Elly and Nell Kelly and Danders Pritchard and Lord. The Howard Theatre pit orchestra furnished music for dancing.

Among those present were George Crouch, Harry E. Lohmeyer, Guy Wonders, Nat Glasser, Carter T. Barron, F. Eugene Ford, Harry Hunter, Rudolph Berger, Samuel N. Wheeler, Joseph Kaliski, Sam A. Galanty, Charles Kranz, Edward Heiber, Robert J. Folliard, Harry S. Brown, George J. Gill, John Golder, Robert Smeltzer, J. Henry Hiser, J. William Cleveland, Charles H. Olive, J. Louise Rome, Hunter Perry, C. W. Henderson, A. Julian Brylawski, Samuel M. Boyd, Kenneth B. Haynes, Roger N. Christopher, J. A. Burns, Joseph Fields, James B. Fitzgerald, Lauritz C. Garman, William R. Hoyle, Ben Lust, Sidney B. Lust, Louise Noonan Miller, Abraham M. Tolkins, Hardie Meakin, Isaac Notes.

"Dragon" Is Re-titled

HOLLYWOOD, Oct. 15.—M-G-M has chosen "Mad Holiday" as the final title for the film formerly called "White Dragon." Harry Rapf produced.

Changed to "Private Enemy"

HOLLYWOOD, Oct. 15.—The Twentieth Century-Fox film, "Living Dangerously," now nearing completion, will be released under the title, "Private Enemy."

Signs Tess Schlessinger

HOLLYWOOD, Oct. 14.—Samuel Goldwyn has signed Tess Schlessinger to a term contract. As her first assignment, she will write the screenplay of "Dead End," which William Wyler will direct. Miss Schlessinger was on Irving Thalberg's staff for some time.

See Need for Early Censoring in Japan

By TETSUYA MORI

TOKYO, Sept. 26.—The necessity of arranging for examination of product some time before release dates at theatres on the part of American companies here was brought home when "Sons o' Guns" and "The King Steps Out" were banned by the Home Office censor after theatre bookings had been set.

Two other films, "The Princes Comes Across" and "Responsibility of a Kiss," were held up by the censor board, making it impossible for the companies to meet the theatre dates which had been set on them. They were passed later, following revisions, but too late for the scheduled showings.

Foreign distributors are disturbed by the censor action, fearing drastic restrictions on future importations.

* * *

Ohbei Eiga-sha, which recently contracted for the distribution of Republic product in Japan, also has closed for the distribution of G. B. product in Japan and Manchukuo. It is planned to import 15 G. B. pictures during the 1936-37 season.

Metropolitan Films, with headquarters in Shanghai, has concluded a deal for the importation of 20 pictures from Grand National and Imperial.

Circuit Asks Warner Repeat Product Sale

PASADENA, Cal., Oct. 15.—The California Amusement Co., which operates a group of subsequent runs here, has served notice on Warners that it will expect the same run of product it received last year. The notice, without threat, advised that the situation would be taken to court for clarification if the request were not granted. Ray Miller and George Haines operate the circuit, which is asking fifth and sixth runs from Warners.

The notice was sent to Warners following the sale of subsequent run product to the Lamanda Park Theatre Co.'s Uptown here.

New Buying Combine Begun in Wisconsin

MILWAUKEE, Oct. 15.—Approximately 15 theatres, all members of the I.T.P.A., have organized a buying combine.

Current product will be bought through a committee of three consisting of E. F. Maertz, Ross Baldwin and R. A. Tesch, all of Milwaukee. It is expected that other houses who have not as yet bought their product for this season will join.

Sparks Takes RKO List

The E. J. Sparks circuit in Florida has signed with Jules Levy for the full product of RKO Radio and associated studios.

Saenger and Kincey Take G. B.

Bill Minder, New Orleans branch manager for G. B., has closed with the Saenger circuit for his company's 1936-37 program.

The Wilby and Kincey circuit in the Carolinas has also signed for G. B. product. Scott Chesnutt, district manager, and F. E. Dyer, Charlotte branch manager, acted for the distributor.
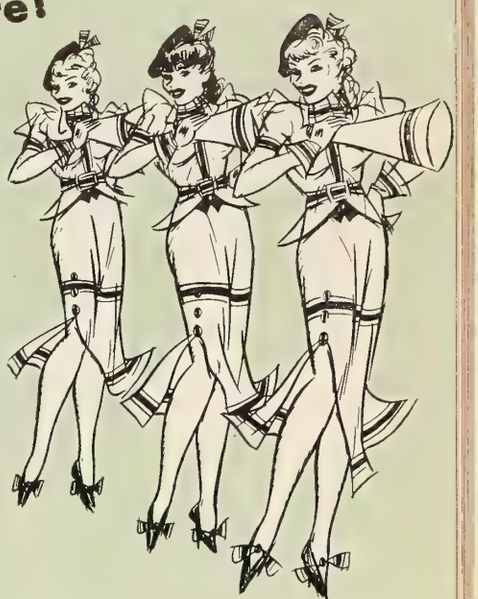


—GOAL! What a team,
folks! WHAT A SCREAM! There's that
crackpot coach...Jack Haley! He's out on the
field...I mean he's up in the stands...No, HE'S DOWN...
BLOCKING WITH HIS HEAD! And there's Patsy Kelly
...IS SHE A DRAWBACK!...Look at Stuart Erwin
...that daffy-dilly hill-billy is booting the
ball in his bare feet!...But I MEAN BARE FEET! Ha, ha!
...HURRAY! Here come the Yacht Club Boys
...swinging down the field...No! They're SINGING
DOWN THE FIELD! Not in a boat...They're running
folks, THEY'RE RUNNING...What a run! It's good
for 90 yachts!...yards...YACHTS! And listen to
those co-eds cheering...It's a touchdown folks!
A TOUCHDOWN! An entertainment touchdown
...for 20th CENTURY-FOX!...


LAUGHTER
to make their
ribs feel sore!
MERRIER THAN "THANKS A MILLION"!
PIGSKIN
THESE
HITS WILL
KNOCK 'EM FOR
A GOAL:
"It's Love I'm After" • "You're Slightly Terrific" • "You Do the Darndest Things, Baby" • "The Balboa"
hoff

SONG HITS
that make them roar for more!

FOOTBALL
as it's never been played before!





SWINGIER THAN "SING, BABY, SING"!

PARADE





WITH A CAST PICKED FOR ENTERTAINMENT

STUART ERWIN • JOHNNY DOWNS
ARLINE JUDGE • BETTY GRABLE
PATSY KELLY • JACK HALEY
YACHT CLUB BOYS • DIXIE DUNBAR
ANTHONY MARTIN • JUDY GARLAND

Directed by David Butler • Associate Producer Bogart Rogers

Screen play by Harry Tugend, Jack Yellen and William Conselman • Based on a story by Arthur Sheekman, Nat Perrin and Mark Kelly • Music and lyrics by Lew Pollack and Sidney D. Mitchell • Music and lyrics of songs sung by Yacht Club Boys—by Themselves

20th CENTURY FOX

DARRYL F. ZANUCK
in Charge of Production

FLASH!

HOLLYWOOD–PIGSKIN PARADE AT SNEAK PREVIEW LAST NIGHT NEARLY CAUSED RIOT STOP NEVER IN OUR EXPERIENCE HAVE WE HEARD SUCH CONTINUOUS HOWLS OF LAUGHTER STOP SONGS ARE TERRIFIC AND WILL HAVE WHOLE NATION SINGING STOP CAST IS PERFECT FOR GOOFY HILARITY STOP THIS IS POSITIVELY BIGGEST THING STUDIO HAS DONE THIS SEASON SO GET BEHIND IT WITH EVERYTHING YOU'VE GOT.

JOHN D. CLARK









Pigskin Parade

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

PRINTED IN

Purely Personal

ROUBEN MAMOULIAN leaves for Hollywood today. He may direct, as his next, a picture for Paramount. It is understood the Theatre Guild seeks him to stage one of its new plays.

•

JOE HORNSTEIN and J. E. ROBIN arrived in Chicago yesterday for the two-day meeting of members of the Independent Theatre Supply Dealers' Ass'n, which will get under way at the Congress tomorrow.

•

EDWIN KNOPF, story editor for M-G-M, will leave tomorrow for Baltimore, where he will see a show Saturday night. On Sunday he will leave from Chicago for the studio via train.

•

FELIX JENKINS, general counsel for Twentieth Century-Fox, and WILLIAM C. GEHRING, Kent drive leader, have left by plane for the coast to join JOHN D. CLARK, distribution manager.

•

MAUREEN O'SULLIVAN and FRANK MORGAN will be heard on the Lux radio hour next Monday. ROBERT TAYLOR will be featured on the same program a week later.

•

PHILLIPS HOLMES is en route to England on the *Normandie* to make a picture for British International. He will return to Hollywood about Dec. 15.

•

HARRY M. NOVAK, general manager for Warners in Argentina, arrived yesterday aboard the *Eastern Prince* for three weeks of home office conferences.

•

JOHN GOLDER, who recently closed for Chesterfield and Invincible product in Philadelphia, has made a similar deal for the Washington territory.

•

DAVE KATZ, assistant manager of the Roxy, is the father of a 6½ pound girl. MRS. KATZ is reported doing nicely at Mt. Eden Sanitarium.

•

JOHNNY WEISMULLER, according to his latest plans, will sail on his much-postponed European vacation Oct. 26 aboard the *Queen Mary*.

•

EMANUEL FRISCH and his bride will sail tomorrow on the *California* for a five-week honeymoon. They will visit the various studios.

•

MARJORIE HILLIS' "Live Alone and Like It" has been purchased by Universal. MISS HILLIS is on the editorial staff of *Vogue*.

•

BERT STEARN, U. A. district manager, with headquarters in Pittsburgh, and M. KEARSE, Pittsburgh exhibitor, are in town.

•

HARRY C. and EDWIN ARTHUR, accompanied by William Schneider in another car, started for St. Louis yesterday.

•

HARRY NORWOOD, artists' representative, has moved to the RCA Bldg. in Radio City. IRMA MARWICK is assisting him.

•

PHIL CHAKEREN, general manager of Warners theatres in Springfield, O., is in town for a few days on business.

•

I. FREY of the Loew legal staff will leave today for Wilmington and on Sunday will be in Pittsburgh.

•

NAT LEVY, RKO district manager, with headquarters in Detroit, is visiting home office executives.

•

REGIS TOOMEY has been cast by JULIANA MORGAN for "All Editions," which is due shortly on the Broadway boards.

•

BUSTER WEST and TOM PATRICOLA today complete their third two-reel comedy for Educational.

•

JOE KALISKI, G. B. Washington branch manager, returned to the capital yesterday.

•

MORRIS KINZLER will spend his birthday quietly at the Roxy today.

•

JACK WASHBURN and DEAN DETTON are in town, at the Warwick.

•

BILL PINE expects to shove off for the coast today. By air, as usual.

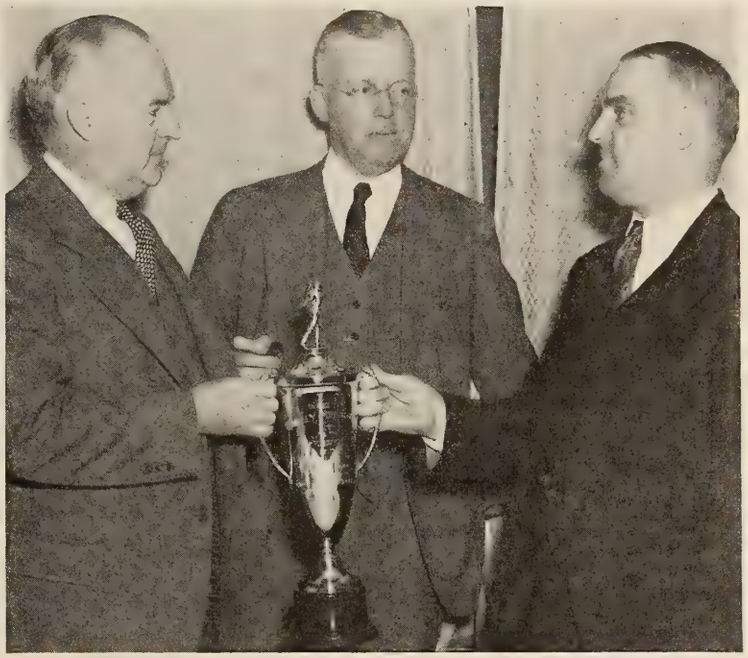
•

GEORGE R. BATCHELLER will return to Hollywood in about a week.

•

WILLIAM A. SCULLY has gone to Charlotte for a week.

For Prowess on the Diamond



Metropolitan Photo

Tim Leahy of the editorial staff of Motion Picture Daily presenting the Quigley Publications cup to Jack White (right) president of the M. P. Athletic Ass'n and manager of the RKO winning baseball team. In the center: George Woodward, vice-president of the association.

"Tovarich" 1st Real Hit Of Year and All Filmable

(Continued from page 1)

old Russia, its blood-stained royal family and its traditions. Efforts are made to persuade Halliday to part with his trust; a counter-royalist revolution is the favorite proposal. Steadfastly spurning all advances, he persists in holding out for the day when the rightful successor to the throne will claim the funds. A splendid gallantry and a slavish devotion to honor, but also a futile one as the audience, of course, knows.

Pressed by the one demand and facing harrassment by the revolutionaries, the royal couple go into domestic service as butler and maid for the Duponts. There, their charm and their manner quickly work their way into the collective bosom of the family. The father begins to fall for Miss Abba, the son, likewise; the daughter for Halliday and only the mother appears to be immune. On a note of graceful and polite comedy and portrayed always with charm and verve, the first act thus ends and with it one of the two moods of the play.

In the second, forthright drama takes hold. Tracing it quickly, the play's thread weaves around the conflict enforced upon the high born couple. The commissar from Soviet Russia tells them the peasants need tractors; that the Government needs money and the only way out apparently is to dismember Russia by the enfranchising of important oil concessions to an international syndicate. Here Halliday and Miss Abba see the way to their duty. Rather than permit their Holy Russia to be concessioned, they agree to turn over to their enemy, but a Russian withal, the fortune in francs and off they go to the emigres' party with the children of their master and mistress.

The two principals are excellent. They thoroughly grasp the essentials of their parts—the moody tragedy and the alternative gaiety of Russia and the Russians; the graceful acceptance of their gentle, but proud, humility. They make a gallant pair and they induce not only respect, but admiration for their inherent stalwartness and the tensile strength of their backbone. The remainder of the cast lends admirable support and evidences appreciation for the English text by Robert E. Sherwood.

"Tovarich," which means comrade in Russian, lends itself completely and naturally to a motion picture for the sophisticated. For a director like Ernst Lubitsch, for instance, who was in the audience at the Plymouth last evening. Yet, the plum will probably go to someone else, for the understanding, merely that, mind you, is that the Warners already have purchased the rights or are well on the inside track to that end.

The hammer presumably landed for the third and last time at a reported $150,000. Which proves Gilbert Miller, the producer, knows he controls a property of genuine Hollywood value.

Picketing in Phila. By Musicians Starts

Local 77 of the American Federation of Musicians in Philadelphia has begun picketing theatres there in an extension of the union drive for the reemployment of musicians in film houses which was originated several weeks ago by Local 802 in New York. The Earle, Fox and Stanton are being picketed in Philadelphia, with six men assigned to each house by the local. The public mass meeting scheduled for that city has been postponed until the picketing is actively under way. Houses are being covered from 12 noon to 10 P. M.

In San Francisco, it was learned here, Local 6 has begun a similar drive with the use of floats and like demonstrations urging public support for the reinstatement of musicians in film theatres. Actual picketing of houses has not yet begun there, it is understood. A petition is being prepared by the local in Kingston, N. Y., which will be followed by picketing if the petition demands are not met by theatre owners. It is reported that picketing is being considered by the musicians' locals in Albany and Syracuse also.

Ampa Directors Ask Vote for New Setup

Ampa directors have adopted a new plan revivifying the organization and have submitted it to members. The general idea is to confine the association's activities to problems connected with members' work, only one "entertainment" luncheon a month, and loans to end the deficit.

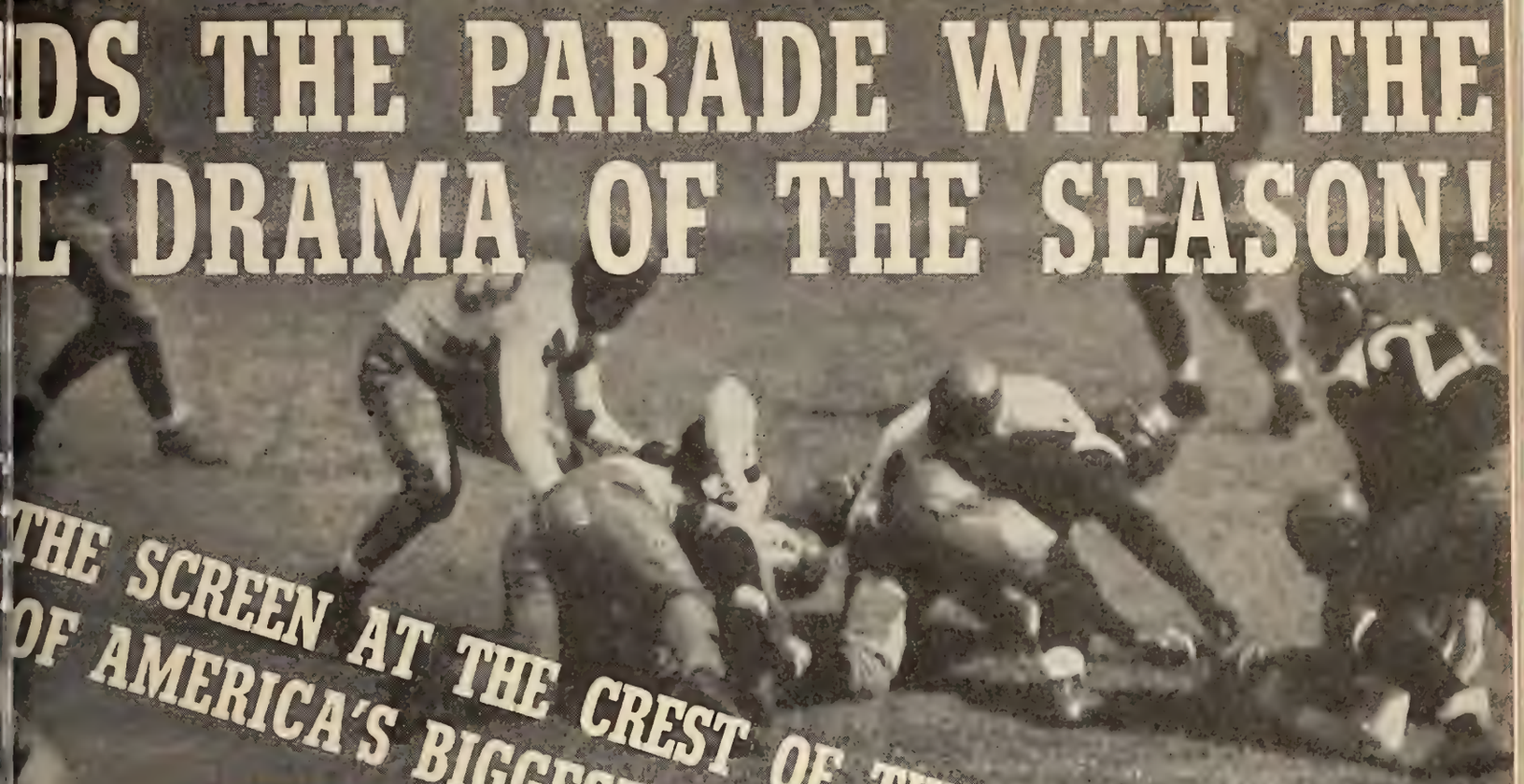
The board's proposal also calls for limiting the voting membership to persons engaged in advertising, publicity or exploitation for producers, distributors or exhibitors, with a non-voting membership for trade paper and newspaper writers on film subjects and also radio commentators who talk about films.

Meetings would be held on the first and third Thursdays of each month under the proposed plan and, when finances permit an office would be opened with dining facilities attached.

The proposal has been mailed to members with a voting blank attached.


BILL SHAKESPEARE
NOTRE DAME
BONES HAMILTON
STANFORD
GOMER JONES
OHIO STATE
JAY BERWANGER
MONK MOSCRIP
CHICAGO
STANFORD
KING KONG KLEIN
N.Y.U.
FRANK ALUSTIZA
BOBBY WILSON
STANFORD
S.M.U.
RKO RADIO HEA
FIRST FOOTBAL
TIMED TO HI
IN THE HISTOR
THE BIG
with
PHILIP HUSTON ★ JAMES GLEASON
JUNE TRAVIS ★ BRUCE CABOT
ANDY DEVINE ★
DIRECTED BY GEORGE NICHOLLS, JR.
A PANDRO S. BERMAN PRODUCTION
RKO-RADIO PICTURE

DS THE PARADE WITH THE L DRAMA OF THE SEASON!



THE SCREEN AT THE CREST OF THE GREATEST SEASON OF AMERICA'S BIGGEST-CROWD-ATTRACTING SPORT!

GAME

EIGHT OF THE GRIDIRON'S MOST FAMOUS STARS . . .

adding authentic football thrills to a punch-packed college romance from the novel by Francis Wallace!

Kent Dropping British Deal; Future Hazy

(Continued from page 1)

legally the position we occupy. We have no intention of doing anything just for the sake of causing trouble, and we make this statement with a feeling of friendliness towards all concerned.

"Our determination to terminate negotiations is a result of strict business considerations."

Maxwell also issued a statement in which he said:

"We have been negotiating for some days for the acquisition of the Twentieth Century-Fox holdings in Metropolis and Bradford Trust. This was not a necessary part of our arrangement, but we regarded it as desirable if it could be achieved for a reasonable price.

Calls Price Too High

"We came to the conclusion that the price and other conditions were more than we could reasonably agree to and discussions for the acquisition of the Twentieth Century-Fox interests have been terminated for the time being. The agreement with the Ostrers for acquisition of the controlling interest in Metropolis and Bradford remains in full force in accordance with the previous announcement, and we are advised that it can be carried through completely without the acquisition of any other interests.

"Our discussions with Mr. Kent were carried out in a most friendly reciprocal atmosphere and terminated with mutual assurances of good will."

Maxwell's statement followed a conference of Isidore and Mark Ostrer with Maxwell. Maxwell's stand appears to support yesterday's MOTION PICTURE DAILY dispatch on the legal position taken by the British parties to the deal.

Kent's sailing date is uncertain at the present time.

Paramount Forces Gather at St. Louis

(Continued from page 1)

Charles Reagan, J. J. Unger, Milton Kusell, Bob Gillham, Herman Lorber, Jack Roper, G. J. B. Frawley, Don Velde, Fred LeRoy and Arthur Dunne. Others attending are the following district managers: Percy A. Block, Philadelphia; William Erbb, Boston; Harry Goldstein, Cleveland; Morris Milligan, Toronto; Edward Fontaine, Chicago; Oscar Morgan, Atlanta; Ralph LiBeau, Kansas City; Ben Blotcky, Minneapolis; Jack Dugger, Dallas; Hugh Braley, Denver; Myke Lewis, Los Angeles.

Most of the home office party will return Monday. It is possible Agnew, Reagan and Unger may stay over a day for additional individual executive conferences.

Dunphy to St. Louis

LOS ANGELES, Oct. 15.—Christopher Dunphy left by plane today for St. Louis, where he will represent Adolph Zukor and William LeBaron at the Paramount district sales convention.

G. B.'s American Selling Organization to Continue

(Continued from page 1)

formation of a new exchange system here on a scale more extensive than G. B.'s current setup for the purpose of handling B. I. P. as well as G. B.

Currently G. B. maintains its own sales force, housed in the Twentieth Century-Fox exchanges and utilizing the physical facilities of the latter organization.

Under the originally proposed Twentieth Century-Fox-Loew deal, the G. B. sales force was to be maintained intact probably until the completion of sales effort for the 1936-37 season some time next spring. The ultimate plan called for elimination of the crew and the addition to schedules of both the American majors of a minimum of five G. B. attractions a year.

Majors Working on Concession Detail

(Continued from page 1)

statement will not be ready before the early part of next week.

Kuykendall was given definite assurances prior to his departure from the city last week that distributors were ready to make commitments in line with the exhibitor program, but that both legal and routine considerations would delay a defining of the concessions to be made for three to 10 days. Indications in distribution quarters are that the four principal concessions sought by the M. P. T. O. A. will be forthcoming ultimately from at least a majority of major distributors. These are an unrestricted cancellation privilege, elimination of the score charge, adoption of the short form of exhibition contract and the establishment of local conciliation boards.

Discuss Moves For Getting Sales Tax

(Continued from page 1)

to protect themselves in case of a reversal of the lower court. Exchange managers find that several corporations with which they have been doing business have disbanded, and the possibility looms that if the Court of Appeals rules theatres across the Hudson must pay the tax, the exchanges will have to make good sums which should have been contributed by the defunct companies.

To Publish Song Book

Random House in December will publish the Ruby-Kalmar Song Book with 11 numbers and contributions by an assortment of well known film names including Irving Berlin, Groucho Marx, Bob Benchley, Nunnally Johnson, Ben Hecht, Moss Hart, James K. McGuiness and Marc Connelly. F. P. A. will also be included in its pages.

The same publisher plans a limited edition of the complete score of "Red, Hot and Blue," impending Vinton Freedley musical, which will be autographed by Cole Porter. The work will include songs not to be published in any other form, including "I'm About to Become a Mother," by Jimmy Durante.

Trustee's Petition Charges Fox Fraud

(Continued from page 1)

Steelman, trustee in the Fox bankruptcy action. The full text of the petition was made public here for the first time today.

It was on this petition that Vice-Chancellor W. Frank Sooy yesterday restrained Fox, his wife Eva and their daughters, Mona and Belle, from disposing of any assets of All-Continent Corp. pending a hearing on Nov. 10 for a permanent injunction.

"Complainant avers," the bill of complaint reads, "that All-Continent Corp. [the nearly $7,000,000 collection of Fox assets which Fox claims he set aside as an irrevocable family trust] was formed and organized by William Fox for the express purpose of defrauding his creditors then existing as well as those to whom he might in the future become indebted.

"Complainant further avers that Fox and All-Continent are one and the same, that the real object sought in forming All-Continent was to thwart creditors and to retain for himself and his family the full and unmolested enjoyment of his assets."

Collusion Charged

The petition goes on to allege that all of the things done "by and between" Fox and All-Continent from 1930 onward "were part of a general scheme and plan" devised by Fox and that his wife and daughters knew this all the time "and either permitted or assisted." The petition asks:

"That All-Continent Corp., William Fox, Eva Fox, Belle Fox, Mona Fox and William Fox Tauszig and William Fox Schwartz [minor sons respectively of Mona and Belle] answer this complaint and make discovery of what All-Continent assets they possess; that All-Continent be decreed to be the *alter ego* of Fox and that All-Continent and Fox are one and the same; that all its assets be decreed to be the assets and property of Fox and that the transfer of these assets in December, 1930 [when All-Continent was created], the trust agreement [whereby Fox assertedly turned it over to his wife and daughters], and the foreclosure of collateral last December all be held to be null and void and that a receiver be appointed." The petition asks these things also for the gifts which Fox made outright at various times to his wife and daughters.

Show Cause Order Issued

The order signed by Vice-Chancellor Sooy calls upon All-Continent and the Fox family to show cause Nov. 10 "why they should not be enjoined from selling, assigning, transferring, mortgaging or otherwise disposing of or encumbering said assets and property until the further order of this court or until the matters in issue be finally determined." It also orders them to show cause why a receiver should not be appointed.

Meanwhile the routine questioning of Fox and Herbert Leitsteen, his bookkeeper, named in the Steelman petion as having been an All-Continent officer, continued today before Federal Referee Robert F. Steedle.

"U" to Revamp Setup of Its Subsidiaries

(Continued from page 1)

later in its place, will emerge as the new parent company as a result of the inevitable consolidations and dissolutions of subsidiaries. Subsidiaries most likely to be dispensed with are believed to be Universal Pictures, Big "U" Film Exchanges and various studio and domestic and foreign subsidiaries stemming from them.

Paramount is well along in its work of corporate simplification, already having dissolved or consolidated its former top holding companies for both foreign and domestic distribution, production and theatre interests. Currently, the company is engaged in the work of further breaking down the intricate structure of its theatre owning and operating interests. This work is expected to consume at least another 60 days and may affect all of the company's important theatre interests with the exception of Famous Players Canadian, which, of course, is not subject to the Federal income and profits taxes here.

Current Changes Numerous

Loew's has made considerable progress toward the elimination of dispensable subsidiaries under the M-G-M banner and Warners recently dissolved First National Pictures and is now studying a possible simplification of its theatre structure. RKO plans to eliminate various studio and distributing companies in the near future but probably will not disturb its present theatre corporation setup. Its most profitable theatre subsidiary is Keith-Albee-Orpheum, which is not a wholly owned company and, therefore, cannot be dissolved.

Wall Street

Paramount Best Board Gain

	High	Low	Close	Net Change
Columbia, vtc	39¾	38¾	38¾	— ⅝
Columbia, pfd.	46¾	46¾	46¾	+ ⅝
Consolidated	4⅞	4¾	4¾	.....
Consolidated, pfd.	18¼	18	18	+ ¼
Eastman Kodak	177	176	176	— ½
Gen. T. Equip.	27	26⅜	26⅜	.....
K.-A.-O., pfd.	100	100	100	—2
Loew's, Inc.	57¼	56⅛	56⅛	+ ⅛
Paramount	14⅛	13	14	+1
Paramount 1 pfd.	102¼	98	102	+4½
Paramount 2 pfd.	13¼	12⅜	13	+ ⅝
Pathe Film	8¼	7⅞	7⅞	— ⅛
RKO	7⅝	7¼	7½	+ ¼
20th Century-Fox.	32¼	31¾	31¾	— ¼
20th Century, pfd.	41	40⅞	41	— ⅛
Warner Bros.	13⅞	13¼	13¼	.....

Curb Off Slightly

	High	Low	Close	Net Change
Grand National	3½	3⅜	3⅜	.....
Sonotone	2⅛	2	2⅛	.....
Technicolor	26½	25¾	25¾	— ¾
Trans-Lux	3⅞	3⅞	3⅞	— ⅛

Bonds Rise Slightly

	High	Low	Close	Net Change
Keith B. F. 6s '46	96½	96½	96½	+ ½
Loew's 6s '41 ww deb rights	99	98⅞	98⅞	.....
Paramount B'way 3s '55	64	64	64	.....
Paramount Pict. 6s '55	99¼	98⅜	99¼	+ ⅞
RKO 6s '41 pp	90½	89⅞	90½	+1¾
Warner Bros. 6s '39 wd	95⅜	95¼	95¼	— ½

(Quotations at close of Oct 15)

"EVERYTHING IN ENTERTAINMENT!"



"This musical extravaganza has practically everything that ever went into screen entertainment."
—*FILM DAILY*

"The new Hirlicolor process adds considerably to this musical melodrama of Latin America...Action, romance and lively comedy also enliven it . . . Gorgeous outdoor shots in soft greens, blues and orange will bring in most favorable word-of-mouth publicity . . . The players are in every way capable." —*BOXOFFICE*

"Musical comedy in color...alternately robust and romantic."
M. P. HERALD

Devil ON HORSEBACK

WITH

LILI DAMITA
FRED KEATING
DEL CAMPO

JEAN CHATBURN • TIFFANY THAYER

COLOR
ACTION
ROMANCE
COMEDY
GREAT CAST

A
GEORGE A. [illegible]
PRODUCTION

PRESENTED BY
EDWARD L. ALPERSON
Directed by CRANE WILBUR • *Screen Play by* CRANE WILBUR
Photographed entirely in Hirlicolor
ARTHUR DREIFUSS, *Dance Director*

A GRAND NATIONAL PICTURE

EVERYTHING IN EXPLOITATION!



A BOX OFFICE SYMPHONY OF COLOR AND MELODY!

Gorgeous Natural Color . . . Drama . . . Romance . . . Thrills . . . Elaborate Dances . . . Four Hit Songs Published by Sam Fox . . . Three Big Stars . . . Plus a Gripping Story . . .

BACKED BY NATIONAL TIE-UPS!

Lux Soap Day and Date Co-op Plan . . . Richard Hudnut Class Campaign . . . "DIABLERO" (South American Devil Dance) Dance Campaign Put on by Thomas E. Parson, "Radio's Dancing Master", who put on the Astaire-Rogers "Piccolino"—and 100 OTHER NATURAL TIE-UPS!

A GRAND NATIONAL PICTURE

RIDE TO BIG PROFITS WITH THIS BOX-OFFICE NATURAL!

London Speculates On Deutsch Product

LONDON, Oct. 15.—Plans of Oscar Deutsch to build a 2,000-seat Odeon in Leicester Square in place of the Alhambra has stirred speculation as to his product tieups. Contracts for the building have already been let to Sir Robert McAlpine & Sons.

An unofficial estimate of the price paid for the freehold site, which extends between Charing Cross Road and Leicester Square, is £600,000. Sir Oswald Stoll was the vendor.

Inevitably, the Alhambra is seen developing into one of the most important preview houses in London and there is already speculation about the product ties which Deutsch may have in mind. The United Artists investment in Odeon makes it likely that some at least of the features of that concern will go to the Alhambra. United's own theatre is the London Pavilion and on many occasions it has found it necessary to use the Leicester Square in addition.

The most spectacular deal so far announced by Deutsch, the acquirement of a West End key house by Odeon, emphasizes the rapidity with which this organization has developed into a major circuit.

Concurrently announced is the addition to the Odeon circuit of the Singleton circuit in Scotland. The less than 20 houses of this combination are to be rapidly expanded until there is an Odeon in every important town in Scotland, according to George Singleton.

So rapidly is the Odeon circuit growing, with openings averaging two or three a week, that its ultimate size is difficult to state exactly, but a conservative estimate is that during 1937 it will number between 250 and 300 theatres.

Assign Francis Farmer

HOLLYWOOD, Oct. 15.—Paramount has assigned Francis Farmer to the top romantic lead in "Waikiki Wedding," next Bing Crosby picture. Martha Raye and George Barbier have also been added to the cast. Edward Sutherland will direct.

Selznick Signs Menjou

HOLLYWOOD, Oct. 15. — David O. Selznick has signed Adolphe Menjou for "A Star Is Born," his next Technicolor picture. Fredric March and Janet Gaynor had previously been announced for the top roles. William Wellman will direct.

Knowles Is Assigned

HOLLYWOOD, Oct. 15. — Patric Knowles, who has just returned from a vacation in Europe, has been cast by Warners for a prominent role in "Call It a Day." Ian Hunter also will be in the picture.

Ratoff in "U" Film

HOLLYWOOD, Oct. 15. — Returning from a quick trip to New York where he received his naturalization papers, Gregory Ratoff on his arrival was immediately cast for Universal's "Top of the Town."

Add to "Man" Cast

HOLLYWOOD, Oct. 15.—M-G-M has added three to the cast of "After the Thin Man." They are Ted Hart, Zeffie Tillbury and Jessie Ralph.

Looking 'Em Over

"Mr. Cinderella"

(Roach-M-G-M)

The adventurous misadventures of that redoubtable comedian, Jack Haley, go on apace, in this, his latest series of escapades, under the auspices of comedy producer Hal Roach, and the guiding hand of Edward Sedgwick, as producer and director. It is for the most part amusing fare, conducive to laughs, and should be found especially entertaining by those who have a fondness for the particular brand of comedy purveyed by Haley in his brow-beaten sucker type of role.

In this instance Haley, a hotel barber, spends most of his waking hours becoming virtually a guide book of the names, personalities and doings of the members of the city's high society. Princess of his dreams is Betty Furness, daughter of an automobile magnate. Trying to bring a young millionaire out of the depths of inebriation to keep a date, Haley suddenly finds himself compelled to impersonate the millionaire at a dinner invitation from none other than Miss Furness, who has never seen the scion, but is under orders from her father to get him and hold him at all costs, since daddy needs the money he hopes to get from the ne'er-do-well. Raymond Walburn is good as the father, but the screen's latest and greatest Jeeves, Arthur Treacher, should be a standout feature of the film as far as the audience is concerned, as he portrays the imperious, forbidding butler.

It must be understood, of course, that everything comes out right in the end, but en route the comedy bounces along, now descending to slapstick, again on a higher plane, but always entertaining.

Production Code Seal No. 2,261. Running time, 75 minutes. "G."

"Legion of Terror"

(Columbia)

Reminiscent of the G-Man cycle of recent memory, but striking a timely note drawn from the headline, this film revolves about the activities of the Hooded Legion, counterpart of the vicious Black Legion which for a time held a part of Michigan in its grip. This time two postal inspectors tear the insides out of the racket, and the result is a suspense-laden action film, wide open for fast exhibitor exploitation.

Adding much to the film is the photography of George Mehan, in the night meetings at the forest headquarters of the hooded group, shrouded in black, the scene lit by flares, as they hold kangaroo court on unfortunates, initiate new members with guns at their heads.

The direction of C. C. Coleman and the original screen play by Bert Granet have maintained the film's swift initial pace throughout. Romance is interwoven and the film concludes on a laudatory note for the postal inspection service.

When Bruce Cabot and Crawford Weaver, newly appointed postal inspectors, go to the industrial town of Stanfield to trace a bomb addressed to a senator, they meet Marguerite Churchill en route, become acquainted with her brother, Ward Bond, and learn of the town's domination by the Hooded Legion. Early it is apparent that Charles Wilson, newspaper editor, is its leader, and when Bond is kidnapped and killed after seeking to expose the Legion, Cabot and Weaver, members, trap the group, and Cabot arrives with the state militia in time to clean out the Legion and save Miss Churchill and Weaver in a smash action sequence.

Production Code Seal No. 2,538. Running time, 61 minutes. "G."

"The Devil Is a Sissy," this morning's opener at the Capitol, was previewed by wire from Hollywood on Sept. 8.

"Cain and Mabel," previewed from Hollywood by wire on Aug. 17, opens tomorrow morning at the Strand.

"Dimples" at the Roxy, "Gay Desperado" at the Music Hall and "Valiant is the Word for Carrie" at the Paramount are holdovers.

Asks New St. Louis Tax

ST. LOUIS, Oct. 15.—Alderman Charles Routledge has presented a bill to the Board of Aldermen to impose a city tax on theatre admissions on a sliding scale basis.

The proposed rates would be: one cent on admissions from 25 cents to 49 cents; two cents, from 50 to 99 cents; five cents from $1 to $1.99, and ten cents above $1.99.

Similar bills have been defeated at previous sessions of the board.

Pick Next for Dietrich

HOLLYWOOD, Oct. 15.—Paramount has decided on "Angel," the novel by Melchoir Lengyel, as the next picture for Marlene Dietrich. The studio has held an option on the story for some time. Ernst Lubitsch, who will produce and direct, is now in New York working on the screenplay with Samson Raphaelson. Miss Dietrich is expected back in Hollywood in December, with production on the picture scheduled for early January.

Short Subjects

"Quaint Quebec"

(FitzPatrick-M-G-M)

An interesting subject of its kind with James A. FitzPatrick furnishing the narration. Hotel Frontenac, the Plains of Abraham, St. Louis Bridge, St. Lawrence River, the historic market place at the lower end of the town, the House of Parliament and intimate views of the natives make this item an engrossing and educational topic on any program. The color in three-tone process grasps the various shadings, particularly the hazy blue skyline shot and its pastel effect, add to the beauty of the French town. Production Code Seal, No. 01,072. Running time, 10 minutes. "G."

"Puppet Show"

(Universal)

Expert manipulating of puppets in the first few minutes of this number of the Oswald Rabbit series strikes a good, different note. The cartoon action is superimposed. Later the scenario goes into straight cartoon. The action takes place when Oswald is knocked unconscious and has a bad dream about the difficulties one of his puppets gets into when he wanders. Oswald wakes and everything is set right again. It is clever and should delight. Production Code Seal, No. 2,442. Running time, 8 mins. "G."

Urges Rogers Statue In Nation's Capitol

OKLAHOMA CITY, Oct. 15.—Gov. Marland of Oklahoma has proposed that a statue of Will Rogers be placed in Statuary Hall in the Capitol at Washington, as one of the two representative figures from Oklahoma. He also indicated he would ask the state legislature to appropriate money for the erection of a statue of the late humorist on the grounds in front of the state capitol.

The governor expressed the hope that Rogers' body will be returned from California for burial at Claremore, Okla. Morton Harrison, chairman of the state memorial committee, declared at Claremore that he had a report of $258,000 raised nationally in the Rogers fund drive.

Son to Run Rogers Ranch

CLAREMORE, OKLA., Oct. 15.—James Rogers, son of the late Will Rogers, will take over the family ranch at Oologah, Okla., next year, W. E. Sunday, friend and real estate man, declared Mrs. Rogers had authorized him to reveal.

Edmond Made Chairman

SEATTLE, Oct. 15.—Herndon Edmond Twentieth Century-Fox branch manager, has been appointed chairman of the Northwest Film Club's entertainment committee by L. J. McGinley, newly-elected president. Gene Spear and Frank Christie are the other committee members.

George Blair, popular restauranteur of Film Row, has been named steward of the club quarters.

Gloria Stuart Retained

HOLLYWOOD, Oct. 15.—Darryl F. Zanuck of Twentieth Century-Fox has taken up the option on the services of Gloria Stuart.

HEROES



Paramount's ARTHUR MENKEN... wounded in action, recovering in Rebel Military Hospital. He got the scoop on the taking of the Alcazar by his pal, General Franco.

Paramount's LUDOWIC GEISKOP half starved with the Loyalists ... he got the inside pictures on the Rebel defense of the Alcazar... missed being blown up by half a hair's breadth.

Whatever you want to call these Paramount camera lads who risk their lives and livers to get you the fray by fray story of the Spanish revolution . . . we're mighty proud of 'em. For they happen to be beating the whole field in Spain just as they did in Ethiopia . . . just as Paramount News men have a habit of doing wherever there's the kind of news that means box-office . . .

P. S. **While this is being written, Paramount cameraman Madru is parked in Madrid filming the final stanzas of the siege of the Spanish capital.**

First in WAR...First in P

First in the Hearts of thei

OR NUTS?



Paramount's JOHN DORED . . .
Ethiopian war veteran, winner of annual best news coverage award; captured by Rebels . . . flown out to safety by Menken . . . got the first front line battle pictures.

Arthur Menken Wounded

Society Adventurer Wounded in Spain

U. S. PHOTOG IS SPANISH WAR VICTIM

3 Nations' Protests Gain Dored Release

AMERICAN SEIZED BY SPANISH REBELS

Newsreel Cameraman Held in City of Seville.

U. S. Newsreel Man Prisoner of Rebels; Held Incommunicado

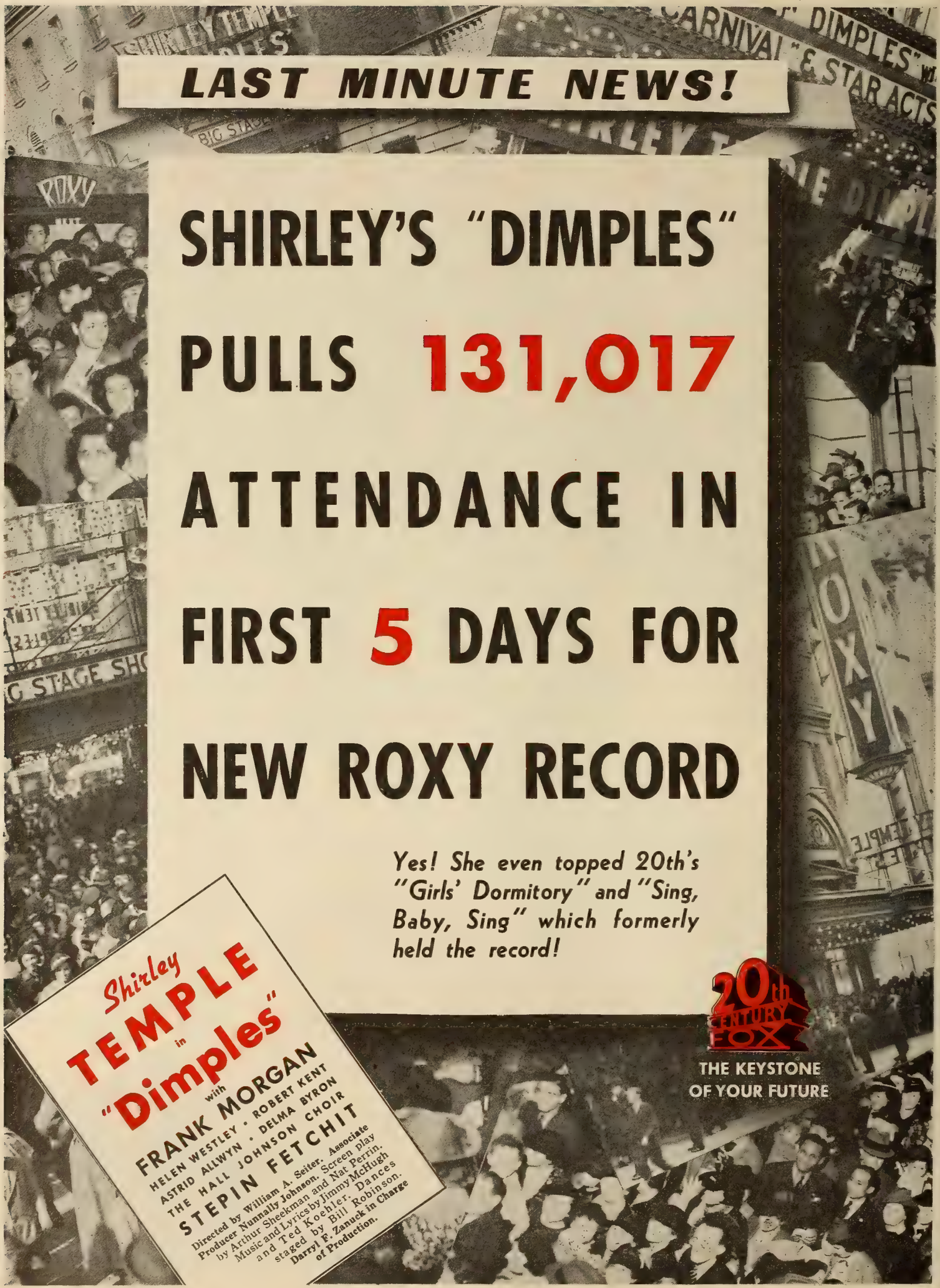
DORED'S CLOSE SHAVE

Strong Intervention Saved Par Newsreeler's Life

Cameraman Freed By Fascists After Franco Intervenes

Paramount News

PACE!...
EXHIBITORS!


LAST MINUTE NEWS!
SHIRLEY'S "DIMPLES"
PULLS 131,017
ATTENDANCE IN
FIRST 5 DAYS FOR
NEW ROXY RECORD
Yes! She even topped 20th's "Girls' Dormitory" and "Sing, Baby, Sing" which formerly held the record!
Shirley TEMPLE in "Dimples"
with
FRANK MORGAN
HELEN WESTLEY · ROBERT KENT
ASTRID ALLWYN · DELMA BYRON
THE HALL JOHNSON CHOIR
STEPIN FETCHIT
Directed by William A. Seiter. Associate Producer Nunnally Johnson. Screen play by Arthur Sheekman and Nat Perrin. Music and Lyrics by Jimmy McHugh and Ted Koehler. Dances staged by Bill Robinson. Darryl F. Zanuck in Charge of Production.
20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 92 NEW YORK, SATURDAY, OCTOBER 17, 1936 TEN CENTS

Write-Off of Weak Assets In "U" Plan

Part of Reorganization Of Company Finances

Universal will write off more than $500,000 of questionable assets in a thorough revamping of its financial and operating methods, J. Cheever Cowdin, chairman of the board, said yesterday following a meeting of the board of directors.

The write-offs are expected to result in a loss being shown for the fiscal year ending Nov. 1, but will place the company in a more favorable earnings position for the new fiscal year. The write-offs follow a survey of Universal's domestic and foreign units made by the new management during the six months which it has been in control. In addition to involving questionable assets, the write-offs specifically will include a number of employment contracts which were considered unwise by the new management and are being bought up, it was said.

"These sweeping changes will place the company in a perfectly healthy condition to start its new fiscal year

(*Continued on page 4*)

National Theatres Studies New Setup

Attorneys for National Theatres, holding company for more than 400 Fox theatres throughout the country, are studying means of consolidating corporate structures in line with plans by other companies in the industry to effect tax economies.

Fox Wisconsin, Fox Midwest, Evergreen States, Fox Rocky Mountain and Fox West Coast are among the important subsidiary operating units of National Theatres. Each of the theatres in the five groups are operated by individual corporations. Whether attorneys will merge the individual units with regional companies or consolidate all in the realignment are among the factors now being weighed by circuit executives.

Barnstyn Made G. N. Foreign Sales Head

Jack Barnstyn, president and treasurer of British & Continental Trading Co., yesterday was appointed foreign sales head for Grand National by Edward L. Alperson. He will assume his new duties Nov. 1.

Barnstyn is negotiating a sale of his

(*Continued on page 3*)

Establish New French Trade Organization

Embraces All Branches Of the Industry

By PIERRE AUTRE

PARIS, Oct. 8.—The Confederation Generale de la Cinematographie, an organization representative of virtually all branches of the French industry, at last has been officially established.

Internally conceived, and in the process of formation for a long period, the Confederation was nonethe-less strongly urged by the French Government in unofficial fashion. It amounts, in effect, to a reorganization of the industry in this country.

The most important aspect of the establishment of the organization is that it will serve to scotch definitely the threats of the present Government to nationalize the industry, which in effect, had declared, "If you don't organize your industry, we will do it for you."

The four chief branches of the industry, technical, producing, distributing and exhibiting, are represented in the Confederation, which is headed by Jules Demaria, owner of a large

(*Continued on page 4*)

Dixey Declares 200 Exhibitors Enrolled

LONDON, Oct. 8.—On the eve of his last key city meeting, and with his second London meeting a few days away, Capt. A. C. N. Dixey claims more than 200 exhibitors have applied for membership in his Independent Exhibitors' Dist. Co., and states he is confident of exceeding the necessary minimum of 300 theatres, with 500 exhibitors probable as the initial membership total.

Considerable importance is attached to the fact that the necessity of legalizing the "franchise" embodied in the

(*Continued on page 4*)

Suit Filed to Get William Fox Assets

ATLANTIC CITY, Oct. 16.—A petition by which creditors of William Fox seek to obtain millions of dollars of assets which the former film executive has allegedly transferred to members of his family and the All-Continent Corp., controlled by them, was made public here today by the Chancery Court in connection with Fox's bankruptcy proceedings.

The petition was filed by Hiram W.

(*Continued on page 4*)

Fettick Off Golf

Hamilton, O., Oct. 16.—George Fettick, booker for Southio Theatres, is off golf temporarily.

He failed to negotiate a water hole on a local course while playing with Tracy Barham, general manager for Southio. He threw a club into the water, then decided he wanted it and waded in up to his waist. The club sank. So did Fettick's spirits.

Television of Coronation Is British Plan

LONDON, Oct. 6.—Plans to televise the Coronation of King Edward VIII practically from start to finish have been made by the British Broadcasting Corp.

Only official sanction is waited before completion of the technical plans for the transmission of the actual ceremony in Westminster Abbey, and the scheme of coverage for the procession already has been prepared in detail.

Playing the most important part in the outdoor transmissions will be the first mobile television van in the world. The van, to cost £20,000 when com-

(*Continued on page 4*)

May Extend Federal Service to England

Ross Federal Service, Inc., probably will open research offices abroad in the near future, and serious consideration is being given to the establishment of a checking service in England, Harry A. Ross, president, said yesterday. Ross has just returned from a tour of nearly eight weeks, which carried him through Great Britain, France, Belgium, Germany, Norway, Denmark and Sweden.

Conditions in France and Belgium

(*Continued on page 4*)

Ruling Reserved in Warner-Davis Suit

LONDON, Oct. 16.—Decision was reserved today by Justice Brannon in King's Bench Court in the Warner-Bette Davis injunction suit. The judge said he hoped to hand down a ruling on Monday.

Miss Davis did not testify. An affidavit filed in behalf of Toeplitz Prod., Ltd., said the company stood to lose heavily in case Miss Davis is not allowed to appear in "I'll Take the Low Road."

Film Stocks, Bonds Spurt; Sales Heavy

Paramount Preferred at 110½ for New High

All film issues on the stock and bond market spurted yesterday on active trading with the Paramount common, first and second preferred, Twentieth Century-Fox preferred and Paramount 6's '55 bonds chalking up new highs for the year.

Leading the list of gains for the day was Paramount first preferred with 8½ points on the day for a new high of 110½ on a turnover of 11,500 shares. The common, with 58,500 shares changing hands, gained 1¼, for a new high of 15¼, where it closed. The second preferred ended the day with a plus 1¾ when 28,500 shares were traded. This issue also closed at the top.

While ⅜ of a point from the high, Warners common was another active stock with 44,800 shares being sold. The issue registered a point profit and closed at 14¼. Twentieth Century-Fox preferred gained a half point on a trading of 800 shares, while the common moved up its former position by ⅝ on a turnover of 5,400.

All issues opened with substantial increases over previous closings, tapering off slightly around the noon hour and winding up strong. Paramount 6's '55 bonds closed at the high of 99½, a gain of 1¼ on the sale of 44.

Security Gains Due To Outlook—Griffis

General improvement in Paramount's financial position, reduced operating costs and sharp increases in income were cited yesterday by Stanton Griffis, chairman of the finance committee, as factors influencing the continued market strength of the company's securities, which reached new highs yesterday on the N. Y. Stock Exchange.

The company's first preferred stock advanced eight and one-half points to

(*Continued on page 3*)

"Dimples" $51,500 Draw for 1st Week

"Dimples" wound up its first week at the Roxy with a gross of $51,500, slightly under expectations, but set a new attendance record for the theatre under Howard S. Cullman's operation.

The Capitol, on the third and last

(*Continued on page 3*)

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Dramatist Nominees For Council Accept

Acceptances of nominations for membership in the council of the Dramatists' Guild were received yesterday from the 10 nominees designated by the Guild's membership committee. Nomination by the committee is tantamount to election, although "write-ins" are permitted at the annual election, which will be held Nov. 10.

The nominees are George Abbott, Maxwell Anderson, Gene Buck, Russel Crouse, Owen Davis, Jules Eckert Goodman, Lillian Hellman, George Middleton, Bertrand Robinson and Samuel Spewack. The new members of the council replace 10 whose terms are expiring and will serve to 1939. Every year the terms of 10 of the 30 council members expire.

Warners Drop Davis

PITTSBURGH, Oct. 16. — Warners have dropped the Davis, former two-a-day house which was converted into a film policy when the company took it over. A local bank, which holds a substantial interest in the theatre, may remodel it for commercial purposes.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Charge of the Light Brigade"

(Warners)

HOLLYWOOD, Oct. 16.—Sensational and spectacular, this will take high rank in the list of the season's big pictures. It is a tribute to the courage of commercial enterprise and faith in artistic vision. Produced on an epic scale, the film provides emotion-stirring impact certain to thrill all who see it. In every phase, big is the only term adequately descriptive. At any time and in any place the picture, which is inspired by Lord Tennyson's saga of heroism and sacrifice, is 100 per cent box-office. The action-crowded and suspense-packed motivation blends thrilling historical fact with heart-touching romantic and dramatic fiction. The acting is of high calibre, always plausible and believable. The direction is something of which Michael Curtiz may well be proud. The photography and musical score are as thoroughly a dramatic part of the picture as is the excellent work of all the players. The story value is impressive and is fully worthy of the substantiating production effects. The reenactment of the famous charge of the immortal light brigade is one of the most vivid examples of heroic thrill action ever to reach the screen.

The emotion-arousing story is a simple and powerful tale of courage and sacrifice in love and war. In India, brothers vie for the love of a girl. Her heart knowing not which way to turn, she fears to make a choice. Fraternal and romantic conflict ensues. Martial military combat in which treason and treachery have places is a vibrant counterpart. In authentic and imagination-gripping realism the sequences depicting a Persian expedition siege of Chukoti and the bloody cassacre that follows as well as murderous treachery on the river are reproduced. Out of the horror of this warfare comes the soldiers' realization of where the woman's love lies.

England and Russia are at war. The traitorous Surat Khan allies himself with Britain's enemy. Errol Flynn, for his own honor as well as that of his brother, his girl and his country, knows that there is but one thing to do. Removing Patric Knowles from danger because Olivia De Havilland has begged him to protect the man she loves, Flynn disobeys instructions and forges the order that sends the light brigade charging "into the jaws of death; into the mouth of hell." He and his comrades die but not before revenge is complete as Surat Khan (C. Henry Gordon) perishes on Flynn's lance.

Showmen and patrons will tender plaudits to Flynn, Knowles, Miss De Havilland, Gordon, Henry Stephenson, Nigel Bruce, Donald Crisp, Robert Barrat and Spring Byington for polished performances. High credit must also be given to Michael Jacoby for conceiving the story and to Rowland Leigh for his assistance in its transition to the screen. The excellent photographic work of Sol Polito and Fred Jackman in capturing the full sweep of the production places them also in line for honors. The moods inspired by the music provided by Max Steiner and supervised by Leo Forbstein endows the film with a stirring and moving atmosphere.

In this picture the producers have given exhibitors valuable merchandise which calls for adequate labors in the direction of showmanship to justify the production efforts. There should be exploitation sufficient to bring the attraction to the widest public attention.

Production Code Seal No. 2,156. Running time, 115 minutes. "G."

Kraska Gets 4 Abroad

Four features were procured for American and Canadian distribution by George Kraska, director of the Fine Arts Theatre, Boston, while on his recent trip abroad. The films are: "The Ski Chase," "The Monastery," called a successor to "Cloistered"; "Princess Tom-Tom" and "Annie Laurie."

Alice Brady Defiant

HOLLYWOOD, Oct. 16.—Alice Brady declared today that she would not be forced to join the Screen Actors' Guild as a result of her suspension by Equity.

Lionel Barrymore and Rosalind Russell have referred their suspension to their legal advisers.

Warner Club Plans 3

The Warner Club players, under the direction of Glen Sherman, are preparing three one-act plays for presentation in late November. They are: "The Cherry Orchard," "The Midnight Call" and "Mrs. Jones and the Bourgeoisie."

C. E. A. Dinner Dec. 8

LONDON, Oct. 16.—The annual dinner dance of the London and Home Counties Branch of the C. E. A. has been set for the Savoy Dec. 8. It will be the 14th annual function.

Fire at East Rockaway

The Atlantic, East Rockaway, is closed as a result of a fire which partially demolished the theatre.

M. P. Salesmen Hope For a $10,000 Fund

Approximately $10,000 is expected to be raised by the M. P. Salesmen, Inc., at the annual Thanksgiving Frolic, Dinner and Dance at the Astor on Nov. 25. The money will be set aside for charitable purposes in the local film industry. Harry H. Buxbaum of the Twentieth Century-Fox exchange is chairman of the relief committee, which comprises Matty Cahan, Joe Lee and Moe Sanders.

Nine new members were proposed yesterday at a meeting at Leon's & Eddie's. They are George West, Eddie Mullen, Marty Levine, Irving and Al Margolies, J. J. Pear, M. Moskowitz, Moe Streimer and Harry Hecht. In addition, 21 new members were inducted into the organization.

A straw vote on the coming presidential election was taken of the 90 members present and showed 86 in favor of the reelection of President Roosevelt.

Demurrer Overruled In Gary Cooper Case

LOS ANGELES, Oct. 16.—The demurrer filed recently by Herman P. Selvin, attorney for Samuel Goldwyn in the suit involving the services of Gary Cooper, was overruled today by Federal Judge James, who stated that in his opinion the Paramount complaint sets forth a just cause for action.

The case will be set for trial after the defense files an answer to the charges within the next five days.

Phila. Picketing Halts

PHILADELPHIA, Oct. 16.—In accordance with a five-day truce, members of the Musicians' Union have abandoned the picketing of Warner houses here. During the period of truce, both factions will meet in an effort to reach a settlement. It is believed that a deal will be made restoring stage shows to the Fox and Earl.

Shearer, Loeb Appointed

LOS ANGELES, Oct. 16.—Norma Shearer and Attorney Edwin Loeb were officially named co-executors of the Irving Thalberg estate in Superior Judge Arthur Keetch's court.

Norma Shearer Ill

HOLLYWOOD, Oct. 16.—Norma Shearer is confined to her home here with bronchial pneumonia. Her condition has been characterized as "satisfactory." The actress is attended by Dr. Verne Mason and two nurses.

Cohen Heads for St. L.

HOLLYWOOD, Oct. 16. — Emanuel Cohen left today by plane for St. Louis to attend the Paramount sales meeting. Mike Lewis, western division manager, left for the Mound City yesterday.

Levine Leaves Sunday

HOLLYWOOD, Oct. 16.—Nat Levine will leave by plane Sunday for New York conferences on next season's Republic program.

Capra to Do "Chopin"

HOLLYWOOD, Oct. 16.—"Chopin," from the story by Sidney Buchman, will be Frank Capra's next film for Columbia.

Injunction Against Harriscolor Issued

WILMINGTON, Oct. 16.—Alleging the transfer of assets from Harriscolor Films, Inc., to Newdeal Syndicate, Inc., on Mar. 25, 1933, to have been fraudulent, H. Albert Young, Wilmington attorney and receiver for the former company, caused to be issued by Chancellor Josiah O. Wolcott in Chancery court today an order restraining Newdeal Syndicate from disposing or disturbing assets until the settlement of the injunction action.

Wolcott's order directs Newdeal, its officers and directors, to appear in court Nov. 13 and show cause why a permanent injunction should not be issued restraining them from disposing of the assets, and why the assets should not be declared a part of the Harriscolor receivership estate. A preliminary injunction was issued securing the assets until the settlement of this action.

Harriscolor was organized by Joseph B. Harris, Jr., and members of his family on Aug. 19, 1930 with Harris as president. On April 1, 1933, the company became inoperative for failure to pay franchise taxes. Harris organized Newdeal Syndicate on March 24, 1933, and the following day his brother, Charles B. Harris, secretary of Harriscolor, executed an instrument of assignment transferring the assets to Newdeal.

Young was appointed receiver for Harriscolor on Sept. 17 last. He maintains that the assets are a part of the receivership estate in that the transfer to Newdeal was accomplished without the sanction of the board of directors of Harriscolor. Young asks for an accounting of the royalties paid Newdeal on the patents.

Distributors Sued in Florida

JACKSONVILLE, Oct. 16.—Suit has been filed in U. S. District Court here by the Broadway Theatre of Ybor City charging eight major distributors with violation of the Sherman and Clayton anti-trust laws. An injunction is sought.

Federal Judge E. Marvin Underwood has set a hearing for Oct. 24.

Dismiss Prudence Appeal

In a decision handed down yesterday the U. S. Circuit Court of Appeals upheld a dismissal by U. S. District Judge Grover Moscowitz of a suit filed by Benjamin Sandel for removal of two of the trustees of Prudence Co., Inc.

Sandel was the holder of a $3,000 participation certificate of Prudence. He sought the removal of former Judge Stephen Callaghan and William T. Cowan. The removal was opposed by the RFC and the Sabath Congressional Committee investigating receiverships.

Gray Funeral Today

Funeral services will be held today for George A. Gray, editor of the Columbia house organ, *The Beacon*, who died Wednesday at the New Rochelle Hospital. The rites will be held at the Davis Memorial Chapel in New Rochelle at 2 o'clock this afternoon. Burial will be in Woodlawn Cemetery.

Hal Rosson Married

HOLLYWOOD, Oct. 16.—Hal Rosson, director, was married today to Mrs. Yvonne Crelin of Beverly Hills.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Under Your Spell"

(Twentieth Century-Fox)

HOLLYWOOD, Oct. 16.—Standing head and shoulders above the story they have given him in this comedy-romance, is the voice of Lawrence Tibbett, recording as one of the finest on the screen. But in giving him a light theme, the type of story built to the popular taste and considerable emphasis on comedy, the producers have in all probability succeeded in taking Tibbett out of the class group and set him in the mass appeal category.

Tibbett's film value would appear to be a demonstration of the use of the radio in building to popularity generally a name and voice which then becomes more salable as screen merchandise.

For the lovers of real music, splendidly rendered, there is Tibbett's brilliant rendition of a scene from Gounod's "Faust," wherein he plays Mephistopholes. For others there is stressed the popular in the tunes devised by Howard Dietz and Arthur Schwartz, notable songsmiths. Particularly there is the title song, which has the ingredients of best-seller stature.

Devised from stories by Bernice Mason and Cy Bartlett, the screen play by Frances Hyland and Saul Elkins tells of the browbeaten tenor, bedeviled by testimonials, contests, concerts and the like, who walks out to a distant ranch, there to be alone. But Wendy Barrie, society and spoiled, comes after him to win a bet that he will sing at her party. They fight and storm and battle each other from the ranch to New York, through a contract-breach suit in court to a happy, romantic and laughable conclusion.

Dr. Otto Preminger maintained the tempo of the opening sequences throughout. Comedy is the note, and contributing heavily to its development are the incomparable valet of Arthur Treacher and the unquenchable manager of Gregory Ratoff.

Production Code Seal No. 2,669. Running time, 63 minutes. "G."

Thirty Get Hearing On Children's Law

As the result of an inspection tour conducted by Mayor La Guardia, Commissioner Paul Moss and deputy inspectors in the five boroughs, 30 theatre owners and managers appeared yesterday before License Commissioner Moss for violations of the new children's theatre law. The violations consisted mostly of bad and misplaced signs—matrons being incompetent—overcrowding—not enough exits—adults sitting in section and smoking.

With the warning that future violations would mean revoking of licenses or the placing of policemen in front of the theatres to prevent children from entering the commissioner dismissed all violators with the exception of Murray Scholn, owner of the Community, 215-32 Jamaica Ave., Queens Village, Long Island. Scholn's violations consisted of bad signs, adults smoking in section and incompetent matron. His license was revoked for one day.

Warner Baxter Injured

GLENWOOD SPRINGS, Col., Oct. 16.—Warner Baxter is under a physician's care here as a result of a fall suffered while on a hunting trip. The actor broke several small bones of his left foot. He will return as soon as possible to Hollywood.

George Dellis Gaining

EAST LIVERPOOL, O., Oct. 16. — George Dellis, city manager in charge of Constant's American and State, is in the Eye and Ear Hospital, Pittsburgh, recovering from a mastoid operation.

Flash Previews

"The Longest Night"—M-G-M has combined a murder mystery with some good comedy in this story of a young department store owner who falls in love with one of his salesgirls.

"The White Legion"—Set in the days of Panama Canal construction, this tells the story of four volunteer doctors and their struggles against yellow fever.

"Empty Saddles"—Another of the Buck Jones series—novel, exciting, satisfactory. Louise Brooks has the feminine lead.

These films will be reviewed in a coming issue of MOTION PICTURE DAILY.

"Godfrey" Sets New Pittsburgh Run Mark

PITTSBURGH, Oct. 16.—Mort Shea's Fulton holds "My Man Godfrey" a seventh week, breaking all picture run records here. The previous mark was six weeks, made by the first "Broadway Melody" at the old Aldine.

In six weeks, "My Man Godfrey" played to more than 163,000 paid admissions in the 1,700-seat house and will gross more than $55,000 during its phenomenal engagement. The house has definitely announced that the seventh will be the last week, inasmuch as both Republic and Twentieth Century-Fox are insisting upon getting "Follow Your Heart" and "The Road to Glory" in.

At the same time, neighborhood exhibitors are yelling that the Fulton is squeezing the picture dry. That's why it will stay only seven weeks, despite the fact that it's still making money.

Security Gains Due To Outlook—Griffis

(Continued from page 1)

close at 110½; the second preferred gained 1¾, closing at 14¾, and the common was up 1¼, closing at 15¼. Trading in all three issues was heavy.

The expectancy of an exceptionally favorable earnings statement for the quarter ended Sept. 30, with prospects of dividend action, is also viewed as a factor in the present strength of the issues, together with indications of an even more favorable report for the final 1936 quarter. The third quarter report, which is expected to show a net of more than $1,000,000, may not be ready until well into November, although the monthly meeting of the company's board is scheduled for Oct. 29 and a preliminary statement could be authorized at that time.

Barnstyn Made G. N. Foreign Sales Head

(Continued from page 1)

interest in British & Continental. He will make his headquarters at Grand National's home office.

No foreign offices are to be set up by Barnstyn for at least a year, he said yesterday. He will sail shortly for Europe to negotiate distribution deals with foreign companies. It is likely he may make a trip to the coast before he takes a boat for the other side.

G. N. Sets Circuit Deal

Grand National has closed with the Butterfield circuit in Michigan and a second deal with the Criterion for a group of pictures to follow "In His Steps," which is booked to open on Broadway Oct. 30.

"Dimples" $51,500 Draw for 1st Week

(Continued from page 1)

week of "The Great Ziegfeld," tallied approximately $25,000. "Lady Be Careful," at the Rialto, ended with about $7,500, while the Strand, on the second week of "A Midsummer Night's Dream," garnered $21,000.

"Ladies in Love" will replace "Ramona" at the Rivoli on Oct. 28. "As You Like It" is tentatively dated for Nov. 12 at the Music Hall.

"Dodsworth" Held by 29

"Dodsworth" has been held over in 29 first run situations, according to U. A. The picture is now in its third week at the Rivoli.

Atkinson Heads Critics

Brooks Atkinson, dramatic critic of the *New York Times*, has been re-elected president of the Dramatic Critics' Circle. Kelcey Allen has been named treasurer and Helen Deutsch, honorary secretary.

New members admitted to the organization early this week are Richard Watts, *Herald-Tribune*, and Douglas Gilbert, *World-Telegram*. Burns Mantle, George Jean Nathan, Joseph Wood Krutch, Richard Lockridge, Whitney Bolton and John Mason Brown comprise a committee on drafting a constitution and by-laws. It is expected that the constitution will be completed in a month when another session will be called.

Purely Personal

SOL LESSER will be in New York for the Christmas holidays to be with his daughter, Marjorie, attending Wellesley, and his son, Bud, now taking a post graduate course at the Harvard business school.

•

VICTOR HERBERT'S operetta, "Algeria," and PAUL ARMONT'S novel, "Dora Algar," have been purchased by M-G-M. The late GLEN MACCONAUGH collaborated with HERBERT on the operetta.

•

DICK POWELL and JOAN BLONDELL are leaving for the coast today, he for the title part in 'The Singing Marine" and his bride for a feature role in "The King and the Chorus Girl."

•

SLEM SAMUELS plans to sail next week for London, en route to Batavia, either on the *Queen Mary* or the *Statendam.*

•

ANTON LITVAK now plans to leave for the coast Tuesday. He expects to direct "Tovarich," if and when Warners buy the play, after "Joan of Arc."

•

MIRIAM HOPKINS will leave for the coast Monday to begin work on SAMUEL GOLDWYN'S "The Woman's Touch."

•

FRANZISKA GAAL, Hungarian player, arrives in New York today from Budapest.

•

A. H. SCHWARTZ left yesterday for Lake Placid for a weekend of hunting. The season officially opened yesterday.

•

BERT STEARN, U. A. district manager working out of Pittsburgh, returned to his headquarters yesterday.

•

JOHNNY WALKER, the former actor, plans to produce "This Pretty World," by Converse Tyler on Broadway.

•

JEFFERSON MACHAMER has been signed by Educational to make another "Gags and Gals" comedy.

•

R. C. SHERIFF, author of "Journey's End" and "Greengate," is due on the *Queen Mary* on Monday.

•

VIOLA KEATS, English actress, has arrived from abroad to appear in a coming Broadway play.

•

M. KEARSE, Charleston, W. Va., exhibitor, left for his home yesterday after a two-day visit.

•

CHARLES R. ROGERS, Universal studio chief, is due here Oct. 24 on a vacation trip.

•

GILBERT MILLER, the producer, sailed yesterday on the *Europa* and will return Nov. 9.

•

CHARLES KOERNER, RKO district manager in Boston, was in town yesterday.

•

LOUIS GELLER has a stiff neck these days, but he's keeping his chin up.

•

CHARLES BERLINER is back after a seven-week visit to Chicago.

Television of Coronation Is British Plan

(*Continued from page* 1)

pleted, is being built at the Hayes, Middlesex, factory of Electrical Musical Industries. In operation, on the Marconi-E. M. I. system, the van will use Emitrone cameras both from the roof and from the ground. It is at present planned that a cable link will be used between the van and Broadcasting House, but experiments are being made with micro-wave transmission.

The B. B. C. has transmitted successfully by direct (E.M.I.) methods, scenes at a Home Life exhibition in North London.

Exhibitors are studying the possibility of showing the televised pictures of the Coronation in their theatres.

Harry Pearl of Essandee Cinemas has schemed a full size television screen and made provisional arrangements for receiving apparatus in the plans of his new 2,500-seater, the Rex, Edgware Road, London, in the belief that the Scophony system will permit a film size picture at that time.

Range Limitation a Problem

Seen as an interesting possibility is the use of television by exhibitors unable to obtain the Technicolor film of the Coronation procession, supervised by Alexander Korda and released by United Artists. The drawback, effective picture size assumed, is that the effective range of television transmission is at present 25 miles and that the B. B. C. has only the single London station, at Alexander Palace. Provincial stations, with a similar range, are scheduled for key cities, but no opening dates have been fixed.

The British Broadcasting Corp. began "trial transmissions" of television Oct. 1 with two daily sessions of one hour each, from 11 A. M. to 12 M. and 3 P. M. to 4 P. M. The Baird system operated until Oct 3, Marconi-E.M.I. replacing it the following week, with alternations of the systems weekly throughout the trial period, which is expected to continue until November. Regular daily program transmissions are then schemed on a three one-hour session plan.

Dixey Declares 200 Exhibitors Enrolled

(*Continued from page* 1)

I.E.D.C. scheme was brought before the Moyne Committee on the Films Act, by Simon Rowson.

The obligation to contract for product in advance is at present illegal, but the general trade belief is the Moyne Committee will recommend an amendment to the Act making it permissible in the case of such organizations as I.E.D.C. which aim to give independents something of the same security of product at present enjoyed only by the producer-circuits.

Meighan Home Sold

NEW FORT RICHEY, Fla., Oct. 16.—The palatial Thomas Meighan home here, once valued at nearly $250,000, has been purchased by I. R. Allen of Chicago.

Plan to Write Off Weak Assets of "U"

(*Continued from page* 1)

next month," Cowdin said. "They will put Universal in a position to capitalize fully on the striking general gains throughout the industry. Current operations are on a very satisfactory basis.

New budgets for the 1937-38 production season, which provide for an increase in the company's schedule to 46 features and six westerns, were approved by the board.

The improvement in studio operations under the Charles R. Rogers and William Koenig regime will be evidenced in the release of 36 features during the current season, an increase of nearly a picture a month over the preceding year when only 25 features were completed, it was stated. Of the current season's schedule, 17 pictures have been completed, two are in work and four are set to start next week, as compared with 14 pictures completed during the same period of 1935.

In addition, it was stated, a saving of more than $150,000 has been effected in the allowance for the unused time of players through the building up of the company's stock talent to 72 players from a former 15. The saving, it was said, represents an appreciable improvement in what has been a large item of studio expense in recent years.

Suit Filed to Get William Fox Assets

(*Continued from page* 1)

Steelman, trustee in bankruptcy for Fox, and was not disclosed until Fox, his wife and daughters could be served with a temporary injunction restraining them from disposing of any assets.

"The real object sought to be attained by William Fox," the petition says, "was to thwart his creditors and retain for himself and his family, in fraud of his creditors, the full and unmolested enjoyment of all his assets. William Fox's wife and daughters were in full knowledge at all times of the things being done."

File Orpheum Schedule

Schedules in bankruptcy were filed in Federal Court by the Orpheum Theatre Co. of Madison, Wis. The liabilities were listed as $439,902 and assets at $23,853. The liabilities consisted mostly of unsecured claims amounting to $353,452, the biggest one of which was the Stadium Theatre Corp., of 1,270 6th Ave., which amounted to $292,873.

Affirm "Zombie" Award

The Appellate Division of the N. Y. Supreme Court has affirmed the judgment for $10,000 obtained in Supreme Court by the Amusement Securities Corp. against Academy Pictures Dist. Co., et al. The suit originally arose over the alleged wrongful use of the word "Zombie" by the defendant in the title of a picture.

Shift F. W. C. Prices

SAN FRANCISCO, Oct. 16.—All three Fox West Coast first run houses here, the Paramount, Warfield and Fox, are now charging 55 cents in the afternoon and 75 cents at night for loges. The St. Francis, subsequent, continues at the old scale of a 40-cent top.

Form a Trade Group In French Industry

(*Continued from page* 1)

equipment company and a veteran of the French industry.

Under the executive scheme devised, a managing committee has been named, including four representatives of each of the associations which have joined the major organization. The board of the Confederation includes the following members: Demaria, president and chairman; M. Chollat, technical; Felix Gandera, production; George Lourau, distribution; Raymond Lussiez, exhibition, vice-presidents; Leopold Maurice, technician, treasurer. Each of the vice-presidents is the president of the association representative of his branch.

Not included in the Confederation is the Chambre Syndicale, headed by Charles Delac, which was formed about a year ago. The majority of its members have gone over to the new organization. The basic principle of Delac's group is the "defence of the French film against foreign pictures."

Now, however, with official recognition of the new organization as the only trade group of the industry, it is expected that the influence formerly exercised by the Delac organization will be at an end, and that the unit eventually will be dissolved.

May Extend Federal Service to England

(*Continued from page* 1)

are so unsettled and the industry is so heavily taxed in those countries, that there is small likelihood of any need for a checking service, Ross said. In England, however, he found the industry definitely prospering. He expressed surprise at the size and number of theatres in England. American pictures are still by far the most popular there, he declared. Industrial conditions are booming in England, he said, and people are searching for investment opportunities.

Wall Street

Most Gain on Board

	High	Low	Close	Net Change
Columbia	40½	39	39¾	+1
Consolidated	5	4¾	5	+ ¼
Consolidated, pfd.	18¼	18	18	.....
Gen. T. Equip.	28¼	27⅛	28¼	+1⅛
Loew's, Inc.	57⅝	56¼	57	+ ⅞
Paramount	15¼	14¼	15¼	+1¼
Paramount 1 pfd.	110½	104	110½	+8½
Paramount 2 pfd.	14¾	13¾	14¾	+1¾
Pathe Film	8⅜	8⅛	8⅜	+ ½
RKO	7⅞	7½	7⅞	+ ⅜
20th Century-Fox.	32¾	32	32⅜	+ ⅝
20th Century, pfd.	41½	40¾	41½	+ ½
Warner Bros.	14¼	13½	14¼	+1
Warner, pfd.	62½	62½	62½	+ ¾

Little Curb Activity

	High	Low	Close	Net Change
Grand National	3½	3⅜	3⅜	— ⅛
Technicolor	26¾	25½	25¾	+ ⅛
Trans-Lux	3⅞	3⅞	3⅞	.....

RKO Bonds Up 2½ Points

	High	Low	Close	Net Change
Keith B. F. 6s '46	96½	96½	96½	.....
Loew's 3½s '46	99	99	99	+ ⅛
Paramount B'way 3s '55	64½	64	64½	+ ½
Paramount Pict. 6s '55	99½	98½	99½	+1¼
RKO 6s '41 pp	93	93	93	+2½
Warner Bros. 6s '39 wd	97½	96⅛	97	+ ⅞

(Quotations at close of Oct. 16)

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 93 NEW YORK, MONDAY, OCTOBER 19, 1936 TEN CENTS

Grosses Down From Peak Set In September

$1,625,287 Total Is Good Despite Decrease

New season releases have failed to maintain the terrific box-office pace set during the first two weeks of September when new four-year highs were set. The total take for 175 theatres in 29 key cities for the week ending October 9-10 was $1,625,287. This was $80,021 below the previous week and $119,035 below the week ending Oct. 2-3.

The decline has been gradual since Labor Day week, but last week's total was still above the level that has prevailed since last April when the Easter Week business was strong.

There were only five weeks during last winter and spring which showed better totals than last week.

Pittsburgh Resumes "Early Bird" Scale

PITTSBURGH, Oct. 18.—After six weeks at a straight 35 and 50-cent scale, the Penn has returned to its early bird price of 25 cents. Both the Penn and Stanley dropped the morning price at the same time, Sept. 1, with the Stanley the first to go back a fortnight ago.

The Penn would have done the same thing at that time had it not been for the fact that "The Great Ziegfeld" was booked for two weeks. So the management held up the switch until after the run of the Metro musical.

Both houses are now charging 25 cents from opening until 1 o'clock, 35 cents from 1 o'clock until 6 o'clock, and 50 cents after that.

Washington's Grid Contests Sponsored

WASHINGTON, Oct. 18.—Broadcasts of football games are not new to Washington listeners, but for the first time followers of the No. 1 sport of colleges will have a commercially sponsored schedule of games played by a local eleven.

The Kellogg Co. is sponsoring a series of broadcasts of the Catholic University games, with Arch McDonald, ace local sports announcer, at the microphone.

Two games are already out of the way, with the University of Mississippi (at Oxford, Mississippi), the West Virginia Wesleyan, the North

(Continued on page 8)

Production Climbs With 47 on Stages

HOLLYWOOD, Oct. 18.—Gaining substantially after a slump of several weeks, production moved to a high peak of 47 features and four short subjects last week. There were 43 features in work the preceding week. Studio cutting rooms had 56 features and 24 shorts. Twenty-two features are scheduled to go before cameras within a two-week period.

Activity was highlighted by the start of 11 new pictures while seven finished production.

The new features to go into work were: "Interlude," "Lady of New York" and "Rio Grande Ranger" at Columbia; "One Man's Bonus" at Paramount; "Criminal Lawyer," Radio; "Happy Go Lucky," Republic;

(Continued on page 8)

Quota Modification Predicted in London

LONDON, Oct. 9.—"Onlooker," gossip writer in *Today's Cinema*, a well-informed commentator on trade affairs, foreshadows as the result of the Moyne Committee's deliberations on the Films Act a modification of the measure.

He suggests the possibility of "a quota lower in foot-percentage, but riding over a course of years to perhaps 25 per cent; a minimum price provision and a plan under which pictures of double expense should count double for quota; the appointment of a committee of control, and the possible acceptance of Simon Rowson's reciprocity suggestion."

Picture "Academy" Is Formed in London

LONDON, Oct. 9.—The British Institute of Cinematography has been formed here to exercise in England the functions performed in America by the Academy of M. P. Arts and Sciences.

Annual awards of gold medals and other trophies will be made for the best British film, and for the outstanding acting performances by players. Direction, art direction, camera work,

(Continued on page 8)

January Set Aside For a Zukor Drive

ST. LOUIS, Oct. 18.—The month of January has been set aside by Paramount as Adolph Zukor month, Neil F. Agnew, general sales manager, told studio and home office executives and divisional and district managers at the Coronado during the two-day sales meet which will wind up tonight.

The entire organization will get

(Continued on page 8)

On the Celluloid

New product and how it looks, reviewed in New York, London and Hollywood today, includes:

"The Longest Night" and "The White Legion" in New York.

"It's You I Want" and "Land Without Music" in London.

"Empty Saddles," "Pigskin Parade," "Easy to Take" and "Wild Brian Kent" in Hollywood.

Carriers Will Talk Distributing Units

CHICAGO, Oct. 18.—The establishment of new agencies for the handling of physical distribution for producers or their selling representatives is scheduled to be discussed at the annual meeting of the National Film Carriers Ass'n., which opens here tomorrow at the Palmer House.

The centralized handling of physical distribution is under way already in Philadelphia, where it was launched by Horlacher's Delivery Service, and may be extended by the same company to Washington and other eastern cities. The discussion of the subject here will center on the advisability of other film carrier organizations making the same facilities available to sales organizations in their respective territories. If sufficient support for the idea is obtained, the centralized handling of

(Continued on page 8)

Boosey Is Due Today On Copyright Talks

Leslie Boosey, president of the Performing Rights Society of London, is due here today on the *Queen Mary* for conferences with E. C. Mills, general manager of Ascap, on future licensing policies for the public performance of music for profit in Canada. The Canadian Performing Rights Society, the music licensing organization for the Dominion, is equally owned by Ascap and the London organization headed by Boosey.

Mills stated last summer that Ascap

(Continued on page 8)

Century in Pooling Deals on Two Houses

Century circuit has completed partnership deals for the Rugby, Brooklyn, and the Central, Cedarhurst, L. I.

With Edward Rugoff as partner, Century will take over the Rugby on Nov. 1 and pool it with the Ave. D. Rugoff will operate both houses, while Century will handle the buying.

Skouras Theatres have purchased

(Continued on page 8)

Income Gain Is Seen From Reorganizing

Ending of Subsidiaries Basis of Belief

With most of the major companies dissolving practically all of their subsidiaries and their operations scheduled to be turned over to parent corporations, substantial increases in profits are expected as a result.

Under the present Federal laws, each subsidiary declaring a dividend must pay a dividend tax of 15 per cent to the Government. With the elimination of the individual operating units, the parent companies will automatically benefit by an additional 15 per cent, it was stated over the weekend by an attorney of one of the major corporations.

The fact that virtually all companies are now working on revisions of corporate structures is understood to be one explanation of the sudden spurt in film issues on the stock and bond markets in the last week.

It is also said that with the anticipated increases in profits, film companies will be in a better financial position to pay dividends. Twentieth Century-Fox on Sept. 29 declared a $1 dividend to common stockholders as of record last Saturday, payable Oct. 23. Paramount and Warners have not distributed dividends to the common shareholders for several years.

Loews and Columbia have consistently paid regular dividends with extras for some time.

The effect of the corporate revamping on the market behavior of amusement securities is indicated in several ways. The elimination of the subsidiaries to avoid taxation of dividends paid by them to the parent company results in bringing operating earnings directly to the parent. The corporate surplus

(Continued on page 8)

Will Remodel Roxy After Reorganizing

Upon completion of reorganization plans by the bondholders' protective committee, the Roxy will undergo extensive renovations. The theatre may be closed temporarily for the remodeling.

With Twentieth Century-Fox and Si Fabian, among others, having filed plans with the committee, the former for a 15-year lease and a product franchise and the latter for a long term lease or the alternative proposal of purchase, both interests are said to be contemplating sprucing up the

(Continued on page 8)

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Legion Approves 6 Of 7 New Pictures

The National Legion of Decency, in its list of new pictures reviewed and classified for the current week, has approved six of seven new films. Five were classified as unobjectionable for general patronage, one as unobjectionable for adults, and one as objectionable in part. The new films, and their classification, follow:

Class A-1, Unobjectionable for General Patronage—"California Mail," "Code of the Range," "15 Maiden Lane," "Polo Joe," "Tundra." Class A-2, Unobjectionable for Adults—"The Man I Marry." Class B, Objectionable in Part—"The Man Who Lived Again."

Republic Starting Three

HOLLYWOOD, Oct. 18.—Republic will start production of three pictures this week. They are: "The Chinese Orange Mystery," which Ralph Staub will direct; "Roaring Lead," Sam Newfeld directing, and "Old Corral," which James Kane will direct. The last named is the next Gene Autry picture on the schedule.

Looking 'Em Over

"The Longest Night"

(M-G-M)

Starting as a gang film, slipping into what begins to give promise of a lively murder mystery yarn, and then abruptly degenerating into virtually slapstick comedy, this emerges as screen fare for those whose desire is the mere idle employment of something less than an hour.

The leaders in the cast, Robert Young, Florence Rice and Julie Haydon, deserve better material than that given to them by the story of Cortland Fitzimmons and the screen play of Robert Andrews. Ted Healy, as the studio policeman, is occasionally amusing in his role, and Leslie Fenton is good in his few screen minutes as a thief. The others appear to be beating their heads against the stone wall of an entirely inconsequential plot.

Young is the absent young department store owner who arrives in time to fall in love with Miss Rice, salesgirl, and become considerably involved in two murders and several close calls immediately after the store has closed. Fenton, in love with Miss Rice's sister, is killed, after his mother, important employe, is found dead. Then it slips, and from then on is a series of supposedly amusing pursuits, frights and general hokum, until the murder gang is brought to book, and Miss Rice says yes to Young. Errol Taggart directed.

Production Code Seal No. 2,557. Running time, 51 minutes. "G."

"The White Legion"

(Zeidman-Grand National)

There is a fairly good underlying theme in the plot of "White Legion," but the situations and dialogue lack the spark which might have injected stirring and compelling drama. It is an ample item for the dual bill houses.

Set in the days when the Panama Canal was being put through, the story takes up the work of four volunteer doctors who came to help stamp out the yellow fever epidemic. With the arrival of the quartet there follows a struggle with the natives, the beginning of preventive technique and then personal affairs which revolve around the quarantining of a senator and his attractive daughter. The romance angle is worked in by Ian Keith, one of the medicos, and Susanne Kaaren, the daughter of the senatorial investigator. However, true love later reveals itself when Keith infects himself with the disease, cures Miss Kaaren, who is unaware she is a carrier of the germ. He recovers and completes a romance with Tala Birell, another doctor. Shortly afterward they depart for new germs to conquer.

There are dramatic sequences in which Ferdinand Gottschalk, Teru Shimada, Ferdinand Munier, Lionel Pope, Rollo Lloyd and Robert Warwick give adequate performances. A comic element of sorts is worked in by Warner Richmond, Harry Allen, Don Barclay and Snub Pollard as the quarantine guard.

Production Code Seal No. 1,997. Running time, 81 minutes. "G."

Overseas Previews

It's You I Want

(British Lion-London)

LONDON, Oct. 9.—From a Daly's Theatre farce which was a box-office hit, this film is still stage material, of a very amusing type, somewhat risque in situation and dialogue, and possibly too British to get its full flavor over in the States, even though the American, Ralph Ince, directed it. Where they have an understanding of Sir Seymour Hicks and a liking for innuendo it will be a useful light booking, but it is essentially for sophisticated big city audiences.

Hicks is excellent as the philanderer type presented in "It's You I Want," a gay bachelor of 50 who has given the key of his flat to so many women that, when he tries to assist the intrigue of a friend with similar habits, it becomes a case of two sets of married couples having to be hidden in various rooms, escorted down the fire escape and what not. It is spicy, amusing if you understand the talk, and unmoral or immoral according to the sense of propriety—or of humor. The women in the cast are not too capable, but Hugh Wakefield is a good comedy second to Hicks.

Running time, 70 minutes. "A." ALLAN.

(Additional reviews on page 7)

Former Para. Head In Tokyo Is Signed

By TETSUYA MORI

TOKYO, Sept. 26.—In an effort to strengthen the distribution arm of their newly merged units, Toho and Nikkatsu have signed several leading figures in the field. Most important acquisition in manpower is S. Sasho, former Paramount manager here, who had worked for Paramount for 18 years, and is generally recognized as one of the most able distribution executives here, who has been signed as general manager of distribution.

* * *

Empire Trading Co. here has acquired the Japanese distribution rights to the Celebrity cartoons. Eight color cartoons will be included in the first group to be handled by Empire.

The contract for distribution in Japan and Manchukuo of Republic product, the subject of considerable interest here, has been obtained by Ohbei Eiga-sha, following negotiations carried on in New York between Republic officials and K. Ono, nephew of the president of Ohbei.

It is reported that the company will release 25 Republic films here annually, of which 10 will be brought here between now and next May.

* * *

The decision to hold the next Olympic Games here in 1940 has led to increased activity in the television field, looking to a practical application of the device generally during the games. A public demonstration of the Hamamatsu System, developed at Waseda University and the Hamamatsu Technical school, and held at the Uyeno Scientific Museum here, was pronounced an outstanding success by the capacity audience.

Danish Production Quiet

WASHINGTON, Oct. 18.—The Danish film industry will be relatively quiet during the winter, reports Assistant Trade Commissioner Paul H. Pearson, at Copenhagen, to the U. S. Dept. of Commerce.

Two of the three domestic companies probably will release one film each. The third company's studio is in the process of construction and will hardly be completed in time to turn out films for the coming winter season.

Palladium is reported to have several films under contemplation but it is doubtful if they will be ready for the market before spring.

Nordisk Film is said to be handicapped by the lack of suitable manuscripts.

Gibson Planning Eight

HOLLYWOOD, Oct. 18.—Hoot Gibson is planning eight films with headquarters at Talisman Studios, though most of the shooting will be done near San Diego. The new company is Occidental Pictures, Inc. Dave Thomas is business manager. The first will be "Dude Ranchers," written by Gibson and Art Rosson, who will direct. No release arrangement has been made.

Fights "Ecstacy" Cuts

SACRAMENTO, Oct. 18.—An effort to prevent the cutting of three scenes from "Ecstacy" is being made here by Charles Holtz, manager of the Sierra. The deletions were ordered by the authorities who viewed the picture after the City Better Films Board complained of nudity in the film.

HALF THE COUNTRY IS WAITING FOR 'MABEL'



..AND THE OTHER HALF'S WAITING FOR GABLE!



The biggest pre-sold property since 'Anthony Adverse' is waiting for you!...



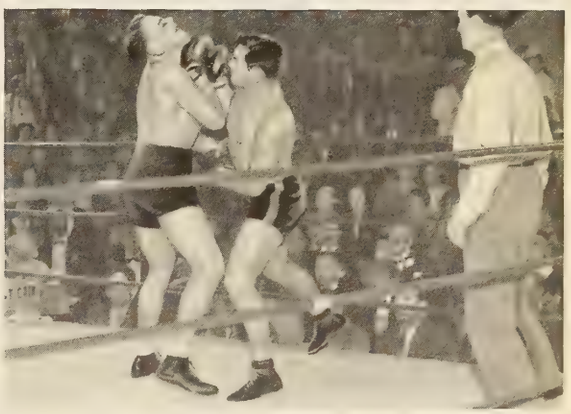


MARION DAVIES
and
CLARK GABLE
in
"CAIN AND MABEL"



On the Air Everywhere: 'I'll Sing You a Thousand Love Songs', 'Coney Island'

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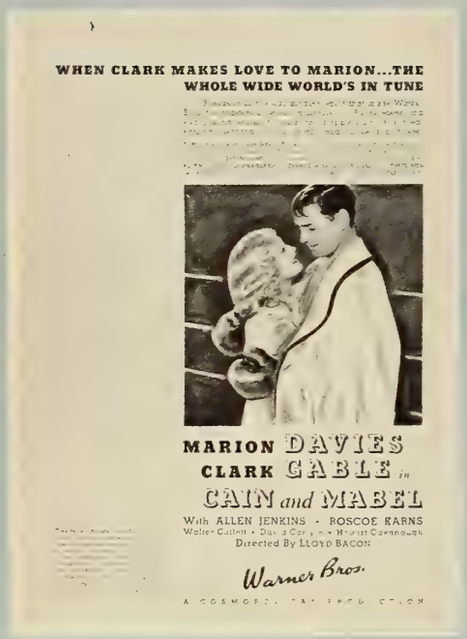


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KAY FRANCIS in "STOLEN HOLIDAY"
ERROL FLYNN and ANITA LOUISE in "GREEN LIGHT"

FOR NOVEMBER
"THREE MEN ON A HORSE"
ERROL FLYNN and OLIVIA De HAVILLAND in "THE CHARGE OF THE LIGHT BRIGADE"

FOR DECEMBER
JOE E. BROWN in "POLO JOE",
"GOLD DIGGERS OF 1937"

FOR JANUARY
"BLACK LEGION"
"GOD'S COUNTRY AND THE WOMAN"

PRINTED IN U.S.A.

Bay State Long Reel Situation Unsolved

BOSTON, Oct. 18.—No mention of the local 2,000-foot reel situation was made at the last meeting of the Operators' Local 182. Thad Barrows, for years president of the union, was in Europe.

Members are still splitting 2,000-foot reels. Meanwhile, the fight against the adoption of the longer reels continues. The Massachusetts outcome hinges on the change of Bay State film regulations which have been in effect for about 15 years. Paul G. Kirk has not made a decision yet.

Exchanges are already considering the problem that will arise if Kirk rules against the longer reel. Massachusetts, in that event, will have to be serviced with special 1,000-foot reels, while the rest of New England will be shipped the regulation size.

No "Zombie" Affirmation

The appellate Division of the N. Y. Supreme Court has not affirmed a judgment for $10,000 obtained in the lower court by the Amusement Securities Corp. against Academy Pictures Dist. Corp., as reported in MOTION PICTURE DAILY on Saturday. The hearing will not take place until November at the earliest.

Hecht, MacArthur, Brandt Sued

Siegbert Cohn, German playwright, has filed suit in N. Y. Supreme Court against Ben Hecht, Charles MacArthur, Paramount and Brandt & Brandt, literary agents, for an accounting of profits on the film, "The Scoundrel." He sought a temporary injunction to halt the showing of the film, alleging essential parts of his play, "Wer Weint Un Juckenack," had been used in the picture.

Pollak Is Improved

PROVIDENCE, Oct. 18.—Joe Pollak, now recuperating from a train accident in Budapest, has wired E. M. Fay he is "feeling greatly improved."

M. W. Cantrell Sick

SPARTANBURG, S. C., Oct. 18.—M. W. Cantrell, assistant manager of the State, has been confined to his home here for the past week with influenza.

More Old Films Here

An early Rene Clair film, "The Crazy Ray," in addition to many others, have arrived from abroad for the collection of the Museum of Modern Art Film Library. Among other items acquired are "Rien Que Les Heures," "Rescued by Rover," "Weather Forecast," "The Return to Reason," "Emak Bakia," "The Fall of the House of Usher," and "L'Inhumaine."

Last N. O. Legit Goes

NEW ORLEANS, Oct. 18.—Work of demolishing the Tulane and Crescent is under way. The site will be cleared for commercial purposes, leaving New Orleans without a legitimate theatre.

Walker to Produce

Johnny Walker, who has acted as well as directed, will produce "This Pretty World," by Converse Tyler, on the stage and later convert it into a talker.

Overseas Previews

"Land Without Music"

(Capitol-General Film)

LONDON, Oct. 9.—Richard Tauber scores a real success in this far-fetched but believeable, story. In excellent voice, he puts over the lilting Oscar Strauss music in splendid fashion and altogether gives a convincing performance. Schnozzle Durante as an American journalist travelling Europe in a donkey cart (early nineteenth century) makes the most of an excellent comedy part. The picture has been smoothly directed, well produced and exceptionally well photographed.

It is an entertaining fairy story of 100 years ago, when music was banned from the little Italian Duchy of Lucco by the Princess Regent, so that the people, who lived for music only, could go to work and repay the Austrian debt. Carlini, the opera singer and Lucco's favorite son, returning from abroad for his annual concert, rescues the American journalist and his lovely daughter from the hands of bandits and is smuggled by them into his own country. The concert is staged in secret in the bandits' underground cave and as a result the Princess has singer, journalist and the girl thrown into jail. In consequence the people of Lucco revolt, the hero-singer organizes a state opera, the national debt is paid and all ends happily with the Princess in love with the singer and the journalist's daughter in love with the son of the chief of police. Walter Forde directed.

Running time, 80 minues. "G." HOPE WILLIAMS.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Empty Saddles"

(Buck Jones-Universal)

HOLLYWOOD, Oct. 18.—With a little novelty rung in for good measure, the standard ingredients of outdoor thrill action pictures have been nicely incorporated in this picture. Against attractive natural backgrounds an acceptable story, leavened with considerable comedy, is told. Although the motivation is sometimes complicated, consistently high caliber acting on the part of the principals and support, together with understanding direction, make up for apparent shortcomings.

Buck Jones comes into a territory that for years has been a battleground for rival cattle and sheep owners. Through association with her eccentric father, Harvey Clarke, Jones becomes romantically interested in Louise Brooks. Taking up an abandoned ranch, Jones transforms it into a dude ranch, Although the action is something the natives fear, Jones plans a sham battle between cattle and sheep men as the big feature for his guests. Meanwhile with eastern girl visitors making up to Jones, Miss Brooks becomes jealous. The sham battle turns out to be the real thing to the tune of much hectic riding and shooting. But before the melee gets out of hand, Jones, realizing how much danger the girl is in, foils a plot on her life to bring the film to a romantic conclusion.

Production quality is above average and this, plus the fact that the film is ample in the elements that please the thrill action enthusiasts, gives it a character pointing to satisfactory reception by audiences who like to see their pictures move.

Production Code Seal No. 2,712. Running time, 65 minutes. "G."

"Pigskin Parade"

(Twentieth Century-Fox)

HOLLYWOOD, Oct. 18.—Comedy, amusement and excitement are served in large quantities and in pleasing fashion here. A ludicrous farce story is used as the peg on which to hang a long chain of entertaining and amusing specialty performances.

The motivating idea concerns the gleeful experiences of a little Texas cow-town college that gets an invitation to play football in the Yale Bowl. What happens there during a raging blizzard is bizarre, comic football as the little team wins. Yet it is an anti-climax to the frolicsome foolishness of all that precedes.

Essentially the production is a tuneful, rhythmic musical comedy that satirizes the football hysteria. It gives the big collection of fun providers ample opportunity to present riotous amusement. The Yacht Club Boys with four specialty numbers cavort all the way through the

(Continued on page 11)

U. A. to Show Films In Odeon in London

LONDON, Oct. 9.—Murray Silverstone has officially confirmed the general expectation that the Odeon super theatre to be built in place of the Alhambra in Leicester Square, will be a pre-run house for United Artists.

London Films' "I, Claudius," with Charles Laughton, now in production at Denham, is expected to be the first attraction. Thereafter, United Artists will use the Odeon concurrently with its own theatre, the London Pavilion. U. A.'s contract with the Leicester Square has expired, but it will be used for a 12-week season for "The Garden of Allah," and probably for other pictures. U. A. has 35 pictures calling for West End presentation, says Silverstone. It is hoped to complete the Odeon and the picture in time for the coronation.

Hartford State to Try Out Basketball

HARTFORD, Oct. 18.—Basketball may be one of the features on the stage of the State which was reopened today by the Harris Brothers, owners. The house will feature double bills, with vaudeville Thursday, Friday and Saturday.

Sunday afternoon concerts will be given by the 80-piece WPA Civic Symphony, followed by a community sing late in the afternoon, which will be broadcast.

Julian B. Tuthill, critic of the *Hartford Times,* will broadcast movie gossip from the lobby each week. Several local championship teams have been lined up for the basketball, which can be played with regulation rules.

Open Hollywood Office

HOLLYWOOD, Oct. 18.—Goldstein, Goetz and Blumenthal is the latest agency to launch operations here. The associated three are Bob Goldstein of New York, where he now maintains his own office and is the radio talent clearing bureau for Blackett, Sample and Hummert, Inc.; Charles Goetz, formerly with Consolidated and Brunswick, and Ray Blumenthal.

Dealers Meet Opened

CHICAGO, Oct. 18.—Equipment dealers started a three-day meeting at the Congress Hotel here yesterday with about 45 delegates in attendance. Discussion of the Patman Bill will occupy most of the business sessions, and constitutes the primary reason for the calling of the meeting.

Mae West for Chicago

CHICAGO, Oct. 18.—Mae West has been signed for personal appearances at the B. & K. Chicago, concurrently with the run of her picture, "Go West, Young Man," at that house next month. B. & K. officials are predicting a run of three or four weeks.

Ohio I.T.O. Date Chosen

COLUMBUS, Oct. 18.—I. T. O. directors have voted to hold the annual state convention in Columbus, Dec. 1-2. As usual, the Deshler Hotel will be the scene of action.

Lasky in Hollywood

HOLLYWOOD, Oct. 18.—Jesse L. Lasky, who has joined Radio as an associate producer, arrived here yesterday from the east.

Income Gain Is Seen From Reorganizing

(Continued from page 1)

tax then operates to discourage applying the direct flow of income to surplus, with the result that dividend action becomes advisable.

The improved earnings of film companies and the increasingly brighter prospects for the future are, in themselves, sufficient to strengthen the market value of amusement securities, but the greater likelihood of dividend action as a result of the new corporate taxes increases the public's interest in the issues correspondingly. An additional factor in the present market action is the fact that numerous investors acquired large holdings at bargain prices some time ago and, having huge profits now which would be subject to the income tax if their holdings were realized upon by selling, the tendency is not to sell. This, of course, creates a scarcity in certain issues, further boosting their market quotations.

Centralization Complete

In the amalgamation of the many units, the major companies also will be able to consolidate losses with the profitable operations. The new tax law does not allow the net losses of one company to be marked off against a profitable company, but with the welding of the various entities operations as a whole only will be shown.

Shortly after the formation of Grand National Distributing Corp. and Grand National Films, the former unit was dissolved. All contracts are made and performed by the latter company. No subsidiaries have been set up for the purpose of doing business in each of the key centers, but a state tax nevertheless is required.

During the past few months, Sumner Gamby, Chase National representative and vice-president of National Theatres, has been studying the Federal tax laws. There is little doubt that he will eliminate most of the small theatre corporations. What action will be taken on partnership corporations hasn't been determined.

Country-wide Changes Due

West Coast Corp. is the holding company for about 80 subsidiaries in and around California. Charles Skouras is the head of this group. Associated Theatres, with Rick Ricketson at the helm, has about eight minor associated units; Elmer C. Rhoden of Fox Midwest, about 15; Frank Newman, Sr., of Evergreen States, six; and Fox Wisconsin of which Harold J. Fitzgerald is head approximately 20.

How many of the figures will be lopped off and what disposition will be made of the regional companies named is to be determined within the next few weeks.

On Saturday, Paramount, Warners, RKO and Loew's were the most active film issues. Warners common closed with a gain of ¼ point, Paramount common ½, Paramount first preferred reached 112⅜, a new high, and Paramount second preferred closed at 14¾.

RKO jumped ⅜ of a point on heavy trading. Sales in thousand lots were not uncommon. Loew's advanced 1⅛ on the day.

Production Climbs With 47 on Stages

(Continued from page 1)

"Top of the Town," Universal; "San Quentin" and "Justice After Dark," Warners. "Lawless Land," a Supreme picture, represented the independents.

Twentieth Century-Fox and Warners led the list, each with eight pictures in work. Columbia was next with seven.

Columbia had seven features shooting, four preparing and six in the cutting rooms. Samuel Goldwyn had one, zero and one; M-G-M four, one and 12; Paramount six, three and five; Republic one, three and three; Radio three, two and 10; Roach two, zero and one; Selznick International zero, zero and one; Twentieth Century-Fox eight, three and five; Universal three, one and one; Walter Wanger one, one and zero; Warners eight, one and nine, and the independents three, three and two.

In the short subjects division Columbia had none shooting, two preparing and three editing. M-G-M had one, zero and six; Radio two, one and two; Roach one, zero and one; independents zero, one and zero.

Century in Pooling Duals on Two Houses

(Continued from page 1)

part of Century's interest in the Central, which will be reopened this week. Moss & Rodgers also have an interest in the operation. Skouras was brought into the deal because of a pooling arrangement with Century at Lynbrook, close to Cedarhurst.

Fred Burnelle, former manager at the Sunnyside, Sunnyside, has been promoted by Century to Brooklyn district manager, a new post. He is succeeded at the Sunnyside by Morris Schram, who had been at the Freeport, Freeport, now closed. Jerry Germain, who recently arrived from California, will be manager of the Central.

The new Manhasset, Manhasset, and Elm in Brooklyn are expected to be opened this weekend.

January Set Aside For a Zukor Drive

(Continued from page 1)

behind the drive, Agnew informed the men. A general checkup on sales up to this time showed that practically every major and important unaffiliated circuit has been signed by Paramount.

Most of the representatives will leave tonight and tomorrow for their respective territories.

Will Remodel Roxy After Reorganizing

(Continued from page 1)

interior of the Roxy if and when they get it.

Although a hearing date before Federal Judge Francis G. Caffey is set for Friday, there is a possibility a continuation may be sought by the bondholders unless final details of the preferred proposal are worked out in time.

Roach Swells Cast

HOLLYWOOD, Oct. 18.—Hal Roach has signed Laura Treadwell, Don Clement and Wilson Cox for "Nobody's Baby."

Gratitude!

Des Moines, Oct. 18.—Joe Gerbrach, manager of the Ames, has decided there will be no more free shows for the Iowa State College students, no matter how many football games they win. About 500 students stormed the house demanding entrance after a football victory over Kansas U. The collegians bombarded the theatre with bad eggs and apples, breaking two expensive neon signs and spattering carpets and the sides of the building. The police used tear gas bombs to disperse the crowd.

Gerbrach has been giving free shows to the students after the most important football games of the season.

Picture "Academy" Is Formed in London

(Continued from page 1)

sound recording and editing will also have special awards.

The chairman of the council will be Lt. Col. J. T. C. Moore-Brabazon, and the founder governors are Irving Asher, Michael Balcon, John Corfield, Paul Czinner, Basil Dean, the Marquis of Ely, Douglas Fairbanks, Jr., Julius Hagen, Leslie Howard, Robert T. Kane, Alexander Korda, Lothar Mendes, Walter Mycroft, Erich Pommer, Joe Rock, Victor Saville, Max Schach, S. W. Smith, Paul Soskin, Herbert Wilcox, and Ludovico Toeplitz de Grand Ry. Seton Margrave, film critic of the *Daily Mail*, is chairman of the awards committee and W. E. Chadwick the honorary secretary. First honorary member is Murray Silverstone.

Boosey Is Due Today On Copyright Talks

(Continued from page 1)

would withdraw from licensing activities in the Dominion because of the enactment of new Canadian regulations restricting the fees which may be charged for music licensing there. Mills declared that the new regulations did not make it financially worthwhile to continue operations in Canada. Since that time the Canadian society has been issuing licenses on a month-to-month basis only, pending an agreement with Boosey on future policy.

Carriers Will Talk Distributing Units

(Continued from page 1)

physical distribution might attain national proportions.

Grand National is the largest company using the service in Philadelphia. A number of territorial distributors have also availed themselves of it there.

"Dodsworth" Opens Big

PORTLAND, Ore., Oct. 18.—"Dodsworth" grossed $1,800 in its opening day at the United Artists here. Indications are that the film will run several weeks.

Washington's Grid Contests Sponsored

(Continued from page 1)

Carolina State, and the western Maryland games coming on successive Saturdays.

To the list of six C. U. games, Kellogg is adding the George Washington University-University of West Virginia game on Thanksgiving Day.

Although McDonald is well known as a sports announcer and has broadcast a variety of sporting events, he has been heard most frequently as a baseball commentator. The play-by-play football announcing presents him in a new role to sports fans.

Pittsburgh House Broadcasting

PITTSBURGH, Oct. 18.—Two regular radio programs are now originating from the stage of the Enright, Warner house in East Liberty. One, called "Footlights and Stardust," is sponsored directly by the circuit over WWSW and consists of 30 minutes of film chatter and gossip, together with organ music and plugs for all the current Warner attractions in the neighborhood houses. It goes on five mornings a week at 11:30 o'clock.

The other program is sponsored by a jewelry firm and hits the WWSW air waves once a week. It is in the form of a Community Sing, in which the audience every Friday evening at 8:30 o'clock is asked to participate. There are prizes from the sponsors for those attending and Warners figure it's a good build-up for the Friday night business.

CBS Ready in Washington

WASHINGTON, Oct. 18.—Starting Tuesday, CBS's local outlet, WJSV, will inaugurate its first commercial program for a basic network from Washington.

Mabelle Jennings, one-time dramatic editor of the Washington *Daily News* and the Washington *Herald*, under the sponsorship of Laco Products Corp., twice a week will take a portable microphone to some local vantage point and ask of women, "What's on your mind?"

Miss Jennings, newest of WJSV's ether commentators, will broadcast on this program on Tuesday and Thursday at 1 o'clock.

Form Carolinas Radio

CHARLOTTE, N. C., Oct. 18.—Carolinas Radio, Inc., with principal office in Charlotte, has been chartered to own and operate a radio broadcasting station. The authorized capital stock is $100,000, of which $500 was subscribed by C. B. Johnson, E. A. Hilker and W. G. Dowd, all of this city.

To Make "Chicago Fire"

HOLLYWOOD, Oct. 18.—"Chicago Fire," based upon Roe's "Barriers Burned Away," will be one of the important pictures to be made by Twentieth Century-Fox this season, according to Darryl F. Zanuck. Richard Collins is working on the script.

Wanger Changes Title

HOLLYWOOD, Oct. 18.—Walter Wanger has changed the title of the Joan Bennett vehicle, planned for early production, from "All Ladies Are Women" back to "Summer Lightning," the original title.

BIG BROADCAST OF 1937 IS BIG BOX-OFFICE OF 1936

Paramount Pictures

TURN PLEASE

PARAMOUNT HAS TURNED OUT A MONEY-MAKER THAT TOPS 'EM ALL

. . . Look At The Figures!!!

Michigan Theatre, Detroit . . . Doubles record "Rhythm on the Range" business.

Paramount Theatre, Los Angeles . . . Doubles house average.

Paramount Theatre, Toledo . . . Two and a half times "Trail of the Lonesome Pine" business.

Paramount Theatre, Boston . . . Doubles house average.

Paramount Theatre, Springfield . . . Triples house average.

Paramount Theatre, New Haven . . . Doubles house average.

Allyn Theatre, Hartford...Doubles week's average in four days.

Florida Theatre, Jacksonville . . . Beats record grossers.

Majestic Theatre, Houston . . . Doubles house average.

Mainstreet Theatre, Kansas City . . . Doubles "Big Broadcast of 1936".

Malco Theatre, Memphis...Doubles week's average in two days.

Stanley Theatre, Philadelphia . . . In four days beats week's run "Big Broadcast of '36".

State Theatre, Cleveland . . . Fifty per cent above "Big Broadcast of 1936".

Palace Theatre, Akron . . . Sixty per cent over house average.

Palace Theatre, Youngstown . . . Sixty per cent over house average.

Palace Theatre, Cincinnati . . . Three days' business equals seven days' business "Big Broadcast of 1936."

Paramount Pictures

IT PAYS TO PLAY A PARAMOUNT PICTURE

Purely Personal

FREDERICK LONSDALE and R. C. SHERIFF, playwrights; A. E. MATTHEWS, CLAIRE LUCE, L. BOOSEY, London music publisher, and JACK CONNOLLY of Pathe News are due today on the *Queen Mary*.

•

JOHNNY WALKER, former film star, who recently returned from Europe to produce and direct "This Pretty World," stage play, has opened offices in the Selwyn Theatre Bldg.

•

RAYMOND WEMPLE of Metropolitan Playhouses returns today from a Bermuda vacation.

•

WILLIAM MORRIS, JR., left for the coast by plane Saturday for two weeks of conference with production officials.

•

GILBERT MILLER is aboard the eastbound *Europa*.

•

. . . Cincinnati

BILL DANZIGER is in town for a fortnight en route to New York to resume connections with M-G-M. He has been in Mexico and other points for several months for his health. His wife accompanied him here.

HARVEY DAY, from the Twentieth Century-Fox home office in New York, is in town.

NAT HOLT and C. HARRY SCHREIBER of RKO, Cleveland and Columbus, respectively, were seen around the local circuit offices last week.

•

. . . San Francisco

LOUIS WILLIAMS is now assistant manager for HERMAN KERSKEN at the FWC Fox.

WALLACE FEEHAN was in town, nursing a bad cold after a swing around the circle with "The Pace That Kills."

ROBERT TAYLOR drove up from Hollywood for the first U. C. football game of the season at Berkeley.

•

. . . Washington

CHARLES V. GRIMES, manager of the Earle and local president of the Warner Club, has been named to the board of governors of the national organization.

CHARLES H. OLIVE, who has under his wing three theatres and a bowling alley, has acquired another alley—and a tavern.

GEORGE CROUCH and THOMAS MUDD won top stakes in the recent informal golf tournament at the Indian Spring Club for the blind bogey. JOSEPH P. MORGAN and SAM A. GALANTY tied for second.

ORANGELO RATTO, manager of Loew's Palace, who has been in the sick list for several months, is back on the job.

FRED D. MCMILLAN celebrated his first year as manager of the Savoy.

GEORGE PAYETTE was a visitor from Hagerstown.

HARRY GOLDBERG was in looking over the local Warner theatres publicity setup.

J. RAYMOND BELL, chief publicist for Loew's, here, is taking a Bermuda rest cure.

GEORGE J. GILL has added the Television Pictures' releases to his Trio Prod. lineup.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Pigskin Parade"

(*Continued from page 7*)

film. Dixie Dunbar and Judy Garland sing and dance to half a dozen numbers prepared by Lew Pollack and Sidney D. Mitchell. Jack Haley as the coach, pestered and henpecked by Patsy Kelly, his wife, accounts for any number of laughs. Johnny Downs and Betty Grable supply comedy-tinged, romantic love interest. Elisha Cook comes through with a bit as an anti-capitalist student that is a howl. Arline Judge is the campus vamp. Stuart Erwin, the hero, a barefoot boy from the melon patch, does tricks with a football that astounds the sons of Eli.

As a load of nonsense in which there are but few moments resembling anything looking like sanity, the film has novel and unique amusement. Yet in departing widely from any previous football story, the formula is intelligently produced and is directed by David Butler so that a maximum of pleasing amusement is derived. In compounding the story, Arthur Sheekman, Nat Parin and Mark Kelly included every funny gag they could think of concerning football and campus antics. The screenplay is by Harry Tugend, Jack Yellen and William Counselman.

Production Code Seal No. 2,765. Running time, 95 minutes. "G."

"Wild Brian Kent"

(*Principal-Twentieth Century-Fox*)

HOLLYWOOD, Oct. 18.—A villain who thinks up more than the usual amount of dirty dodges to get a ranch away from a widow is the chief claim to interest in this Harold Bell Wright western which follows the average formula with average appeal.

Ralph Bellamy, a playboy-wastrel, is abandoned in the cattle belt by a polo team that is disgusted and tired of taking his IOU's for gambling debts. His willingness to take chances lands him with a broken head at a ranch which two lone women are trying to keep from the grasp of Stanley Andrews, the villain. Before Andrews is marched off to his well-deserved incarceration, he gets the mortgage by trickery, gives the cattle the deadly anthrax and sets fire to a wheat field. Bellamy is so busy using his promotor's charm trying to save the ranch that he forgets about being a playboy and is the hero complete by the time Mae Clarke, the heroine, decides she has been misjudging him all along.

Helen Lowell, Jack Duffy, Eddie Chandler and Howard Hickman have important supporting roles under the direction of Howard Bretherton.

A cross-country race with cow country thugs after Miss Clarke provides some excitement and the fire in the field is different, at least.

Production Code Seal No. 2,663. Running time, 60 minutes. "G."

"Easy to Take"

(*Paramount*)

HOLLYWOOD, Oct. 18.—Based on one slim story idea that is stretched to the limit, this picture misses the comedy response intended.

The premise is this: An eccentric, wealthy spinster provides in her will that John Howard, the conductor of a children's radio hour, shall be appointed guardian and administer the estate left to Douglas Scott, her young nephew. Howard later finds the estate bankrupt and supports young Scott and his sister, Marsha Hunt, from his radio earnings. Eugene Pallette as Howard's manager complicates things by using the situation for publicity purposes which splits the developing romance between Howard and Miss Hunt until the finish.

The production tries to cover the story weakness by devoting considerable time to the children's hour radio sequence, but the performances by the child players are not particularly interesting.

Virginia Van Upp is credited with the screenplay from the story by Wayne Kilbourne. Glenn Tryon directed. In the supporting cast Richard Carle stands out among the adults and Carl Switzer's solo in the radio sequence is by far the most amusing.

Production Code Seal No. 2,594. Running time, 65 minutes. "G."

Carleton Young Cast

HOLLYWOOD, Oct. 18. — Carleton Young, pulled from the stage production of "The Drunkard," which has held the Hollywood boards for the last three years, and signed to the Republic talent school, has been given his first screen assignment. The studio, figuring he has had enough rehearsal, has cast him as a drunkard in "The Chinese Orange Mystery."

Buy "Woman Interne"

HOLLYWOOD, Oct. 18.—Paramount has purchased "Woman Interne," magazine story by Faith Baldwin, as a probable picture to star Claudette Colbert. As Miss Colbert will make "I Met Him in Paris" when she finishes her current assignment, "Maid of Salem," production will not start for some time.

"Dodsworth" Gets $15,000 in Cincy

CINCINNATI, Oct. 18.—Backed by a smash exploitation campaign and local tieups, "Dodsworth" was in the top money at the RKO Albee, pulling $15,000, average is $12,000. It continues at the RKO Capitol.

"The Devil is a Sissy" went over the RKO Palace figure by $2,000 on a $12,000 take. "Swing Time" did $3,300 on its fourth week downtown at the RKO Grand, where average is $2,750. The RKO Family broke even with "Meet Nero Wolfe" and "I'd Give My Life" on a split bill, grossing $1,250 and $1,200, respectively, on the two features.

"Old Hutch" skyrocketed to $7,300 at Keith's plussing average by $800.

The weather alternated between pleasant and rainy days. College football and racing at nearby River Downs provided the bulk of the competition.

Total first run business was $53,900. Average is $58,700.

Estimated takings:

Week Ending Oct. 8:

"DODSWORTH" (U.A.)

RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $15,000. (Average, $12,000.) Moved to RKO Capitol.

"THE DEVIL IS A SISSY" (M-G-M)

RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $12,000. (Average, $10,000)

"ANTHONY ADVERSE" (W.B.)

RKO SHUBERT—(12,150), 40c-60c, 7 days, 3rd and final week. **Gross:** $5,300. (Average at regular 35c and 55c scale, $12,000)

"RAMONA" (20th-Fox)

RKO CAPITOL—(2,000), 35c-42c, 7 days, 2nd downtown week. **Gross:** $4,800. (Average, $6,500)

"LADY BE CAREFUL" (Para.)

RKO LYRIC—(1,400), 35c-42c, 7 days. **Gross:** $3,750. (Average, $6,500)

"SWING TIME" (Radio)

RKO GRAND—(1,200), 25c-40c, 7 days, 4th downtown week. **Gross:** $3,300. (Average, $2,750)

"MEET NERO WOLFE" (Col.)

RKO FAMILY—(1,000), 15c-25c, 3 days. **Gross:** $1,250. (Average, $1,250)

"I'D GIVE MY LIFE" (Para.)

RKO FAMILY—(1,000), 15c-25c, 4 days. **Gross:** $1,200. (Average, $1,200)

"OLD HUTCH" (M-G-M)

KEITH'S—(1,500), 30c-40c, 7 days. **Gross:** $7,300. (Average, $6,500.) Moved to RKO Grand.

Wall Street

Board Gains Continue

	High	Low	Close	Net Change
Columbia	40¼	40	40	+ ¼
Columbia, pfd.	47	47	47	+ ¼
Consolidated Film	5	4¾	5	.....
Consolidated, pfd.	18	18	18	.....
Eastman Kodak	175⅞	175¾	175¾	— ¼
General Theatre Equipment	28¾	28½	28¾	+ ½
Loew's, Inc.	58½	57⅞	58⅛	—1⅛
Paramount	15⅞	15¼	15⅜	+ ½
Paramount 1 pfd.	113	111	112⅜	—1⅞
Paramount 2 pfd.	15⅛	14¾	14¾	.....
Pathe Film	8½	8⅜	8½	+ ⅛
RKO	8¾	7⅞	8¼	+ ⅜
20th Century-Fox	32¾	32¼	32¼	— ⅛
20th Century, pfd.	41	40¾	40¾	— ¾
Universal, pfd.	103	103	103	.....
Warner Bros.	14½	14¼	14½	+ ¼

Curb Up Slightly

	High	Low	Close	Net Change
Grand National	3½	3⅜	3½	+ ⅛
Sonotone	2⅛	2⅛	2⅛	.....
Technicolor	25⅝	25⅛	25¼	— ½
Trans Lux	3⅞	3⅞	3⅞	+ ⅛

Bonds Rise Fractionally

	High	Low	Close	Net Change
Keith B. F. 6s '46	96½	96½	96½	.....
Loew's 6s 41 ww deb rights	99	99	99	+ ⅛
Paramount Broadway 3s '55	65	65	65	— ½
Paramount Pictures 6s '55	99½	99⅜	99½	+ ⅛
Warner Bros. 6s '39 wd	97	97	97	.....

(Quotations at close of Oct. 17.)

THIS ROUGH AND READY RAJAH

Defied England..Challenged Japan..and got away with it!

But his bluff was called
when he tried to dictate
to two young lovers . . .



GEORGE ARLISS in EAST meets WEST

TOPS 'EM ALL

GB

with LUCIE MANNHEIM

GODFREY TEARLE • ROMNEY BRENT

Directed by Herbert Mason • Story by E. Greenwood

Canada Distributors
EMPIRE FILMS, Ltd.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 94 NEW YORK, TUESDAY, OCTOBER 20, 1936 TEN CENTS

Concessions Impend, Says Ed Kuykendall

Announcement in a Week, Tri-States Men Told

MEMPHIS, Oct. 19.—The M.P.T.O.A. within a week will have a definite announcement on certain concessions from distributors, Ed Kuykendall, president, stated today in an address befor the Tri-States M.P.T.O. at its semi-annual session held at the Chisca Hotel here.

"I cannot reveal the nature of the announcement," said Kuykendall, "but I feel sure that it will make you happy because it is along the lines toward which we have been negotiating."

Kuykendall predicted that the coming national convention will have the largest attendance in the history of the organization. He added that it will be held probably at Miami.

Kuykendall stated that the industry must gird itself for another hard fight in Washington at the next Congressional session. The industry as a whole, he said, is better able today to demand and get what it wants.

M. A. Lightman, president of Tri-States, presided at today's session. The Kuykendall address occupied the morning session. The Memphis exchanges gave a luncheon for the visiting exhibitors at noon.

Kuykendall addressed the delegates

(*Continued on page 6*)

G. B. Net £715,514 Up to End of March

LONDON, Oct. 19.—Official Gaumont British figures for the year to March 31 show a net profit of £715,514, a decrease of £4,969 from the previous year.

With the balance brought forward, the total is £865,779 against £855,358. After deduction of income tax, debenture interest, reserves and preference dividend the balance is £347,021 against £360,265.

Directors recommend the placing of £200,000 to a special reserve and

(*Continued on page 6*)

Columbia Will Have 10-12 English-Made

Columbia will have from 10 to 12 quota pictures made in England by outside producers, Joseph Seidelman, foreign head, said yesterday on his arrival on the *Queen Mary* after a four months' tour of European countries. Paul Soskin will make seven and Nat Ross will produce one, the former at

(*Continued on page 6*)

Court May Get Plan for RKO In a Few Days

Pressure Is Brought for Reorganization Action

A plan of reorganization for RKO stands a "good chance" of being presented to the Federal court here this week for hearings, a reorganization factor stated yesterday.

Despite the fact that many considerations essential to obtaining approval of the plan have not been worked out yet, considerable pressure is being brought to bear on the reorganization managers to file a plan with the Federal court at the earliest possible moment. Efforts to do so, which may result in the plan being brought out this week, are continuing. Under this procedure the plan may not take final shape in several important particulars until creditors of RKO have been heard in open court.

Indications are that while provisions will be made for secured creditors, the final treatment of unsecured claims may be resolved later. It was stated on good authority that no final provision has been made yet for the $9,100,000 Rockefeller Center claim, the largest of the unsecured classification. This claim, however, because of its individual aspects, may be treated separately, apart from the other unsecured claims against RKO.

Critics' Awards Now To Go International

The New York Film Critics, who followed the organizational idea founded by their co-workers in the field of stage play reviewing, held their first meeting yesterday and determined to recognize with awards the best foreign-language film of the

(*Continued on page 13*)

Lily Pons Says No

Hollywood, Oct. 19.—Lily Pons says she won't appear in a picture with Nino Martini for Radio. What Sam Briskin will say about it remains to be found out. Jesse Lasky says it's all "premature."

Later Lily denied she said it.

Zukor Jubilee To Be Honored By Paramount

Starting Jan. 7 and continuing for four months, Paramount will celebrate a Paramount International Silver Jubilee drive in commemoration of Adolph Zukor's 25 years of service to the film industry.

Plans for the drive were discussed by Neil F. Agnew with studio executives, divisional and district managers and home office representatives in St. Louis over the weekend. Agnew, accompanied by J. J. Unger, Charles Reagan, Milt Kusell, Bob Gillham, Herman Lorber, Jack Roper, G. J. B. Frawley, Don Velde, Fred LeRoy and Arthur Dunne, is due to return today.

In a message to the sales force, Barney Balaban, president, declared: "The progress made by Paramount

(*Continued on page 6*)

Producers to Hear Copyright Reports

The producers' copyright committee, of which E. P. Kilroe of Twentieth Century-Fox is chairman, will meet on Thursday to receive the written report outlining the conditions on which the film industry would recommend that the United States become a member

(*Continued on page 6*)

See Precedent In Injunction On Miss Davis

English Court Upholds Warner Contract

By BRUCE ALLAN

LONDON, Oct. 19.—A decision of far-reaching importance, in that it appears to establish a precedent for the disposition of future cases of similar nature, was handed down in King's Bench Court here today when Justice Sir George Branson granted Warners injunction against Bette Davis, under contract to the company.

The order restrains Miss Davis from working for any other film company or in any stage production in Great Britain during the duration of her contract or for three years, whichever period is the shorter.

The court declared there was no evidence that the Warner contract with Miss Davis was in restraint of trade. He said the actress, who had walked out of the studio in Hollywood, could not be driven to performance of the contract by the injunction but that she might be tempted to perform it.

Justice Branson said Miss Davis had broken her contract "for no discoverable reason but that she wanted more money.

"I can see no reason for holding the contract unlawful," the court said. The costs of the hearing were assessed against the actress.

Miss Davis had gone to London and

(*Continued on page 6*)

Supreme Court to Hear Fox's Appeal

By BERTRAM F. LINZ

WASHINGTON, Oct. 19.—With the filing of further briefs by both William Fox and the Capital Co., the way has been paved for the hearing of arguments by the U. S. Supreme Court on the former's appeal from an order of the U. S. District Court in New York imposing a penalty for

(*Continued on page 6*)

Equity Constitution Change Is Affirmed

An amendment to the constitution of Actors' Equity Ass'n requiring junior members to be qualified by 50 paid weeks of stage experience in order to qualify for senior membership and voting privileges, was affirmed by a four to one vote of the membership,

(*Continued on page 13*)

Theatrical Tricks in Steel Clutter Plot of "Iron Men"

Scenery built and painted by the Studio Alliance, Inc. Lighting equipment by the Century Lighting Equipment, Inc. Sound effect equipment and recording by Radio Corp. of America. Women's clothes executed by Helene Pons Studio. Technical data courtesy of Shreve, Lamb and Harmon, architects; Empire State Building Publicity Department; Robinson and Steinman, engineers; Hegeman, Harris Co., Inc. and International Ass'n of Bridge, Structural and Ornamental Iron Workers, Local 40. Glassware and bar accessories by J. Glassman and Sons. Liquors used: Ballantine's Scotch, Mount Vernon and Old Overholt Rye, Booth's Gin and Hine's Brandy. Krueger's "Finest Beer" and ales courtesy of G. Krueger Brewing Co. Cigarettes by Philip Morris. Pretzels by Oakdale Pretzel Co.

That's exactly it. The equipment

(*Continued on page 12*)

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S. E. C. Sets Hearing For Hollywood Firm

WASHINGTON, Oct. 19.—The Securities and Exchange Commission has set Oct. 29 as the date for a hearing in connection with the registration statement filed Sept. 8 by Hollywood Famous Pictures, Inc., of Los Angeles, declaring it has found "the appearance of untrue statements of material facts and omissions of material facts in the facing sheet, 11 items, the prospectus, one exhibit and a consent."

The company had said it planned film production at a cost of $8,000 to $10,000 per film, and sought to issue 50,000 shares of $1 par seven per cent participating preferred stock and 50,000 shares of $1 par common.

Writers' "Code" Ready

HOLLYWOOD, Oct. 19.—The program of fair practice as prepared by Screen Playwrights, Inc., is ready for presentation to the producers, it was stated here today by William Slavens McNutt. The "code" recently was submitted to the membership and became subject to certain changes.

McNutt could not name the specific day for submission.

U.S. Protests Italian Move To Hold Funds

WASHINGTON, Oct. 19.—The State Dep't acting on the protest of major film companies, has instructed Ambassador Phillips at Rome to act on behalf of the American industry in opposing the Italian Government's proposed legislation which would restrict the amount of money which American companies could withdraw from Italy, and direct the application of the balance to film production in Italy.

Call Proposals "Unthinkable"

The Italian Government has been shaping plans for regulations of this nature since last August with the object of insuring support of the new $10,000,000 studio project near Rome which will be opened next June. While American film companies have been aware of the trend of proposed regulations in Italy, only recently have these taken definite enough shape to warrant a formal protest. It is understood that Italian authorities now favor a proposal limiting to 8,000,000 lire annually the amount of film revenue which could be taken out of the country by American distributors. This is only about 25 per cent of the revenue derived from Italy by the American companies. The remaining 75 per cent would be impounded in Italy with restrictions on its use which would make it nearly obligatory to apply the funds to film production at the new Italian studio. American companies, in their protest to the State Dep't, described the effect of the proposed regulations as "unthinkable."

Roncoroni Dropped Hint

Carlo Roncoroni, head of the Italian Government's film bureau, visited New York and Hollywood last summer in an effort to obtain voluntary agreements from American producers to use the new studio near Rome on its completion. So far as was learned following his visit, no definite commitments were obtained by the Italian film envoy during his stay here. Walter Wanger, during an earlier visit to Italy, was reported as having agreed to make at least one picture in Italy next year. Roncoroni intimated on several occasions during his visit here that if American producer cooperation for the new studio venture was not forthcoming, changes in Italy's financial regulations governing the withdrawal of revenue from the country might be expected.

Assistant Secretary James Dunn has been representing the American film companies in the progress of the proposed Italian regulations at Rome, but the most recent instructions transmitted by Secretary of State Cordell Hull were directed to Ambassador Phillips. The communication asserted that the United States views the proposed regulations apprehensively.

Place Rogers Monument

OOLOGAH, Okla., Oct. 19.—This town has just dedicated an eight-foot stone shaft with a portrait of Will Rogers sealed under glass. Beside it is a six-foot wooden model of the Rogers homestead.

Boosey for Retaining Canada Rights Group

Continuation of the Canadian Performing Rights Society is favored by Leslie Boosey, chairman of the Performing Rights Society of London, which, with Ascap, owns the Canadian music licensing organization, Boosey stated here yesterday on his arrival from England aboard the *Queen Mary.*

He will be in America for the next two weeks, during which time he will confer with E. C. Mills, general manager of Ascap, on the future policy of the Canadian Performing Rights Society as a result of recent legislation which limits the music tax which may be charged by the society in Canada for the public performance of copyrighted music for profit. From here, Boosey will go to Canada to confer with Dominion officials on some form of acceptable modification of the present restrictions.

Scale Increase Request Expected

Indications are that the Canadian Government will be asked to increase the scale of authorized music fees in order to avoid dissolution of the Canadian licensing organization and the confusion and litigation which, it is believed, would result.

"The discussions will be quite friendly," Boosey said. "It will be a matter of give and take. We may have to make some concessions, and the Canadians, likewise, before it's over."

On the inauguration of the new Canadian legislation last summer, Mills stated that Ascap would withdraw from licensing activities there because the new scale of fees no longer made it financially worthwhile to operate in the Dominion. If any satisfactory rate compromise can be worked out with the Canadian government, however, it is understood that Ascap will continue its phase of Canadian operations with the Performing Rights Society represented by Boosey.

FitzPatrick to Drop Shorts for Features

After completing this and next year's lineup of shorts for M-G-M, James A. FitzPatrick will cease producing Travel Talks and devote his future plans to features.

In the interim, FitzPatrick is experimenting with a series of features in England. He recently completed two, "David Livingstone" and another, and will sail tomorrow on the *Queen Mary* for London to start the third, "Auld Lang Syne."

FitzPatrick may join M-G-M at the coast studios on a basis similar to Hal Roach. The British-made pictures will be distributed in this country by Harry Thomas.

Want British Songs

LONDON, Oct. 19.—British songwriters have formed an organization to work for a quota of at least 40 per cent of songs broadcast by the British Broadcasting Corp. American works make up most of the other 60 per cent.

Mary Garden to Films

PARIS, Oct. 19.—Mary Garden says she is quitting opera because it is a dying art form and will leave soon for Hollywood to go into pictures. She is understood to have signed a contract with M-G-M last December.

Set Committees on Richardson Dinner

Committees have been appointed for the testimonial banquet to be tendered to F. H. Richardson, who conducts the Technological Dep't of *Motion Picture Herald,* by the American Projection Society at the Pennsylvania Hotel on Saturday. Lester B. Isaac will be toastmaster and Jay C. Flippen will be master of ceremonies. Entertainment and dancing will feature the evening.

The committees and their chairmen are: Arrangements, Alfred R. T. Bishop; past presidents, Joseph D. Basson; S.M.P.E., Dr. A. N. Goldsmith; exhibitors, George Skouras; theatre equipment executives, Will C. Smith; entertainment, M. D. O'Brien; honorary members, George C. Edwards; I.A.T.S.E., George S. Browne; publicity, P. A. McGuire; radio executives, Louis K. Sidney; technical, Harry Rubin; theatrical managers, Al Rosen; finance, Charles Horstman; 10th district, I.A.T.S.E., Glenn H. Humphrey; metropolitan I. A., Thomas Murtha; southern I. A., Frank Sutton; Pioneer Projectionists' Ass'n, Ben Norton; Canadian, William C. Covert; eastern, I. A., Arthur Martens; New Jersey, Louis Kaufman; west coast, Sidney Burton; reception, Frank McMahon.

Equipment Men Hear Congressman Patman

CHICAGO, Oct. 19.—Equipment dealers and manufacturers differed in their acceptance of the provisions of the Patman Bill as outlined by Congressman Patman who addressed the delegates at the Congress Hotel here today. While the dealers were pleased with the bill as described, the manufacturers advanced many objections in a series of questions which the speaker invited and answered.

Patman claimed that the bill would give independent dealers equality with the larger houses, would break up monopolies and enable the small exhibitor to purchase equipment as cheaply as the circuits. He said that prices would be standardized by dealers and that no deviation would be permitted. Patman is here on a tour of the country.

The meeting, which started at noon today, dealt with a situation regarding the possible formation of another group similar to National Theatre Supply. Details of the plan could not be divulged by President Robin of the equipment organization who said that the new group suggested was for selling purposes and in no respect opposed to the present organization. He added that members generally were pleased with the Patman talk.

Film Carriers Start Today

CHICAGO, Oct. 19.—Forty members of the National Film Carriers' Ass'n are at the Palmer House here for the regular sessions of their annual convention which opens tomorrow. They were guests today at a meeting of the American Trucking Ass'n which is in session here.

"Juliet" at $12,120

"Romeo and Juliet" in its ninth week at the Astor on a two-a-day policy garnered $12,120. At the pace the picture is going M-G-M does not plan to withdraw it for some time.



"Shucks...Gran-maw musta found out Gran'pappy's been keepin' Mae West's picher onder his pillow."

MAE WEST in "Go West Young Man" with WARREN WILLIAM, RANDOLPH SCOTT, ALICE BRADY, Elizabeth Patterson, Lyle Talbot, Isabel Jewell, Margaret Perry

Directed by HENRY HATHAWAY • Dialogue by Mae West • An EMANUEL COHEN Production • A Paramount Picture

Paramount Pictures

Sherriff Arrives to Work on "U" Script

R. C. Sherriff, British playwright and author, will leave for the Universal studios today, via train, to work on some changes in his previous adaptation of "The Road Back."

Arriving on the *Queen Mary* yesterday, Sherriff brought with him the completed screen script of "Good Bye, Mr. Chips," which he will deliver to M-G-M. After a brief stay at Universal, the playwright-author will begin a six-week contract at M-G-M. He said yesterday he had no idea what his next assignment would be.

Sherriff, although under contract to several film companies, does most of his work in England and once a year makes a trip to Hollywood.

John Baxter of Baxter & Baxter Prod. and U. K. Films arrived on the same boat for a two-week vacation, having completed "Men of Yesterday." Tomorrow, he will head for Boston where he will spend a few days with friends and then return. He will sail on the *Queen Mary* on Nov. 4.

Frederic Lonsdale, English novelist, said he might go to the coast for one of the companies, but uppermost in his mind was his health.

Having recently completed a role in a Charles B. Cochran play, Claire Luce is here for a 10-day vacation after which she will return to London for another stage assignment.

Union Pickets Seek Window Cards Work

PHILADELPHIA, Oct. 19.—Members of the Billposters' Union have started picketing independent film houses in an effort to get window card distribution rights. They ask a minimum of $10 per day regardless of the number of cards distributed.

Theatres have been doing their own distribution. The U.M.P.T.O. will meet Thursday to consider the situation. It is believed that the outcome will be abandonment of window card advertising. Warners have discontinued it.

Jerseymen at Trenton

A statewide meeting of New Jersey exhibitors will be held today at the Stacey-Trent, Trenton with Lee Newbury, president of Allied of New Jersey, presiding.

Legislation, product and sales policies of distributors will be among the topics on the program. About 50 are expected.

The I.T.O.A. tomorrow will hold its regular meeting at the Astor.

Delay "Salem" Opening

HOLLYWOOD, Oct. 19.—Plans for the premiere of "Maid of Salem" on Thanksgiving day have been abandoned by Paramount due to the continued illness of Claudette Colbert. Only 10 days of shooting remain, but Miss Colbert still is confined to her home.

Antarctic Story for G. B.

The G. B. subsidiary, Instructional Films, is producing "The Voyage of the Discovery," based on the famous research trip of the ship of that name. Unusual shots of whales and many species of Antarctic wild life will be made. The expedition will remain in South Polar waters until 1938.

Purely Personal

NED CLARKE, who will leave next week on the *Aquitania* on a foreign assignment for PHIL REISMAN, arrived from the coast by car Sunday, making the trip in 10 days. He stopped at Ithaca on Saturday to take in one of the pigskin games.

•

JACK CONNOLLY is back after spending 11 days in London and Paris for a quick look at the Pathe News situation. CONNOLLY expressed satisfaction over the release by the Spanish Government of HENRY BRUT, Frenchman, who was arrested and sentenced to be shot for taking pictures. Being a French citizen, that Government stepped in and saved him.

•

WILLIAM MELNIKER, head of Loew's foreign theatre division, has delayed his return from South America until the end of the month. He's making a stop over at Panama, which was not on his original itinerary.

•

PAUL SOSKIN leaves for Hollywood by air Wednesday evening, there to remain four or five weeks lining up talent for his British company's production schedule.

•

JOE HORNSTEIN and J. E. ROBIN are due back from Chicago today after attending the three-day Independent Theatre Supply Dealers' Ass'n meeting on the Robinson-Patman law.

•

SAMUEL POKRASS, song writer, has been signed by Twentieth Century-Fox to write the music for three pictures, says LOU IRWIN, who is handling POKRASS.

•

EDWARD G. ROBINSON is due from England and the Continent in a month. He has just finished "Thunder Over the City" in England and has left for the Continent on a vacation.

•

A. E. MATTHEWS arrived yesterday on the *Queen Mary* to appear in "Matrimony Preferred" on the Broadway stage.

•

BYRON MOORE, Warner theatre metropolitan managing director, was down with a cold yesterday. He's expected back at his office today.

•

MRS. WOODY S. VAN DYKE, wife of the M-G-M director and niece of EDDIE MANNIX, has arrived from Hollywood for a vacation.

•

LOU KROUSE, vice-president of the I.A.T.S.E., was in town yesterday from Philadelphia.

•

GEORGE KAMEN, British representative for Walt Disney specialties, will return to England in about 10 days.

•

LARRY PUCK, former RKO agent, has joined the Lou Irwin agency in charge of vaudeville and presentations.

•

ABE HARVARD SCHWARTZ and CHARLES MOSES will return today from Lake Placid.

•

J. CHEEVER COWDIN, JR., was among the passengers arriving yesterday on the *Queen Mary*.

•

HAROLD RODNER is back from a quick trip to the Warner studios.

•

A. A. SCHUBART of RKO is back from St. Louis.

GEORGE W. TRENDLE, head of United Detroit Theatres, visited A. W. SMITH, U. A. general sales manager, yesterday at the latter's office. Both were seen lunching later at the Tavern. Today J. MEYER SCHINE will arrive from Gloversville and drop in on SMITH, SAM PINANSKI and MARTY MULLIN of the M. & P. circuit in Boston are due to confer with the U. A. sales head tomorrow.

•

E. M. SAUNDERS is due back today from St. Louis where he visited HARRIS P. WOLFBERG, district manager for M-G-M, who had been ill over the weekend.

•

NAT LEVINE, Republic production head, arrived from the coast by plane yesterday for conferences with home office officials.

•

ABE SCHNEIDER, Columbia treasurer, is spending a short vacation at Virginia Beach. He will return Monday.

•

JOSEPH I. SCHNITZER, president of the Western Costume Co., is in town from Hollywood.

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ARTHUR UNGAR, editor of *Daily Variety*, who is visiting from the coast, returns the end of the week.

•

NAT COHN is at Virginia Beach vacationing.

•

. . . Denver

GERALD WHITNEY, city manager for Fox theatres, is back on the job again following a short illness.

DON TWEDDALE is new shipping clerk at the local Grand National exchange.

NED CLARK, auditor for RKO, who has been covering the western exchanges, drove through Denver on his way to New York to sail for Europe. He will take over the job of traveling auditor for that continent.

FRANK SHEFFIELD is back on his booking job at the Republic-Sheffield exchange, replacing FRANK EATOUGH who handled it while SHEFFIELD was on the road.

J. B. MELTON has returned from a business trip to the state of Washington.

BOB MAPLE is installing a new heating system in his Tivoli theatre.

•

. . . Lincoln

MRS. BOB LIVINGSTON, wife of the manager of the Capitol, is in the hospital after an operation.

CAMILLE SHIRE, daughter of CHARLIE SHIRE, treasurer of the J. H. Cooper enterprises, is suffering from a nervous breakdown.

MRS. ELI SHIRE, wife of the former president of several theatre concerns here and in St. Joseph, fell and broke a hip.

GEORGE O. MONROE, Colonial manager, is down with a cold.

•

. . . Los Angeles

RAY OLMSTEAD of the Olmstead-Stubbins Exchange is spending the week in Imperial Valley on a selling trip.

JACK BROWER, Warners division manager, back after two days in Salt Lake.

CHARLES STURDIVANT here from Yuma.

RALPH CARMICHAEL of the M-G-M Exchange fighting off influenza.

K. C. Union Resumes Control of Affairs

KANSAS CITY, Oct. 19.—Robert Dillon, former business agent for Local 170, has been elected to that position again by the I.A.T.S.E. unit, which this week resumed local autonomy. Dillon's position's position as business agent was expanded to include that of secretary.

John Morgan, at one time president of the local, was elected president; D. L. McCullough, vice-president, and I. H. Burkert, treasurer. Burkert was secretary for 25 years before the I. A. last year assumed control of the local's affairs.

The local now will make its own deals with exhibitors. First runs are working on the basis of the contract which ended Aug. 31, 1935, but which was not renewed because of a disagreement between the union and the theatres over the union demand for a substantial increase. For several years the local has not had a contract with subsequent runs, but most of these use union labor on an individual exhibitor, oral agreement basis.

Bankruptcy Report Expected This Week

KANSAS CITY, Oct. 19.—The final report of the trustee, Herbert V. Jones, for the Fox Midland and Fox Rocky Mountain bankrupticies, is expected to be filed this week, according to Elliot Jones, attorney for the trustee.

The reports will be on file at the bankruptcy referee's office for 20 days in order to permit examination by creditors. If no objections are filed, Federal Judge Albert L. Reeves will issue a formal order discharging the trustee, ending the bankruptcy of the two circuits which began with a voluntary petition filed March 8, 1933.

E. M. Hartley on Coast

HOLLYWOOD, Oct. 19.—E. M. Hartley, manager of the Photophone sales division of RCA, is here from Camden for conferences with J. E. Francis, M. F. Burns, and other western executives on new RCA High Fidelity installations. Paul G. McCollum, comptroller of RCA Mfg. Co., arrived earlier in the week, and will remain for several weeks. Frederick Leuschner, coast resident attorney of the company, is in the east for a month of conferences with legal heads of RCA.

Takes N. E. Distribution

BOSTON, Oct. 19.—Wholesome Films have taken over the New England distribution of Century Pictures, formerly handled by Cameo, which is leaving its Melrose St. offices to take over a building on Piedmont St. Lila Izen, veteran film executive here, is booking Century now, succeeding Walter Gillis, who has the job under the Cameo setup.

Drive-in at Providence

PROVIDENCE, Oct. 19.—Work has commenced on a new Drive-In Theatre, similar to that in Weymouth, Mass. The Weymouth venture, the first of its sort in New England, is rounding out its first year and expects to keep open well into November. The backers are the same for both enterprises. The bicycle track in Pawtucket has been selected as the site.



The scene represented by this cartoon is bein duplicated everywhere! At press time "LIBELE LADY" was ahead of the phenomenal "Sa Francisco" in 13 engagements: Albany Bridgeport, Cleveland, Hartford, New Have Providence, Rochester, Springfield, Syracus Waterbury, Worcester, Indianapolis, Chicag Among other spots where *engagements hav been extended* are: Baltimore, Albany, Colun bus, Philadelphia, Los Angeles, Wilmingto Worcester, Chicago, Denver and many mo as we approach publication deadline. *It going to happen in your town too!*

Zukor Jubilee To Be Honored By Paramount

(*Continued from page* 1)

the past three and a half months is substantial and most encouraging. Our company has definitely emerged from the conditions which so long clouded its horizon.

"I am confident that we are well on our way toward the complete realization of our hope and aspiration—the re-establishment of our unquestioned leadership and the self-confidence which goes with it.

"Nothing has contributed so much to our progress as the quality of product which our studio is turning out under the able direction of Adolph Zukor. To his experience and judgment, coupled with the reassurance which his leadership has inspired throughout the Paramount lot, can be attributed the success of such pictures as 'The General Died at Dawn,' 'The Texas Rangers,' 'Valiant Is the Word for Carrie' and the currently sensational 'Big Broadcast of 1937.'

"With such productions as 'Champagne Waltz,' 'The Plainsman,' 'Maid of Salem' and 'Go West, Young Man,' I am confident we will still further strengthen our position.

"To the distribution department I extend my greetings. We in the home office know that you will continue your good work, to the end that the record of achievement of our entire organization may be complete."

Columbia Will Have 10-12 English-Made

(*Continued from page* 1)

Amalgamated Studios and the latter at the Joe Rock studios. No other contracts have been signed since the Soskin agreement, Seidelman asserted.

Discussing his trip, the Columbia foreign executive declared that "outside of England things are difficult due to money regulations. A new change is expected in Italy on the export of currency," he said, "which would ease restrictions a bit. At the present moment, things there are at a standstill."

Seidelman said Charles C. Pettijohn of the Hays office visited Italy recently on the money restriction angle. He is due back soon.

Business in Spain is going on as usual in the company's offices not under Government control. There is no free circulation of funds, all money coming in being under Federal control. The Government is anxious to see that employes are paid and after this has been done, the balance is impounded in banks.

Seidelman would not discuss reports Columbia had purchased an interest in Schlesingers' Daly in London. He referred inquiries on the subject to Jack Cohn, who recently denied the story.

Raises Lincoln Prices

LINCOLN, NEB., Oct. 19.—The Varsity here of the L. L. Dent circuit, has increased prices to 20 cents to 2 P.M., 25 cents to 6 P.M. and 35 cents for evenings, from 10 cents, 20 cents and 25 cents.

It May Be It

Lynn Farnol visited the Arthur Mayer country manor on Sunday. It nestles high over the Hudson on the west bank of the river near Haverstraw.

"I know now why you picked it," remarked Farnol to Mayer. "High enough to spot the line waiting to buy tickets at the Rialto."

Concessions Impend, Says Ed Kuykendall

(*Continued from page* 1)

again during the afternoon's proceedings. In a political vein, he recommended the re-election of President Roosevelt, declaring that the President has done more for the show business than any of our former chief executives.

Other speakers included Fred Wehrenberg of St. Louis, L. C. Griffith of Oklahoma and Fred M. Jack, southern sales manager for Warners.

At the election of officers, Robert X. Williams, exhibitor and mayor of Oxford, Miss., was elected president to succeed Lightman who, in turn, replaces Emma Cox, of Osceola, Ark., as chairman of the board. Other officers are: H. W. Evans, Marks, Miss., successor to Williams as secretary and treasurer; J. A. West of Louisville, vice-president for Mississippi; L. F. Havens of Blytheville, vice-president for Arkansas and W. F. Ruffin of Covington, vice-president for Tennessee.

Banquet Closes Meet

Directors are: Arkansas—Henry Sanders of Little Rock, Cecil Cupp of Arkadelphia, J. F. Norman of England, M. S. McCord of Little Rock, H. D. Wharton of Warren, O. W. McCutchen of Blytheville and Emma Cox of Osceola. Mississippi—W. S. Tyson of Water Valley, W. H. Baker of Macon and W. A. Rush of Houston. Tennessee—Y. D. Moore of Memphis, Tom Ballas of Columbia and Cecil Vogel and Lightman of Memphis.

The convention closed with a banquet and dance in the evening at the Chisca Hotel.

Working Out Details

Distributors reported yesterday that definite progress was being made on sales policy revisions within individual companies to embrace concessions in line with the trade practice reforms which are sought by the M.P.T.O.A. Indications are that the first list of concessions will be made known by one of the major distributors within a day or two and the decisions of other distribution companies shortly thereafter.

In general, a majority of companies are expected to make concessions which will include unrestricted cancellation, elimination of the score charge, adoption of the short form of exhibition contract and the establishment of local conciliation boards in exchange centers to handle local trade practice complaints. The concessions probably will vary in detail and some companies may not agree to all of these four major points of the exhibitor program, but basically the concessions to be made will represent significant gains for exhibitors, it was indicated. Cancellation may be offered only to exhibitors who buy a company's total output and, it is expected, the score charge may be dropped only in connection with individual deals made on the basis of that charge being eliminated.

MPTO of Western Pa. Opens Two-Day Meet

PITTSBURGH, Oct. 19.—The M. P. T. O. of Western Pennsylvania began a two-day convention at the Hotel Schenley here today, with about 100 in attendance. The first day was devoted to routine business, with P. S. Harrison, publisher of *Harrison's Reports*, as the chief speaker. He told of his recent coast experiences and told the exhibitors what they might expect in the way of product during the year.

Tomorrow Abram F. Myers, general counsel of Allied States, is scheduled to deliver the major address, and Eddie Golden, general sales manager of Chesterfield and Invincible, will outline the company's plan for Allied members. A banquet tomorrow evening will conclude the meeting.

Supreme Court to Hear Fox's Appeal

(*Continued from page* 1)

contempt of $235,082, representing the unpaid balance of a judgment for $297,412, and $10,000, representing the fees and disbursements of attorneys for the Capital Co.

The court consented to review the case last May, but was unable to hear it before adjournment of the term and it was placed on the calendar for argument this fall.

The judgment was entered by confession in the District Court in July, 1935, and a subpoena in supplementary proceedings was issued Sept. 28, which was served on Fox on a railroad train in Pennsylvania. Fox failed to appear in court and was charged with contempt, later making the defense that the court had no jurisdiction because the subpoena was served on him outside the district. The court refused to entertain the defense, and Fox appealed to the circuit court, which held that no final order had been entered and the appeal was premature.

Arrest Ordered

Holding that the subpoena had been properly served and that Fox was in contempt, the court thereupon imposed a fine in the amount of the unpaid balance of the judgment and also assessed the $10,000 for costs and ordered Fox's arrest and imprisonment until the fine and fees had been paid or until he submitted to examination.

Fox again appealed and the case was again dismissed by the Circuit Court, whereupon he sought relief from the Supreme Court, which consented to review the question of jurisdiction but refused to consider the case itself, in the absence of a final order.

Sunday Films Voted

ANSON, TEX., Oct. 19.—At a special city election, Sunday films were legalized here by a vote of 183 to 52.

See Precedent In Injunction On Miss Davis

(*Continued from page* 1)

announced her intention of appearing in a production for Toeplitz Prod., Ltd. Warners applied for the injunction last summer, and the hearing began last week, with Sir Patrick Hastings, Warner attorney here, pointing out that the contract called for $1,350 per week, rising to $3,000 weekly in six years. It is understood the contract has three years to run at this time.

Hastings declared at the hearing, in which Jack L. Warner, vice-president in charge of Warner production, testified, that Miss Davis had been bribed to break her contract.

The execution of the restraint order was stayed by the court for 14 days to give the defendant opportunity to appeal, which is expected.

Although the decision here today applies only to Miss Davis working in Great Britain, it naturally would be cited as a precedent in a similar case brought anywhere else.

Warner will sail for New York on the *Ile de France* on Wednesday, arriving in the United States Oct. 27.

G.B. Net £715,514 Up to End of March

(*Continued from page* 1)

the carrying forward of £147,021 as against £150,265 last year-end.

These details were made known in the late afternoon without official comment. There was no dividend recommendation. Last year seven per cent was paid.

It is probable that public holders of the ordinary shares will protest the big allotment to reserve in place of a dividend. Comment probably will also be forthcoming because this proposal was not announced until after the deal with John B. Maxwell and Associated British Pictures.

No indication was given as to when the full report will be ready or the date of the annual meeting.

Producers to Hear Copyright Reports

(*Continued from page* 1)

of the Berne international copyright convention.

Four major changes in the Berne convention's present regulations are desired by the industry, Kilroe set forth in an oral report to the committee several weeks ago. He expressed the opinion then that the changes to be recommended probably would be accepted by the Berne convention.

Four Theatres Closed

Four theatres were closed yesterday by License Commissioner Paul Moss as a penalty for infractions of the Joseph Law, which requires the setting aside of special sections and matrons where children are admitted unaccompanied until 6 P.M. Among the houses darkened for the day were the Community, Queens Village, and the Lido, Bronx.

ONE WOMAN *Against Three Men!*





HER HUSBAND...*She loathed him*



HER LOVER...*She loved him*



HER MASTER...*She feared him*

GEORGE ARLISS in EAST meets WEST

with LUCIE MANNHEIM

GODFREY TEARLE • ROMNEY BRENT

Directed by Herbert Mason • Story by E. Greenwood

Canada Distributors
EMPIRE FILMS, Ltd.

THE Hollywood REPORTER

October 10, 1936

'LUCKIEST GIRL IN WORLD' SPARKLING HUMAN COMEDY

Jane Wyatt, Dir'n, Script Stand Out

"LUCKIEST GIRL IN THE WORLD"
(Universal)

Executive Producer.....Charles R. Rogers
Associate Producer.....Morrie Ryskind
Direction ..... Edward Buzzell
Story ..... Ann Jordan
Screenplay: Herbert Fields, Henry Myers.
Photography ..... Merritt Gerstad
Special Effects.....John P. Fulton
Film Editor.....Dorothy Spencer
Cast: Jane Wyatt, Louis Hayward, Eugene Pallette, Catharine Doucet, Nat Pendleton, Phillip Reed, Viola Callahan.

An engagingly human little romantic comedy that clings steadfastly to real life and lightens it gayly with a twinkle of whimsy. The story is a mere trifle but its telling is so delightfully unstrained and bubbling with good humor that it makes capital entertainment.

A daughter of wealth wants to marry a chap who dances divinely; is an amateur tennis champion, and makes $150 a month. Dad objects but makes a bargain. If she will go to New York for a month and prove that she can live on $150 by doing it, he will give in.

She does. After a first fling of extravagance she settles down in a rooming house where she shares a floor, its kitchen and bathroom, with a young man of infinite humor. She learns a lot about spending and when the young man proposes on the basis of his $200 a month it seems a fortune. The situations are enriched by the dogged presence of a roughneck watchdog hired by Dad and the interplay of incident and natural comedy is good for wholesome laughter.

The story is by Dorothy Jordan and it has been built into a gem of a script by Herbert Fields and Henry Myers. The chain of comedy incident is supported by fresh and unforced dialogue, and the whole has been taken gayly to town by Eddie Buzzell's direction. Merrit Gerstad photographed it well, with John P. Fulton furnishing some tricky night effects.

Jane Wyatt as the girl in the case is delightfully equal to both the comedy and romantic demands. She has looks and personality and will prove an increasing asset. Louis Hayward as the New York neighbor is a personable young Englishman who perfectly carried the gently whimsical spirit of the attractive part. Nat Pendleton scored a comedy hit without effort as the genial watchdog. Eugene Pallette as the moneyed father and Catharine Doucet as the society wife are, of course, sure-fire dependables. Phillip Reed and Viola Callahan round out the cast to good purpose.

The fine Italian hand of Morrie Ryskind, producer in charge, is discernible throughout the offering.

McCarey Answers In

A DELICIOUS DISH

The

YOU'VE BEEN WAITING FOR!

Millions of readers loved the story as "Kitchen Privileges" in the Ladies Home Journal and hoped that it would be made into a picture! Well, here it is — one of the greatest pieces of audience entertainment since "My Man Godfrey!"

The *new* UNIVERSAL presents

LUCKIEST GIRL IN THE WORLD

with

JANE WYATT
LOUIS HAYWARD

NAT PENDLETON • EUGENE PALLETTE
CATHARINE DOUCET • PHILLIP REED
DIRECTED BY EDWARD BUZZELL
CHARLES R. ROGERS
Executive Producer

FULL SPEED AHEAD WITH THE *new* UNIVERSAL!

Miss. Radio Paper Is Notable Success

NEW ORLEANS, Oct. 19. — When WJDX, Jackson, Miss., and local newspapers quarrelled in 1930, the station started its own radio paper to get its schedule before the public. Two years later the paper, which was circulated free, was found too expensive, and was turned over to William Harold Davis, then chief operator at the station, and a former radio editor, who began publication of the *Air Journal*, $1 a year, carrying only the local station's programs. It was finally discontinued.

A few months ago Davis resumed publication of the *Air Journal*. This time there was no subscription price, but the paper was delivered in bulk to the laundry in the state and the largest milk dealer, who in turn distributed the paper to their customers with laundry and milk. The paper, which carries a cross-section of all the best programs on the air, both local and national, was an immediate success. A national refining company, a large hotel, a radio tube distributor, a baker, a circuit of theatres and numerous small merchants have been added to the list of sponsors. The paper is circulated in 35 towns outside of Jackson, and has twice had to seek additional printing facilities to take care of the increase in circulation. Sponsors say it has not only increased sales, but collections as well.

Tampa Ties Up with WDAE

TAMPA, Oct. 19.—A radio tieup with WDAE, was staged as one of the features of the 10th anniversary week celebration of the Tampa. The stunt was a community sing. A singer, who pulled all the usual stuff used in such radio sings, kidded the audience along and kept it singing. The "down in the audience" stuff was also used, with one of the station's announcers and another stunt man doing the interviewing.

The stunt, running from 8:30 to 9 P.M., seemed to go over so well that it was decided to continue the tieup the same night each week as long as it goes over.

Theatre in Radio Tieup

LOUISVILLE, Oct. 19.—The Mary Anderson has a tieup with WAVE, local NBC outlet, whereby free tickets are given to every person who participates on the air, during the "Man on the Street" broadcast, sponsored by Minute Rub. The interviews are held in the theatre lobby on alternate days, and at various points in the program the current picture is plugged, as well as the following week's attraction.

N. H. Houses Use Air

NEW HAVEN, Oct. 19.—Regular users of radio announcements here now include the Poli Saturday morning Kiddie Show, the College Thursday Noon Movie Club of the Air, twice-weekly 100-word announcements by the Howard, and daily announcements and special features by the Whalley.

Broadcast from Theatre

BRIDGEPORT, Oct. 19.—Weekly Amateur Night contestants at the Majestic will be heard over station WICC, direct from the theatre stage. The series will continue for 26 weeks.

Take Theatre for Program

NEW ORLEANS, Oct. 19.—WHAS, the *Courier-Journal and Times* station, has leased the 2,400-seat National from Abe Bass, for the 30-minute broadcast of the Oertel Brewing Co. each Thursday night at 10 o'clock. The audience is entertained after the broadcast, making a session of slightly over an hour. Free tickets are mailed to anyone writing or telephoning to the brewery.

His Own Censor

Spokane, Wash., Oct. 19.— When Einar Larson brought "Walpurgis Night," a Swedish film, here for showing, the censor board heard it referred to birth control and wanted to pass on it. But nobody could speak or understand Swedish. Larson persuaded them to let him censor his own film.

He passed it.

House Sets Air Tieup

SPOKANE, Wash., Oct. 19.—A local community sing program will be broadcast from the Orpheum here one night a week. NBC Station KHO is dickering for the tieup with Evergreen, but wants a sponsor. KFPY, local CBS outlet, which started the Spokane Sings program last week, may take its program to the theatre without a sponsor if attendance gets too large for the studio auditorium. It is the first local community sing program in the country.

To Announce Vote Results

NEW HAVEN, Oct. 19.—Competing with the hug-the-radio tendency on Election Day, all Loew-Poli "A" houses will put on a last complete show from 11:30 P. M. to 3:30 A. M. All national and local election returns will be received over the teletype installed for the occasion.

Radio Unit at Theatre

LOUISVILLE, Oct. 19.—The WLS Barn Dance troupe will play at the Memorial Auditorium Sunday, Oct. 25, under the auspices of the Oddfellows. The house seats 2,400. Four performances will be given.

Feist Takes G. B. Songs

Jimmy Campbell, in charge of music for G. B., has closed a deal with Leo Feist, Inc., for publishing of the Gordon and Revel songs written for the Jessie Matthews film "Head Over Heels in Love." The tunes are: "Head Over Heels," "May I Have the Next Romance With You?" "Looking Around Corners," "Through the Courtesy of Love" and "There's That Look in Your Eyes Again."

Re-Title Matthews Film

"Head Over Heels in Love" has been chosen by G. B. as the final title for the Jessie Matthews film formerly called simply "Head Over Heels."

Republic Changes Title

HOLLYWOOD, Oct. 19.—Republic has changed the title of the Gerald Beaumont magazine story, which will go into work this week, from "Between Two Loves" to "Beware of Ladies."

Dissolve Eastman Firm

ALBANY, Oct. 19.—A certificate has been filed here dissolving the corporate existence of Verichrome Film, Inc., Rochester, Eastman Kodak subsidiary.

Rodgers, Dietz Off To See Theatre Men

William F. Rodgers, general sales manager of M-G-M, accompanied by Howard Dietz and William R. Ferguson, will leave today for Washington, Philadelphia, Pittsburgh, Cleveland and Chicago for conferences with Warner and B. & K. theatre heads on forthcoming releases.

In Washington, the M-G-Mites will go into session with John J. Payette; in Philadelphia, Ted Schlanger; Pittsburgh, Harry Kalmine; Cleveland, Nat Wolf; Chicago, John Balaban, Jules Rubens and associates.

Rodgers may extend the trip beyond the Windy City. It was not known yesterday whether Dietz and Ferguson would accompany him to other key centers.

Ministers Protest Show

COLUMBIA, S. C., Oct. 19.—Publication of an advertisement in local newspapers that the Junior Chamber of Commerce would sponsor three showings at the Carolina Sunday, Oct. 18, of "The Big Broadcast of 1937" brought forth immediate protests from three Columbia ministers who secured from Attorney General J. M. Daniel a ruling that such performances would be against the state law, although part of the proceeds were to be used for charity. No show was held.

Form Producing Company

SACRAMENTO, Oct. 19. — Edward Nichols, Marion Redle and Anne Light of Los Angeles, have incorporated Treasures Picture Co. to produce.

Joseph Blumenfield, president, and D. J. McNerny, secretary, have filed notice here of a change in the capitalization of Galbro Theatres Co. to 2,000 shares.

Heads Academy Group

HOLLYWOOD, Oct. 19.—William Randolph, head of the precision camera department at Paramount, has been named chairman of the Technicians' Branch papers and programs committee for the coming year.

Burruss Is Promoted

KANSAS CITY, Oct. 19.—Nelson Burruss, former sales clerk at the Paramount exchange, has been promoted to ad sales manager. He succeeds Harry Wheeler who has been advanced to the booking department.

Close "Carnival" Deals

Joseph Steiner, sales manager for American Tobis Corp., has closed a deal for showings of "Carnival in Flanders" in Washington and Boston. The picture is in its fifth week here.

Finney to Fly East

HOLLYWOOD, Oct. 19.—Edward Finney, director of Grand National advertising, will leave tomorrow on an overnight plane for New York where he will prepare the campaign for "In His Steps."

Dunphy Back to Coast

HOLLYWOOD, Oct. 19.—Christopher Dunphy returned today from the Paramount meeting in St. Louis. He was accompanied by Lew Smith and will start at once on preparations for Adolph Zukor's silver jubilee.

Paid Space Protests Republican Film Ban

PHILADELPHIA, Oct. 19.—The Crusaders, young Republican and anti-New Deal organization, took full page advertisements in Philadelphia dailies today protesting the action of the Pennsylvania censor board's refusal to pass "Don't Blame the Butcher," a short, sponsored by the Crusaders, which places responsibility for the higher meat prices upon the present Washington Administration. Fred G. Clark, national commander of the group, stated today that free speech had been endangered by the action.

Under the distribution of the Alexander Film Co., the picture was the second in a series of seven submitted by the Crusaders. The first, "Dogs, Monkeys and Men," was passed, but the Alexander Co., according to the advertisement, sent word that it would have to discontinue distribution in the state because of political pressure.

Today's advertisements reproduce a telegram from an executive of the film company stating, "Alexander pleads that you call off the pressure of the Pennsylvania censor board due to Democratic membership." Reproduced also is a facsimile of the board's official rejection. The report characterizes the film as "advertising."

No reasons for the rejection are given by the board on its official sheet.

Steiner on Warner Film

HOLLYWOOD, Oct. 19.—Max Steiner, on loan from Selznick-International, will direct the musical score of Warners' "The Green Light." During the last few months Steiner has been assigned to direct music for "The Garden of Allah," "The Charge of the Light Brigade" and "Lost Horizon."

Taylor Honored in K. C.

KANSAS CITY, Oct. 19.—The local Variety Club held a farewell dinner tonight for Harry Taylor, former Columbia district manager, who leaves next week to manage the western area for National Screen Service. Ben Marcus, Omaha manager, succeeds Taylor here for Columbia.

Marysville Houses Close

MARYSVILLE, O., Oct. 19.—Theatres have been ordered closed by the Board of Health following discovery of several cases of infantile paralysis here. Church services also have been suspended. Schools were closed several days prior to the theatre edict.

Paul Langheinrich Dies

MILWAUKEE, Oct. 19.—Paul Langheinrich, Sr., 74, operator of the Burleigh here for many years, died today. He is survived by two sons, Paul, Jr., and George C. Langheinrich, both associated with him in the operation of the theatre.

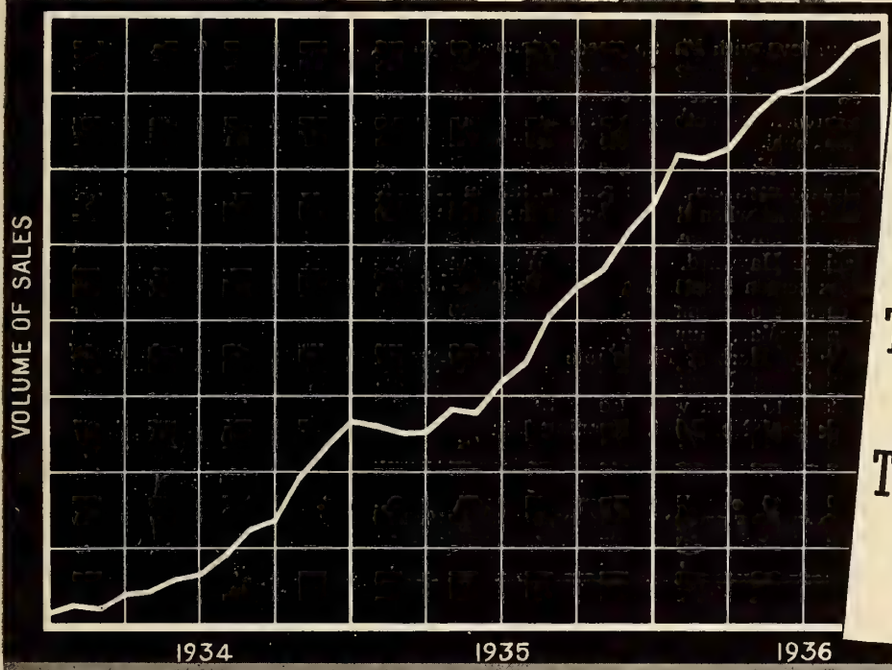
Norma Shearer Gaining

SANTA MONICA, Oct. 19.—Norma Shearer is reported to be recovering from bronchial pneumonia at her home here.

Blackton Is Married

HOLLYWOOD, Oct. 19.—J. Stuart Blackton was married over the weekend to Violet Donnelly Russell at the Church of St. Mary of the Angels.

NATIONAL SUPREX CARBONS



GIVE SATISFACTION

TO *Patrons*
TO *Projectionist*
TO *Management*

THIS IS SHOWN BY STEADY INCREASE IN VOLUME OF SALES

In Comparison With The Low Intensity Arc, The SUPREX ARC Gives:

- Whiter projection light
- 150 to 200 percent more screen illumination
- High permissible level of general illumination
- Greater clarity and depth in the projection of black and white productions
- More accurate color values in the projection of color features and sequences

All at no increase in cost

PER CANDLE POWER
PER UNIT OF SCREEN AREA

PROVIDE PROJECTION THAT SATISFIES YOUR PATRONS—USE NATIONAL SUPREX CARBONS

NATIONAL PROJECTOR CARBONS

NATIONAL CARBON COMPANY, INC.
Carbon Sales Division, Cleveland, Ohio
Unit of Union Carbide UCC and Carbon Corporation
BRANCH SALES OFFICES: NEW YORK - PITTSBURGH - CHICAGO - SAN FRANCISCO

Stage Tricks Clutter Plot Of 'Iron Men'

(*Continued from page* 1)

got in the way of the plot of "Iron Men" at the Longacre last night with results about what you might conclude from a barroom cluttered with an assortment of whisky bottles and another setting full of cranes and girders.

It must have been that Norman Bel Geddes, flushed with the success of "Dead End" determined to give 'em another gasp-inducer in stage investiture at any rate. Well, he did. The barroom was rich with fidelity and atmosphere, including pretzels. The construction scene, 63 stories off comforting Mother Earth, was one of the most unique in recent New York stage history and, no doubt, much time, energy and blueprinting were combined to make the realistic steel fit into place. But the architecture obviously not only got the producer, but Francis Gallagher who wrote the play. Like the steel with which it dealt, the play was wordy and static.

There were interesting points about it, of course. But too much was conversation in the "dese, dose and dem" manner and that would have been all right on its own if the pack of roughnecks who played it out were given something meaty and meaningful to say. They were not.

Stage Setting Remarkable

"Iron Men" is a sort of structural cross-section in the lives of steelworkers, what they think, the women they sleep with and the bad whisky they guzzle. They spout bad language, Police Gazette jokes, poke fun at religion and, finally, one of them, William Haade, to keep his "gang" together, sends a plumber passion flower to the wife of Harold Moffet, his sidekick, to teach her not to interfere by putting her in her place. But Moffett discovers the interloper, beats his wife and shoots himself to death. Thereafter, his hands unsullied in the eyes of the law, Haade loses his job and faces his conscience, his mind cracking.

The construction scene, three times shown, is a magnificent piece of stagecraft and for it the producer rates nothing but praise. But for permitting its technical tricks to so seriously block the march of the drama, the praise ought to be taken away.

Incidentally, the town's best chiropractors probably will be busy this morning. The first six rows last night left the theatre with muscles strained from staring high toward the theatre's heaven during most of the evening. For this is one show where the downfront seats are not the choice ones. It is also one that Hollywood might find useful after it is cleaned up and rewoven into stronger, more coherent and better knit yarn.

"Swing Your Lady"

Those bad boys of the typewriter, Kenyon Nicholson and Charles Robinson, who concocted the boisterous and bawdy "Sailor Beware" of recent memory, have come back to town with "Swing Your Lady," presented at the Booth by Milton Shubert on Sunday.

Equally boisterous, equally bawdy, "Swing Your Lady" probably will please the across-the-tracks trade, since it is crammed with reeking innuendo and rowdy comedy situations which are often quite amusing.

It will make a considerably unimportant screen comedy, if anyone takes the trouble to produce it. But if that is done the thing will have to be sent to the laundry first, for a thorough cleansing of most of the dialogue and several situations.

When diminutive Joe Laurie, Jr., satisfactorily razor-tongued wrestling manager, finds himself stranded in the Missouri Ozarks with his helpers and his grappler, a Greek only about one-half removed from his ancestral ape, he arranges a bout. A word here for John Alexander's portrait of the human anthropoid from Passaic.

Enter, a Female Wrestler

The bout is with a blacksmith, under the auspices of the American Legion post, but the catch is that the smithy is feminine—in a manner of speaking. She is a gargantuan Amazon, played by Hope Emerson, with not too much skill but a world of bulk. Bad matters become worse when the Greek comes to an amazing realization that there are women in the world.

Through two acts and seven scenes his handlers try to hold him down; he refuses to fight when love for the smithy dawns, and the day is saved when one of her children's father (of whom there are several), bearded with moss, seeks to defend his little love.

Wrestling, our playwrights insist, just isn't straight. The bout is fixed, but the Greek pulls a double-cross when the smithy thrusts her ample head through the ropes and looks at him. It's real love and that's that.

"White Man"

Untouchable for motion pictures, "White Man," as it was offered at the National Saturday night, should have been untouchable for the stage as well. This is the first play in which Sam Byrd, who did everything but kick his stage grandmother in the stomach in "Tobacco Road" for æons—perhaps he did that as well—emerges as actor-manager. It is correct, albeit unfortunate, to report that his debut in the dual role is not a happy one.

The play, lumbering along under a struggling payload of theatrical dialogue from the brain and typewriter of Samuel Raphaelson, deals with the theme of a one-eighth Negro attempting to pass himself off as a white man and the dire consequences of his enterprise. For instance, he marries a white girl on the pre-marital understanding she wants no children. Love finds a way, however, and she changes her mind. As dastardly and as unfair the original deception was, the central character, at least, displays enough of the manly traits to tell his white wife she must not go through with her plan.

Octoroon Situation Again

Moreover, he tells her why, but so madly in love with her mixed-blood husband is she that she decides to, anyway. Eventually comes the split, at the behest of the irate father-in-law who takes his daughter back as, of course, he should have. Off into the night goes the hybrid, no place for him with the whites because he is colored and no haven for him with the blacks. It's all a matter of pigmentation and something beyond.

In his basic idea, Playwright Samuelson had an idea buried deep in tragedy and something touching and emotionally sympathetic might have been done in its development; the minorities and the thwarted have a habit of making such things possible. One difficulty here is in the writing which embraces bathos in doses too large and

(*Continued on page* 13)

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Luckiest Girl in the World"

(*Universal*)

HOLLYWOOD, Oct. 19.—New twists are given the rich girl and poor boy love theme here. Although the yarn is old and the lead players new, the good acting, combined with clever writing and smart direction, give the film an acceptable average entertainment quality.

Jane Wyatt is in love with Phillip Reed, a tennis playing tramp, and is persuaded by her father, Eugene Pallette, and mother, Catherine Doucet, to go to New York and see if she can live on $150 a month. Compelled to share a kitchen and bathroom with Louis Hayward, the smartly contrived situations make for laughable comedy which is enhanced by the amusing antics of Nat Pendleton, a detective. The experiences of Miss Wyatt and Hayward cause the pair to fall in love, which takes on a semi-dramatic twist when the boy learns the girl is an heiress. But Reed, by making an advantageous marriage, permits Miss Wyatt to come dashing back to Hayward. Both Miss Wyatt and Hayward show definite promise as screen assets. As usual, Pallette, Miss Doucet and Pendleton give capable performances. Viola Callahan as the boarding house keeper, is particularly amusing.

The screen play by Herbert Fields and Henry Meyers from Anne Jordan's story, "Kitchen Privileges," is bright and frothy. Given a story not too difficult to work with, Eddie Buzzell directed nicely.

Production Code Seal No. 2,671. Running time, 70 minutes. "G."

Looking 'Em Over

"Alibi for Murder"

(*Columbia*)

Well paced and with a competently executed mystery yarn, this should prove entirely satisfastory on a dual bill, especially where there has been previously indicated a taste for murder mysteries.

The story details the manner in which a radio commentator stumbles upon, then becomes involved in a murder which is made to look like a suicide, and succeeds, with a romantic interlude or two, in solving it through his own ingenuity. The romance is not permitted in any way to impede the swift movement of the lively yarn, and with an internationally famous chemist as the victim, revolves about the attempts of rival interests to obtain a valuable munitions formula.

William Gargan is the commentator, Marguerite Churchill the secretary of the victim and the object of Gargan's extra-curricular activities. Gene Morgan and Wade Boteler are featured in the support.

The film was directed with his usual eye to an occasional touch of real action, taken in its literal sense, by D. Ross Lederman, from an original screen play by Tom Van Dycke.

Production Code Seal No. 2,533. Running time, 60 minutes. "G."

"Fugitive Sheriff"

(*Columbia*)

The vital elements of westerns, plus a few musical interludes which blend well with the narrative, are to be found in this Ken Maynard film. It should give satisfaction to the theatre cowboys.

Maynard, following his election to the post of sheriff of Rawhide, is framed by an outlaw clique headed by Walter Miller when the latter holds up a train and leaves incriminating evidence in the form of part of the hero's lost spur on the scene. This, of course, is not quite the thing for the new sheriff to be up to. Following a trial where he cannot prove his innocence, Maynard makes a spectacular getaway from the courtroom. Later, still pursued, but accompanied by Beth Marion, he meets up with a prospector who has a debt to settle with Miller. They arrange a counter-frameup. The climax comes when the outlaws ride into the trap and Maynard settles his score with Miller.

Spencer Gordon Bennet directed.

Reviewed without production code seal. Running time, 61 minutes. "G."

"White Man" Has Nothing For Filming

(*Continued from page* 12)

too frequent for the play's good. "White Man" also labors under the handicap of cast delinquencies. This reviewer was not impressed with Byrd. He thought Patsy Ruth Miller trying to be a dramatic actress something more kindly to be dismissed by simply forgetting about it. Louise Campbell, as the white wife, delivers a creditable performance and that goes for Sylvia Field as the one-time octoroon sweetheart. But what is put in their mouths to say presents a hurdle too difficult to surmount.

The text, at one point, has Byrd vehemently expressing a desire to kill someone. That immediately opens a variety of suggestions, all of them too tinged with the possibilities of mayhem to go into here and now.

Nat Karson's settings, however, are splendid.

Critics Awards Now To Go International

(*Continued from page* 1)

calendar year. This represents an extension of the award idea of last year when the awards embraced English-speaking pictures only.

The awards of 1936, again to be in the form of medallions, will go once more to the best male and female performances of the year, to the best director and to the best film seen in New York City during the 12 months to Dec. 31.

Second-string critics of the metropolitan dailies were also voted in, this group including John G. McManus of the *Times*, Marguerite Tazelaar of the *Herald-Tribune*, Irene Thirer of the *Post* and Wanda Hale of the *Daily News*.

Form of Name Changed

In the main line division these additional memberships were granted with full accolades: Robert Garland, which gives the *American* two, Regina Crewe, of course being the other; Archer Winston of the *Post*, in succession to Thornton Delehanty, who resigned recently, and Howard Barnes, who filled in on the *Herald-Tribune* when Richard Watts, Jr., assumed the late Percy Hammond's mantle as dramatic critic. William Boehnel of the *World-Telegram* was named chairman succeeding Delehanty and Leo Mishkin of the *Morning Telegraph* was returned to the one-man secretariat.

Incidentally and whereas the new york film critics launched themselves as a lower case organization, it has now taken on full dignity and caps. Like this: The New York Film Critics.

"Hussy" Hit at Meeting

JACKSONVILLE, Oct. 19.—The Southern Daughters of the Confederacy, meeting in convention here, scored M-G-M's "The Gorgeous Hussy" for what they considered reflection upon the characters of certain southern women of the times depicted.

Overseas Previews

"La Belle Equipe"
"The Fine Team"

(*Ciné Arys Prod.*)

PARIS, Oct. 9.—This new film reflects the definite improvement in the French production. From an original story by Charles Spaak and Julien Duvivier, and directed by Julien Duvivier, "La Belle Equipe" offers a powerful attraction with a deep human interest.

Duvivier, who is responsible for several excellent French pictures, including "Poil de Carotte" and "La Bondera," here again shows that he understands how to reflect life and artistry on the screen. "La Belle Equipe," perhaps, lacks essentials in its story and it ends on a note which may be regarded as too depressing, but the direction and the work of the cast are so good that one is inclined to overlook deficiencies in the story and the lethargy prevailing along about the middle of the film.

The story tells of five workers in Paris, all unemployed. They have the luck to win $5,000 in the French lotteries. Instead of sharing the money, however, they decide to buy an old house along a river near Paris and to open a restaurant where young people may come to dance and eat. They start on the project, but, one by one, the union of the quintet disintegrates. On opening day only two remain and both are in love with the same girl, who is not worthy of their attention. She precipitates arguments between them and, as a result, induces a fight which ends in the death of one of the pair of lovers. The other, of course, faces the law. The depressing note, however, may be changed to a happier ending.

The actors who play the five men are very good: Jean Gabin, Charles Vanel, Raymond Aymos and two new players, Charles Dorat and Raphael Medina. The "vamp" is played by Vivianne Romande, who is pretty and seemingly equipped for a film career. The attraction depends more on visual appeal than on its dialogue, which, in parts, is rather rough.

Running time, 100 minutes. "A."

"Sept Hommes—Une Femme"
"Seven Men—One Woman"

(*Paris Ciné Films*)

PARIS, Oct. 9.—A brilliant comedy, written and directed by the French author, Yves Mirande. Although it may seem to foreign patrons to have too much dialogue and rather theatrical, it has entertainment value in its original plot, its good direction and also in the cast headed by Farnand Gravey and Vera Korene, well-known French star who give good performances.

Vera Korene, a member of the official Comédie Française, plays the part of a young widow who decides to be married again when she hears that her lamented husband had been unfaithful to her. She asks a good friend of her husband, finely portrayed by Fernand Gravey, to select and to invite seven men to her provincial castle for a fortnight so that she can chose one. The test fails for the seven, but she realizes that the good one is the eighth man, Fernand Gravey, who always had been in love with her, but who had not dared to tell because he was poor. One by one the seven men are rejected. Characterizations are excellent and prove a real novelty.

The dialogue is clever in typically French spirit. One who can understand the language will enjoy it, remembering it is Gallic. For others, it is doubtful whether English titles will be sufficient to convey the wit and finer shadings. There are some good laugh scenes, including a game party and the arrival of the guests at the castle.

This is of the so-called Parisian comedy type and conceivably could be used in foreign-language theatres in America.

Running time, 100 minutes. "A." AUTRE

"Follow Your Heart" succeeds "Ramona" at the Criterion tomorrow. It was reviewed from Hollywood on Aug. 8.

"Adventure in Manhattan," reviewed on Sept. 4, *opens at the Music Hall Thursday.*

"Libeled Lady," Friday's opener at the Capitol, was previewed from Hollywood on Oct. 6.

"The Magnificent Brute," opens at the Roxy the same day. It was covered from Hollywood on Sept. 25.

"Daniel Boone," Friday opener at the Palace, was previewed from the coast on Sept. 19.

"Ladies in Love," succeeding "Dodsworth" at the Rivoli a week from tomorrow, was previewed from Hollywood on Oct. 5.

Short Subject

"Whose Baby Are You?"

(*Educational*)

Bert Lahr gets himself into difficulties when he attempts to aid a friend whose wife is expecting a baby, or babies as the case is revealed. Promising to inform his pal when the news arrives, Lahr proceeds to get into awkward entanglements when his girl and her family arrive to take him to his engagement party. With an assortment of embarassing situations arising Lahr goes through his repertoire of responses in fine comic manner, eventually settles his troubled romance and is on hand to congratulate the father of triplets. Plenty of laughs and guffaws. Production Code Seal No. 01,213. Running time, 20 mins. "G."

Equity Constitution Change Is Affirmed

(*Continued from page* 1)

Frank Gillmore , Equity president, said yesterday.

The amendment failed of a two-thirds vote at the quarterly meeting of Equity last May. Ballots were sent to the entire membership by mail subsequently, with the voting period closing on Oct. 16. Gillmore said that 956 votes were cast, more than 78 per cent of which favored the amendment.

Wolfe Joins Wholesome

BOSTON, Oct. 19.—Robert Wolfe, formerly with Marcel Meckleberg here, has joined Wholesome Films, Inc., as salesman for Century Film product. These films, formerly distributed here by the now-disbanded Century Film Co. and later taken over by Cameo, have been acquired for general New England distribution by Wholesome.

Wall Street

Board Issues Hold Levels

	High	Low	Close	Net Change
Columbia	40¼	39¾	39¾	— ¼
Consolidated	5	4⅞	4⅞	— ⅛
Consolidated, pfd.	18⅛	18	18⅛	+ ⅛
Eastman	176	175½	176	+ ¼
Eastman, pfd.	163½	163½	163½	.....
Gen. T. Equip.	28⅝	27⅞	27⅞	— ⅛
Loew's, Inc.	58¼	57½	57¾	— ⅜
Paramount	16	15½	15¾	.....
Paramount 1 pfd.	113¾	112	112¾	+ ⅜
Paramount 2 pfd.	15⅛	14½	14¾	.....
Pathe Film	8⅝	8⅜	8⅜	— ⅛
RKO	8¼	8	8	— ¼
20th Century-Fox.	32⅞	32	32½	+ ¼
20th Century, pfd.	40¾	40¾	40¾	.....
Universal, pfd.	103	103	103	.....
Warner Bros.	14⅝	14¼	14⅜	— ⅛
Warner, pfd	62½	61	61	—1½

Curb Off Slightly

	High	Low	Close	Net Change
Grand National	3½	3¼	3¼	— ¼
Sonotone	2	2	2	— ⅛
Technicolor	24⅜	23⅛	23⅝	— ⅝
Trans-Lux	3⅞	3⅞	3⅞	.....

Small Bond Gains

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	99⅛	99⅛	99⅛	+ ⅛
Paramount B'way 3s '55	65½	65	65½	+ ½
Paramount Pict. 6s '55	99½	98½	98½	—1
RKO 6s '41 pp	93½	93½	93½	+ ½
Warner Bros. 6s '39 wd	97¼	96¾	96¾	.....

(Quotations at close of Oct. 19)



In NOVEMBER it's THIS—OR—THIS ... BUT

SUNDAY NITE • OCT. 25th

COMES THE SHOW WORLD'S KICK OF THE YEAR



The VARIETY CLUB 8th ANNUAL BANQUET

HOTEL Wm PENN, PITTSBURGH

C'MON

MAKE IT A REAL WEEK-END

PITT vs. NOTRE DAME Football Game on Saturday; the Banquet on Sunday Night, Oct. 25.

Come, meet your friends; meet the Big Guns of Show Business . . . a veritable conclave of showmen from all ranks!

PRESENTED UNDER THE "BIG TOP" IN HONOR OF RETIRING CHIEF BARKER, ARTHUR LEVY, and

His Retiring Associate Officers

Geo. D. Tyson, James G. Balmer, Frank Smith, Harold Lund, Jules Lapidus, C. J. Latta, Ben Kalmenson, Joseph Kaufman, Mark Goldman, Dr. A. Wise, Dr. M. Goldman and Ira Cohn.

40 FEATURE ATTRACTIONS 40

A Collosal, Gigantic, Amazing and Unbelievable Aggregation of Sensations, Freaks and Curiosities . . Gathered at the Risk of Life and Limb for your entertainment, My Friends, For Your Entertainment!

WRITE FOR RESERVATIONS IMMEDIATELY--

To JOHN H. HARRIS
Variety Club Banquet Chairman,
711 Clark Bldg.,
Pittsburgh, Pa.

—Will make your football reservations for you . . . PITT vs. NOTRE DAME . . . Sat., Oct. 24 . . . if required.

Banquet $10
Football $3.42 and $4.56

VARIETY & VARIETY .. Combined Circus

"Godfrey" Is Washington's Best Grosser

WASHINGTON, Oct. 19.—"My Man Godfrey" at RKO-Keith's skyrocketed to $19,200 to top the weekly average by $8,600.

While it dropped $900 under par "Old Hutch" at Loew's Capitol, proved a big money-getter, with $20,000.

"Seven Sinners" at the Metropolitan Theatre took $4,500, exceeding the average by $200. At the Earle, "Give Me Your Heart" grossed $18,300, to slip $100 under par.

A revival of "Magnificent Obsession" dropped $300 from a $3,000 par. A return engagement of "The Road to Glory" at Loew's Columbia was good for $3,300, under average by $300. And the second week of "The Great Ziegfeld," at increased prices at Loew's Palace, took $8,800, or $7,100 under the usual 55-cent-top average.

Opposition: Clifton Webb and Helen Gahagan in "And Stars Remain," at the National; "Foreign Frivolities of 1936," at the Gayety. Weather: Week opened seasonably cool, with rain followed by warmer days toward end of the week.

Total first run business was $76,400. Average is $76,700.

Estimated takings, exclusive of tax:

Week Ending Oct. 5:

"MAGNIFICENT OBSESSION" (Univ.)
BELASCO—(1,140), 25c-65c, 7 days (revival). **GROSS:** $2,700. (Average, first run, $3,000)

Week Ending Oct. 6:

"MY MAN GODFREY" (Univ.)
RKO-KEITH'S—(1,836), 25c-55c, 7 days. **GROSS:** $19,200. (Average, $10,600)

Week Ending Oct. 8:

"GIVE ME YOUR HEART" (W.B.)
EARLE—(2,218), 25c-77c, 7 days. Stage, Paul Draper, Roy Campbell's Royalists, Vox & Walters, Barbette. **GROSS:** $18,300. (Average, $18,400)

"OLD HUTCH" (M-G-M)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: "Glorified Follies of 1936," with Caryl Bergman, Dan Carthay, Charles Carlile, Bob Easton & Ondee Odette, 16 Dancing Divorcees. **GROSS:** $20,000. (Average, $20,900)

"THE ROAD TO GLORY" (20th-Fox)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement). **GROSS:** $3,300. (Average, first run, $3,600)

"THE GREAT ZIEGFELD" (M-G-M)
LOEW'S PALACE—(2,370), 35c-65c, 7 days, 2d week. **GROSS:** $8,800. (Average, first week, 55-cent top, $15,900)

"SEVEN SINNERS" (G.B.)
METROPOLITAN — (1,591), 25c-40c, 7 days. **GROSS:** $4,500. (Average, $4,300)

Maloney Is Promoted

NEW HAVEN, Oct. 19.—Harry Shaw, Loew-Poli division manager, has promoted H. H. Maloney, Poli New Haven manager, to the Poli, Worcester. Robert Russell of the division office staff, goes into Maloney's post, while Harry B. Watts, former Worcester man, has resigned to do theatre work in Richmond.

A testimonial dinner was given for Maloney at the Seven Gables Inn on Sunday, with Harry Shaw as toastmaster. An attendance of 300 gathered at the affair.

Previews in Providence

PROVIDENCE, Oct. 19.—The RKO Albee here is previewing its new week's feature following the last showing of the previous picture on Thursday nights.

Mr. Deeds, in Portland 24 Weeks, Likes It and Stays

PORTLAND, Ore., Oct. 19.—Some six months ago, one "Mr. Deeds" came to this town for what was presumed to be a visit of reasonable duration. By now that same "Mr. Deeds" bids fair to become at least a semi-permanent resident of the community.

He arrived on May 8, taking up his residence at the Paramount of the Hamrick-Evergreen development. The original intention was that the gentleman was to stay a week. The neighbors welcomed him, seemed to like his personality, and he stretched his stay into a second week.

At the conclusion of that fortnight, he sent out to have his laundry done, and simultaneously came the announcement in the theatrical society columns that "Mr. Deeds" would be around for a while. He moved from the Paramount to the Blue Mouse, another of the Hamrick-Evergreen experiments in better housing, and the neighbors cheered at the news.

Still in Town

It was 24 weeks ago that he arrived in town, and 22 since he moved over to the Blue Mouse. He is still there and by all accounts it will be several weeks more before he wears out his welcome from the home town folks and packs his bags for a final exit.

It was toward the end of the second week of "Mr. Deeds Goes to Town" at the Paramount that the newspaper ads on the film impeached the house reputation for veracity by declaring flatly: "Positively Ends Wed. Night." It did—at the Paramount, but then came the tenure of office at the Blue Mouse, and that is already Portland show history.

As far as the picturegoing public of Portland is concerned, the picture has that "certain something," which makes the dopesters wrong so many times and made Anne Nichols a millionairess via "Abie's Irish Rose."

Nor was the work of the Blue Mouse promoters of entertainment lacking in the ingredients for keeping the fires going under the boilers. Stunts by the dozen: tuba playing contests, verses and jingles, comments from audiences and reams and reams of "pixilations," of course, added fuel to the fire—and the film continued to build.

Officialdom Represented

Manager Herbert B. Sabottka started to put the pressure on during the Blue Mouse run before the film had a chance to slip—if there was any danger of that happening. Along about the 10th week the mayor of Portland and the governor of Oregon came to see the picture, which appearances were heralded with a proper lack of silence on the management's part.

Sabottka, M. M. Mesher, Hamrick-Evergreen advertising and publicity director, and Earl Hunt, Mesher's assistant, contrived to make the town virtually "pixilated-minded," to coin a phrase, and lurking in the back of their minds are plans for asking ushers, barbers, conductors, policemen and others similarly engaged to report their experiences with the "pixilations" of divers members of the community with whom they come into contact.

The advertising throughout the engagement of the film has been maintained at a lively tempo, which has been at the same time attention-attracting and apparently productive of box-office results, as indicated by an estimated gross at the Blue Mouse of $2,000 for the 23rd week, against a house average of $1,700. That same approximate gross was maintained for several previous weeks.

The advertising on the eighth and 12th weeks noted a final week which was far from final. During the 15th the ads said: "Hurry, Hurry, It Can't Last Much Longer," which idea was repeated during the following three weeks.

Still more insistent was the tone of the ads for the 21st week: "Hurry, Hurry, Mr. Deeds Is Leaving Town."

Mr. Deeds, however, has not yet even thought of packing his bags or even asked for a timetable. In fact, he may be in town for five or six more weeks. Betting on the probable date of his departure has ceased to be a sporting proposition, it's an outright gamble.

They Wished, Too

Omaha, Oct. 19.—William Miskell, Orpheum manager, put a wishing well in the lobby to advertise "Ramona." One woman asked him if it would be all right for her to drink from the well. Later ushers caught a young man taking 12 pennies which had been tossed into the well.

"Taxi" and a Show $6,250, Portland

PORTLAND, Oct. 19.—"They Met in a Taxi," helped by a stage show called "Hollywood Follies," stirred up some downtown excitement by going more than 100 per cent over normal for a gross of $6,250 at the Mayfair.

"Ramona," on a duel with "Back to Nature," also was in the money with $8,700 at the Orpheum. This was $3,700 to the good.

The perennial "Mr. Deeds Goes to Town" held up to $2,000 in its 23rd week at the Blue Mouse.

Total first run business was $38,200. Average is $24,700.

Estimated takings for the week ending Oct. 10:

"LAST OF THE MOHICANS" (U.A.)
BROADWAY—(1,912), 30c-35c-40c, 7 days. **Gross:** $7,000. (Average, $5,000)

"MR. DEEDS GOES TO TOWN" (Col.)
"IT HAPPENED ONE NIGHT" (Col.)
BLUE MOUSE—(1,700), 30c-35c-40c, 7 days, 23rd week. **Gross:** $2,000. (Average, $1,700)

"THEY MET IN A TAXI" (Col.)
MAYFAIR—(1,700), 30c-35c-40c, 7 days. Stage: "Hollywood Follies." **Gross:** $6,250. (Average, $3,000)

"RAMONA" (20th-Fox)
"BACK TO NATURE" (20th-Fox)
ORPHEUM—(1,700), 30c-35c-40c, 7 days. **Gross:** $8,700. (Average, $5,000)

"ROAD TO GLORY" (20th-Fox)
"WALKING ON AIR" (Radio)
PARAMOUNT — (3,008), 30c-35c-40c, 7 days. **Gross:** $8,200. (Average, $5,000)

"GORGEOUS HUSSY" (M-G-M)
UNITED ARTISTS—(945), 30c-35c-40c, 7 days, 2nd week. **Gross:** $6,000. (Average, $5,000)

"Ziegfeld" Up In Pittsburgh With $19,500

PITTSBURGH, Oct. 19.—The World Series broadcasts and some extremely bad weather kept grosses down. These factors, however, could not stop "The Great Ziegfeld" from rolling up an excellent $19,500 at the Penn, enough to keep it there for a second week, nor could it interrupt the mad gallop of "My Man Godfrey" at the Fulton. In its fifth week there, the Universal comedy hit rolled up a sensational $7,150 and is now in its sixth week, with the end not yet in sight.

Elsewhere, however, rain and baseball took their toll. At the Stanley, "Stage Struck" was held up only by the presence in the cast of Dick Powell, a local favorite, and even so couldn't better $9,000, while "Seven Sinners" and "The Man Who Lived Twice" couldn't last beyond six days at the Alvin, where it finished weakly to $4,200. The Warner likewise took it on the chin, getting only about $3,800 with "Grand Jury" and "Walking on Air."

Total first run grosses were $43,650. Average is $37,500.

Estimated takings for the week ending Oct. 8:

"MAN WHO LIVED TWICE" (Col.)
"SEVEN SINNERS" (G-B)
ALVIN—(2,000), 25c-40c, 6 days. **Gross:** $4,200. (Average, for 7 days, $5,500)

"MY MAN GODFREY" (Univ.)
FULTON—(1,750), 25c-40c, 7 days, 5th week. **Gross:** $7,150. (Average, $4,300)

"THE GREAT ZIEGFELD" (M-G-M)
PENN—(3,300), 35c-50c, 7 days. **Gross:** $19,500. (Average, $11,000)

"STAGE STRUCK" (W. B.)
STANLEY—(3,600), 25c-50c, 7 days. **Gross:** $9,000. (Average, $11,500)

"GRAND JURY" (Radio)
"WALKING ON AIR" (Radio)
WARNER—(2,000), 25c-40c, 7 days. **Gross:** $3,800. (Average, $5,000)

Starts Stage Policy

NEW PHILADELPHIA, O., Oct. 19.—The Union here, after many years of straight films, has inaugurated a policy of stage units every Friday and Saturday, supplied by Gus Sun out of Springfield. The units have their own bands and no house orchestra is necessary. The admission is raised slightly for the weekend combination.

Shift Kansas Managers

KANSAS CITY, Oct. 19.—Clarence Williford, son of the Mayor and Mrs. Williford of Ellsworth, Kan., has been named manager of the Dickinson, Glen W. Dickinson unit there. Charles Roland, formerly at the Dickinson in Osawatomie, Kan., has been transferred to manage the Dickinson at Herrington, Kan.

May Close Maine Plant

BIDDEFORD, Me., Oct. 19.—Unless the city does something about the local tax situation several thousand employes will be affected and the local theatres, the City and Central, will be seriously affected. Russell H. Leonard, treasurer of the Peperell Manufacturing Co., has declared the firm may seek a new location for their plant due to excessive city taxes.

AMERICAN TOBIS CORPORATION

announces

"CARNIVAL IN FLANDERS" (LA KERMESSE HEROIQUE)

With a Complete Set of English Dialogue Titles

Now Playing Its Fifth Successful Week in New York

Accorded beyond question the highest praise ever given a foreign language film by the critics of the New York newspapers and trade press

Wanda Hale—N. Y. DAILY NEWS—Four stars. Go and tell your friends.

Regina Crewe—N. Y. AMERICAN—It is capably wrought, skillfully played and well directed.

Howard Barnes—N. Y. HERALD TRIBUNE—The finest comedy of the year and the most notable photoplay on exhibition at the moment.

Frank Nugent—N. Y. TIMES—Like all great comedies it speaks a universal language.

Eileen Creelman—N. Y. SUN—It is a production which has already won honors and one which Hollywood might well covet as its own.

William Boehnel—N. Y. WORLD TELEGRAM—In a few words "Carnival in Flanders" is glib, sophisticated and tonic entertainment.

MOTION PICTURE DAILY—Wholly delightful in theme and made completely engaging as entertainment by excellence of execution, this so called comedy should be found a treat by the audiences.

MOTION PICTURE HERALD—It is entertainment, handsomely mounted and has been awarded the Grand Prix du Cinema Français and the Gold Medal of the Venice International Exposition of Cinematography.

FILM DAILY—Hilarious farce, studded with top flight acting and direction that will score with American audiences.

VARIETY—Story, direction, performances, photography and dialogue are standout.

ROUBEN MAMOULIAN—A real motion picture.

COMPLETE LINE OF ADVERTISING ACCESSORIES AND PRACTICAL CAMPAIGN BOOK AVAILABLE

Bookings Now Available For All Territories in the United States

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The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 95 NEW YORK, WEDNESDAY, OCTOBER 21, 1936 TEN CENTS

Sale Tax Case Appeal Is Off To Next Month

Calendar Is Crowded and Other Delays Occur

A hearing on the appeal which major distributors are taking from the decision that film rentals are subject to the city sales tax cannot be heard by the Court of Appeals at Albany for another month, it was indicated yesterday. The condition of the court's calendar and other unexpected delays in preparing final briefs have made it impossible to have the appeal noticed for argument during October, as was expected earlier.

The city itself is appealing from that part of the Appellate Court decision which exempted film rentals paid to New York exchanges by theatres located outside the city limits from the sales tax. The corporation counsel's office recently advised New Jersey exhibitors who are served by local exchanges that, under the lower court's ruling, they need not pay the tax, but neglected to add that the city was appealing from that part of the decision and, if it was successful in this move, all exhibitors served by exchanges here would have to pay the tax. As a result of the corporation

(*Continued on page* 5)

Quick Action on RKO Hits Setback

Prospects of shaping an RKO reorganization plan for filing with the U. S. District Court here this week faded yesterday despite sustained efforts by reorganization managers to make the step possible, it was learned from a reliable authority.

The development, which was left unexplained, made factors in the reorganization reluctant to prophesy when the plan now could be made ready for court consideration. A few hold to the belief that the new delay will be brief and may permit filing of the plan

(*Continued on page* 5)

Carriers to Set Own Distribution System

CHICAGO, Oct. 20.—The National Film Carriers' Ass'n, in session at the Palmer House here, today passed a resolution calling upon each film carrier to set up his own system of distribution similar to the Horlacher system now in use in Philadelphia. The system will be available to all

(*Continued on page* 5)

CEA May Seek Crown Aid In Overbuilding Situation

LONDON, Oct. 13.—With no official statement from the Kinematograph Renters' Society on its attitude towards the Cinematograph Exhibitors' Ass'n request for a conference on overbuilding, exhibitors are again showing signs of an intention to make the matter the subject of an appeal for Government help.

It is unofficially understood that the Council of the K.R.S. is willing to meet the C.E.A. but only on condition that the conference is of an exploratory character and that distributors are not to be understood to have finally associated themselves with an attempt to find a trade solution to the overbuilding problem. A good deal will depend, it is said, on the extent to which exhibitors are able to prove that agreement has been reached with the circuits. There are grave doubts whether the latter are in agreement with the C.E.A. except on the broad principle of the necessity for some action being instituted to relieve the present situation.

At a meeting of the Sussex branch of the C.E.A., Ken Nyman, leading spirit in the C.E.A. campaign on overbuilding, said, referring to the talks with the K.R.S. "If these efforts fail, the only real hope of a solution will lie in an approach for Government intervention."

Canada's New Radio Setup Is Completed

OTTAWA, Oct. 20.—The organization of the new Canadian Broadcasting Corp., the Federal Government enterprise for the control of all broadcasting and licensing of studios and owners of receiving sets, has been completed by the arrival in Ottawa from England of Major W. E. Gladstone Murray to become general manager.

Major Murray, who was born in British Columbia and is a graduate of McGill University, was attending

(*Continued on page* 5)

Chicago to License Projection Devices

CHICAGO, Oct. 20.—Local exhibitors will have to get special permits on all projection equipment if they expect to use 2,000-foot reels, the Chicago Electrical Inspection Dept. stated today. As the new optical shutter, takeup and magazines allowing one-inch clearance are needed for the larger reels, all these devices must be approved before such reels are legal to use. No

(*Continued on page* 15)

Merchant Again

Grand Island, Neb., Oct. 20. —Carl Laemmle, Sr., visited here recently to inspect the Wolbach department store in which he has purchased an interest. Before entering the film industry, he was a merchant in Oshkosh, Wis.

Mexico Names New National Censor Board

By JAMES LOCKHART

MEXICO CITY, Oct. 20.—The appointment of a national censorship board of three members by the Ministry of the Interior is generally expected to be of real benefit, since it promises a unified and centralized viewing of all films for the first time.

The national board will supplant the local board here and the censoring groups in a few other states and municipalities. For the most part reviewing has been done on a piecemeal basis, and although generally the judgment of the local board has been accepted throughout the country, there have been occasional conflicts which have resulted in good pictures being barred from profitable territories.

El Universal, local newspaper, has urged the establishment of a code of censorship to guide the board to "prevent the reviewing of films becoming a mere bureaucratic habit of the rubber stamp nature, or leaving it to the judgment of persons without culture or talent."

* * *

The number of houses in operation

(*Continued on page* 5)

Ticket Taxes Show Gain in September

WASHINGTON, Oct. 20.—Registering a sharp increase, admission tax collections in September reached a total of $1,670,044, compared with $1,384,107 in August and $1,173,507 in September, 1935, it was made known tonight by the Bureau of Internal Revenue.

The September collections were the highest in a long period, and were more than $100,000 over the previous

(*Continued on page* 5)

Maxwell Paid £625,000 in Cash, Stock

Details of Gaumont Buy Are Made Public

By BRUCE ALLAN

LONDON, Oct. 20.—John Maxwell, as head of Associated British Pictures, paid £325,000 cash and £300,000 in A. B. P. five-shilling ordinary shares for the Ostrers' "B" shares in Metropolis and Bradford Trust, holding company for Gaumont British, it was made known today by the secretary of A. B. P.

As a result of the transaction A. B. P. is now unable to carry out its promise to shareholders to allow them to subscribe for 1,800,000 ordinary shares at bonus rates, as these unissued shares are now earmarked for the purposes of the deal.

The statement also indicated that the A. B. P. profit for the half year would be £150,000 more than last year.

This confirms that the first half of the Ostrer deal has been completed, but a Gaunt-Gaumont statement tonight refers to reports that control had passed and said that the companies wished to make it clear that "all such statements were incorrect, as no such change had taken place in the voting position of Metropolis, and control remains as heretofore."

The second part of the deal has not gone through, it was stated, and the Ostrers still hold their 5,100 "A"

(*Continued on page* 5)

Opinions Divided On G.B. Finances

LONDON, Oct. 20.—The financial editors of the daily newspapers here were divided in their comment this morning on the financial statement of Gaumont British, which was released yesterday.

The *Mail* and the *News Chronicle* praised the return to conservative financing, intimating that the John

(*Continued on page* 5)

Ohio Preferred Date Test Due on Nov. 20

COLUMBUS, Oct. 20.—Hearing of the case of RKO Distributing Corp. vs. John W. Bricker, attorney general, et al., seeking to invalidate the state statute making it unlawful to enforce preferred playing time, has been set for Nov. 20 in U. S. District Court here. Three judges, Florence E. Allen,

(*Continued on page* 5)

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Taylor's Wife Dies

KANSAS CITY, Oct. 20.—Mrs. Harry Taylor, wife of the former Columbia exchange and district manager here, died unexpectedly today. Taylor resigned from Columbia last week to move to the coast for his wife's health. He was to become National Screen Service district manager there. He was tendered a farewell dinner last night at the Variety Club which 100 film people attended.

FitzPatrick in Denial

James A. FitzPatrick, producer of the TravelTalk series for M-G-M, yesterday emphatically denied he would discontinue producing shorts in two years. He said that as long as travel subjects are made, he will produce them. FitzPatrick plans to make 12 shorts next year in addition to a group of features. He will sail today on the *Queen Mary* for England.

Warner Board Meets

Warner's board of directors yesterday held a monthly meeting which was described as routine by Samuel Carlisle, comptroller and assistant treasurer.

Insiders' Outlook

By RED KANN

MORE respect for law and order and further obeisance before the mandates which should be in contracts may come to Hollywood via the British injunction restraining harassed and overworked, underpaid and misunderstood Bette Davis from appearing in films or on stage in England during the life of her contract, or for three years, whichever is shorter. That is, except for her employers, the Warners. There is the matter of an appeal, up in fourteen days, and the decision of the lower court which could and may be reversed, of course. But, as it now stands, Miss Davis' stampede has been brought to an abrupt halt. A halt, we might add, fitting and proper and long overdue. . . .

▼

Usually bending one knee before their starry-eyed employes, it has been our conviction, and nothing will uproot it, that the employers have been taking too much guff for too long from many of the men and women they pay princely salaries. This is not to imply that the producers' slate is spotlessly clean because there have been instances. Actors have histrionics and histrionics are next door neighbors to temperament. Delusions of grandeur are apt not to be far behind and then again there is always the agent steaming up matters. Mix them altogether with London, on the hunt for talent, waving a tempting hand and a contract and the neat total is confusion in Hollywood. . . .

▼

The tally of the bad boys and girls who have won by way of the strike-and-no-work technique is preponderantly in their favor so far, and the susceptibility of the producer in the future no doubt will continue largely to succumb, but the Davis case, with its precedental implications, should do the cause of contracts as they are written considerable good. We should be more gallant, you might say. The gentleman, if any, in us should rise to the occasion and wilt under the undulating Davis eyelashes. It's no use, however. We simply cannot go soft enough to feel sorry for this young actress whose acting capabilities run far ahead of her business acumen. She will have to suffer along at about $3,000 a week for the next thirty-six months and under the peonage which William Randolph Hearst insists the producers lash down on their players. . . .

▼

For the story they tell and the light, not exactly startling, which they throw on the Hollywood player mentality, we give you excerpts of remarks made by Miss Davis in a letter addressed to Jack Warner and in interviews after the decision was handed down against her. You may be impressed. Even more, you may be moved:

"As a happy person, I can work like hell.

"As an unhappy one, I make myself and everyone around me unhappy.

"Money should be made when you mean something. Not when the public has had time to tell you to go to hell.

"You have no idea how these contracts bind you helplessly. I signed mine when I was 23 after being a stage star at 19. It was a long time before I realized how completely I felt I had sold myself."

▼ ▼

The vibrations rending the atmosphere these days localize around West 44th St., which is to say the Warner headquarters, and the reason, on display yesterday for a limited few, "The Charge of the Light Brigade," suggested by Lord Tennyson's classic poem of British bravery in the Crimea eighty-two years ago. Only twenty-five minutes out of one hundred and ten turn to Russia, but they are exciting and thrilling moments concentrating on the famous advance of the six hundred into the valley of death. Earlier, the attraction is pure fiction and India, again most of it on the northwestern frontier where troublesome native tribes keep the English military on their horses and busy. . . .

▼

The highlight, far and away, is a terrifying and wildly exciting enactment of the onslaught into the belching mouths of Russian cannon on the heights above Balaklava. Done on a magnificent scale with charging horses, flashing lances and roaring guns, there has been little, if anything, in recent Hollywood effort to match this superb carnage of man and beast. It comes as a final and gripping climax to what will be one of the big pictures of the new season. The Warner excitement is a justifiable excitement as subsequent events are destined to prove. . . .

▼

It occurs by way of reflection that pictures based on and woven around famous poems or plays or men and incidents in history, if they click, open a brand new and completely broad vista for the future. The wealth of such material so far has been untouched and is available in an abundancy that will not dissipate itself for years. There is a story in Julius Caesar and one in Tamerlane, Alexander the Great and the other great figures of the wars, the sciences and the arts. The sources run on in inexhaustible supply and producers will tap them if the public will subscribe. There is Frank Capra who next will do a picture based on the life of Chopin—and why not? It need not be stodgy and it need not be too thoroughly soaked in music. These were men who did things and that, we subscribe, is a function of the screen to recognize. . . .

Fox Hearing Again Delayed at Mineola

MINEOLA, Oct. 20.—Further hearing in the examination before trial of William Fox was set over until Nov. 3 by mutual agreement of the attorneys for Fox and attorneys for Twentieth Century-Fox before Referee Elvin N. Edwards today.

The postponement was the third since Supreme Court Justice Mitchell May heard a motion for stay of proceedings last month. His decision on the contested motion has not been handed down, and until it is, Edwards said, no further examinations will be conducted.

Production Company Organized in Italy

By VITTORIO MALPASUTTI

ROME, Oct. 20.—Imperial Film Co., organized here for the production of English films in Rome, has been formed by Toeplitz and the Italian Society, Inc.

The first film to be made by the new company will star Leslie Howard and Madeleine Carroll. Production will start in the spring.

May, Richardson Speaker

John A. May, controller of the Schine circuit, with headquarters at Gloversville, N. Y., and Republican candidate for state comptroller, will be among the guest speakers at the testimonial dinner to F. H. Richardson at the Hotel Pennsylvania Saturday night. The demand for tickets is so great that the sale will be stopped at 6 P.M. Friday, according to A. R. T. Bishop, chairman of the arrangements committee. No tickets will be sold at the door.

Warner Club to Dance

The second annual ball of the Warner Club, Inc. (Brooklyn Unit) will be held at the St. George Hotel, Brooklyn, Saturday, Nov. 28. Stars of stage and screen have promised to appear for the special entertainment now being arranged. Dance music will be furnished by Eli Dantzig.

Fairbanks, Jr., to Start

LONDON, Oct. 20.—Douglas Fairbanks, Jr., will start his next for Criterion Pictures, "Jump for Glory," on Nov. 19.

Cromwell in London

LONDON, Oct. 12.—Richard Cromwell has arrived for his part in Herbert Wilcox's "The Navy Eternal," at Pinewood.



He's on the way—

with amazing—

exciting—

death-defying

(*Imagine! It took 50 cameramen to film them!*)

and exclusive

Official Olympic Pictures

FOR IMMEDIATE BOOKING!

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(*One Reel Each*)



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2. Book "Olympic Ski Champions" first. Then announce "Sports On Ice" to follow. This will give you TWO WEEKS of extra revenue.
3. Arrange for press screenings, sports writers, etc.
4. Make up special lobby frame. Also use M-G-M's colorful 1-sheet poster. Emphasize OFFICIAL OLYMPIC PICTURES! EXCLUSIVE!
5. Get the special M-G-M press sheet and see how easy it is to create *extra* receipts.
6. Put a brief copy trailer on your screen.
7. Emphasize these attractions in newspaper ads and on theatre marquee.

AND PLEASE DROP US A LINE!

Yes, we'd like to hear from you. Many exhibitors have already written to tell us they approve of our varied Short Subject program. Don't *you* agree that our Shorts are timely, vital and of lively interest to audiences. These Olympic Shorts, and Benchley's "How to Vote" and the Crime Doesn't Pay Series and all the others. They'd be SPECIALS with any other company. They're just part of our Showmanship Shorts. Write us a note and tell us how you like them. We'd appreciate knowing!

Mexico Names New National Censor Board

(Continued from page 1)

here will be increased to 66 this fall with the opening of the Encanto, a new 2,500-seat theatre which will be modernly equipped. A second run house, it will be operated by Jose Echeverria & Co., which owns a circuit of seven local theatres. Other new houses are planned here.

Local exhibitors are receiving visits from inspectors of the Ministry of Finance who are seeking to establish the daily average patronage total, as a basis for fixing tax rates for next year. These inspectors are in addition to the regular ministry inspectors who are on hand daily to check on box-office returns. Exhibitors are required to pay the wages of these permanent inspectors, ranging from $1.75 to $2.50 a day, depending on the size of the house.

Canada's New Radio Setup Is Complete

(Continued from page 1)

Oxford as a Rhodes Scholar when he enlisted for service in the World War. Later he became a newspaperman and joined the British Broadcasting Co. in 1922, continuing with that organization until his appointment to the Canadian corporation, the board of governors of which includes N. L. Nathanson.

The announced policy of Major Murray was that the Canadian corporation would provide the best available programs from all sources, including the United States and England, that were in a form acceptable to the Canadian people. Murray, who will have his offices in Ottawa, will proceed shortly to Winnipeg to confer with W. L. Brockington, chairman of the new board of governors.

New Theatre Coupon Company Is Formed

Max G. Felder, former exhibitor, has organized Theatre United Profit Sharing Corp., which will distribute coupons to theatres on the same plan used by United and Schulte stores.

Approximately 20 theatres have been lined up for the plan, which provides for the distribution of coupons to patrons redeemable at any of the United Profit Sharing offices. The coupons will be the same size and colors as those given out at the cigar stores and other corporations, such as General Foods, Acker, Merrall & Condit, Wrigley's, National Grocers, Baker's Chocolate and Peter Pan Dry Cleaning stores.

Felder is president of the company, which has temporary offices in the Paramount Bldg.

Rugoff & Becker in Deal

Rugoff & Becker yesterday were reported dickering to take over the Mermaid in Brooklyn. The Rose on W. 102nd St. will be demolished and an apartment will replace the theatre. Formerly known as the Edison, the Windsor at W. Orange, N. J., will be reopened Oct. 23.

Sale Tax Case Appeal Is Off To Next Month

(Continued from page 1)

counsel's declaration theatres located outside the city ceased remitting the tax a month ago. Distributors had been collecting the tax pending the outcome of their appeal, and the funds were being set aside to be repaid to exhibitors in the event the courts ultimately hold that the city cannot tax film rentals.

More than $3,000,000 is estimated to be involved in the attempt to apply the tax to film rentals up to this time.

RKO Joins Tax Appeal

ALBANY, Oct. 20.—The N. Y. Court of Appeals today granted permission to RKO Distributing Corp. and Keith-Albee-Orpheum Corp. to file briefs as friends of the court in connection with United Artists' appeal from the ruling giving the City of New York the right to assess a sales tax against film rentals.

Carriers to Set Own Distribution System

(Continued from page 1)

film companies. The resolution was adopted unanimously.

Speakers at today's meeting included Theodore V. Rogers, president of the American Trucking Ass'n; John V. Lawrence, general manager of the same organization, and J. L. Rogers, director of the motor carrier bureau of the Interstate Commerce Commission. In general discussion during the day was the Motor Carrier Act and its connection with the industry as regards the pickup and distribution of films.

The organization will hold its final session tomorrow.

Ohio Preferred Date Test Due on Nov. 20

(Continued from page 1)

Robert R. Nevin and Mell G. Underwood, will preside.

The preferred playing time bill was passed by the Legislature, March 20, 1935, and automatically became a law 90 days thereafter without Governor Davey's signature, the Attorney General having meanwhile declared the act unconstitutional. It has not been enforced to date.

The law provides a penalty of not less than $25 nor more than $300 for the first violation, and not less than $300 nor more than $500 for each subsequent violation, with an additional penalty of revocation of license.

Edits British Reel

LONDON, Oct. 12.—G. T. Cummins, previously a London editor, has been appointed by J. C. Graham to be editor and general manager of British Paramount News.

Retitle Columbia Film

HOLLYWOOD, Oct. 20.—Columbia has changed the title of "Lady of New York" to "Counterfeit Lady."

"Naughty" Bette

London, Oct. 20.—Informed at a seashore resort near Brighton that Warners had obtained an injunction restraining her from appearing in England, Bette Davis described her defeat in court as a "real sock in the teeth," and said:

"It seems that I, at my own expense, have provided an object lesson for other 'naughty young ladies.' I suppose I have been made an example." The adjective was used to describe her during the hearing of the contract case.

"I've got to think things over a bit now," she said.

Quick Action on RKO Hits Setback

(Continued from page 1)

some time next week. Others, however, indicated less optimism and declined to hazard a guess of any kind.

With reliable information lacking which would explain the newly encountered delay in presenting the plan several unofficial explanations were advanced. One was that factors in the reorganization who have consistently opposed presenting the plan while it is still incomplete in several important phases succeeded in prevailing over those who have been urging that a plan be brought out immediately and its final provisions left to be resolved by the court, as would be done ultimately in any event. This procedure apparently would leave the treatment of the Rockefeller Center claim of $9,100,000 against RKO to future negotiation outside the plan.

Effect of Stock Gains Seen

The rapidly increasing earnings of RKO which are being reflected in the market value of its stock are said to be a factor in the current demand for an immediate presentation of a plan. A sharp rise in the market value of the stock could complicate the plan's provisions for treatment of stockholders which were shaped some time ago when the company's earnings were less favorable, it was said. The same consideration applies in lesser degree to any creditors who are designated to receive common stock of the new RKO company in settlement of their claims.

Tillton Buys Share In Republic Midwest

KANSAS CITY, Oct. 20.—Elmer Tillton, branch manager for Warners at Des Moines, has resigned, to take over the Omaha and Des Moines Republic-Midwest exchanges.

Tillton has purchased the interest of Clarence A. Schultz, executive head of Commonwealth Theatres, Inc., Kansas City; of Robert F. Withers, manager of the Republic-Midwest exchange in Kansas City, and of other Schultz associates.

The change in ownership transfers the executive powers of Schultz and Withers to Tillton, but the entire organization at Des Moines and Omaha will remain intact. Forrest Judd will continue as manager at Des Moines, and L. O. Ringler as manager at Omaha.

Maxwell Paid £625,000 in Cash, Stock

(Continued from page 1)

shares of Metropolis and Bradford Trust.

This statement is taken in informed quarters to indicate that the principals to the deal want to maintain the correct legal fiction while S. R. Kent, Twentieth Century-Fox head, is still unsatisfied. Kent has left for the Continent and his New York sailing date is uncertain.

Opinions Divided On G.B. Finances

(Continued from page 1)

Maxwell influence is at work. The *Telegraph* said: "The mystery of the recent negotiations for the purchase of the Ostrer holdings (in G. B.) thickens. It appears arrangements have been made for the sale at 16 shillings of the 10-shilling shares, which receive no distribution. A clear explanation of the whole position is obviously desirable."

The *Morning Post* declared, "The full report will be awaited for an explanation of the necessity of so large a special transfer to reserve." The directors had recommended placing £200,000 of a net profit of £347,021 after all charges, in a special reserve. No dividend was recommended, while seven per cent was paid during the previous year.

Detailed Statement Asked

The *Financial Times* in a leading article again calls for a full report in view of "the urgency of the position which preliminary figures suggest. Something more explicit than the reports and accounts issued in previous years is called for if the shareholders are to appreciate the true state of the company's affairs." The paper also declared that the adjustment of asset values is overdue and hinted that the £200,000 special reserve is for this purpose. It concludes with the insistance that the directors should carry out "a thorough purge of the accounts forthwith."

Ticket Taxes Show Gain in September

(Continued from page 1)

1936 high of $1,568,487, recorded in July, it was stated.

For the first nine months of the current year, admission tax receipts of the Treasury totaled $12,859,943, about $1,564,000 over the $11,295,124 reported for the corresponding period in 1935. For the third quarter, ended with September, collections were $4,622,639 against $4,117,380 in the preceding quarter and $3,764,073 in the corresponding quarter last year.

Hungarian Film to Open

A new Hungarian film, "Be Good Unto Death," will be shown for an indefinite run at the Modern Playhouse, 81st St., and 3rd Ave., beginning Friday. The film is released here by Danubia Pictures.



FOR THE GAYEST THANKSGIVING OF YOUR LIFE

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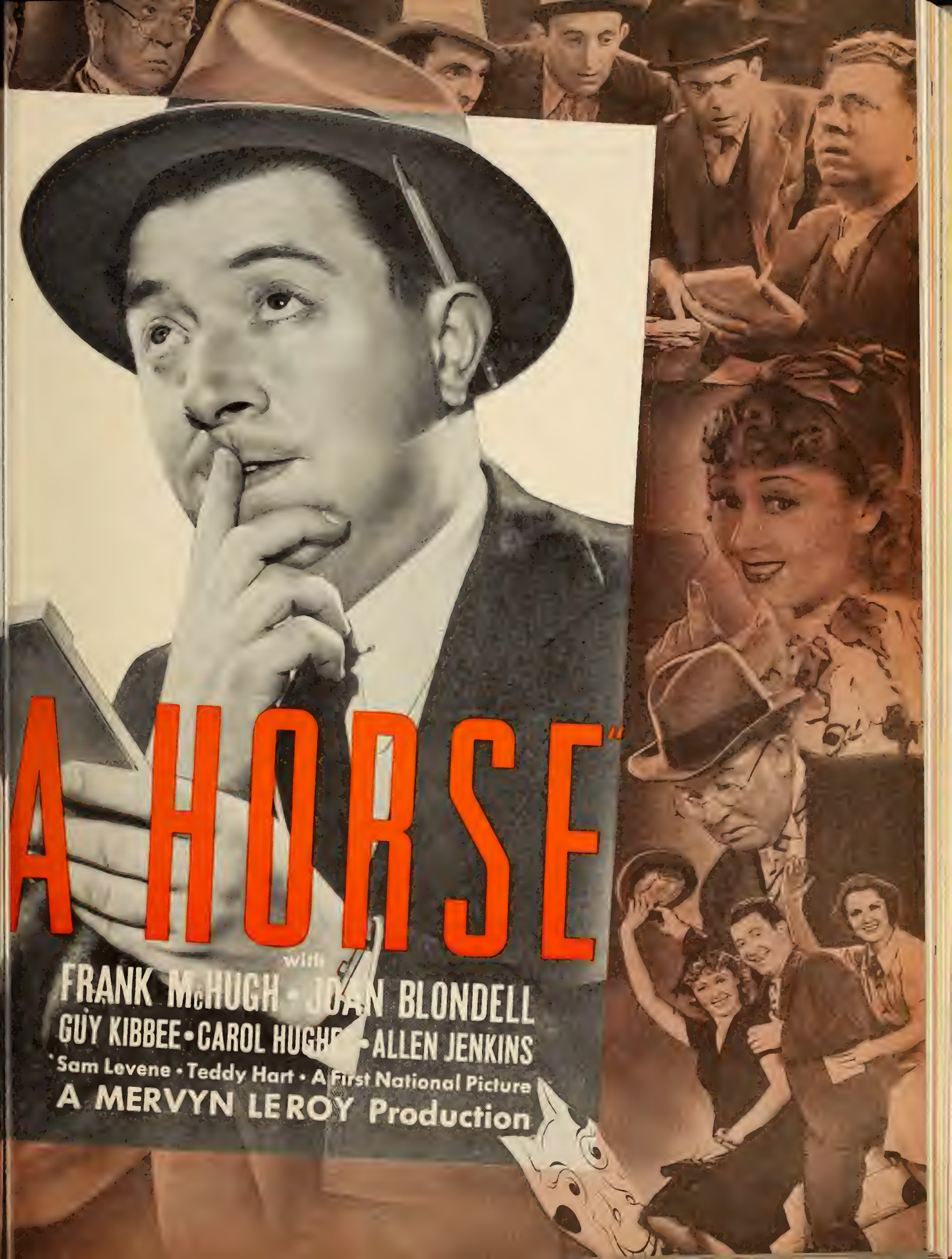
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WORLD'S MOST FAMOUS DOPESTER

And the Biggest Reason Why

"3 MEN ON

Is now in its *second year* on Broadway, is registering the most consistent road company sell-outs of the decade, and is the comedy sensation of 5 nations!


A HORSE"
with
FRANK McHUGH • JOAN BLONDELL
GUY KIBBEE • CAROL HUGHES • ALLEN JENKINS
Sam Levene • Teddy Hart • A First National Picture
A MERVYN LEROY Production

Entertainment Tax Dropped in Japan

By TETSUYA MORI

TOKYO, Oct. 2.—Theatre operators are looking forward to the abolition of the present entertainment tax, for which will be substituted a business profit tax, effective next April, following the approval by the cabinet of the tax reform plan developed by the Ministry of Finance.

Under the revised scheme a tax of 34 yen annually will be levied on corporations per 1,000 yen of net profit, and a tax will be set on individuals of 22 yen annually for any profit up to 1,000 yen and 26 yen per 1,000 yen for profits above that figure.

* * *

Japanese cameramen have started a movement for an association, following the successful formation of the Japan Film Directors' Ass'n. A general meeting of cameramen will be held shortly to establish the Nippon Society of Cameramen.

* * *

Warners' Japanese office showed an increase of more than 200,000 yen in the fiscal year 1935-36 as compared with the previous year. Twentieth Century-Fox also showed substantial gains, chiefly because of the business done by "Cat's Paw" and "Curly Top." The employes drew bonuses, as did the Paramount force for placing second in an international company sales contest. In general the American companies here are showing excellent results.

Metro Single Bill Uruguay Innovation

By PAUL BODO

MONTEVIDEO, URUGUAY, Oct. 7.—M-G-M has introduced a new exhibition and distribution policy in Uruguay in the operation of the new Cine Metro, largest and most luxurious house in the country. The theatre has introduced the single feature policy, allowing three performances daily instead of the usual two, and in distribution has set a clearance of 90 days on films playing the house. Heretofore all first run films reached the subsequents one week later.

The house also will remain open during the summer.

One of the leading local circuits is understood to be interested in a plan for the showing of special matinee programs for children on specified days, as a result of the intensive campaign for such a development being carried on by *El Dia,* leading local newspaper.

The movement is seen as opening the field for a number of American films which otherwise have no market here.

Pearson Heads Sales For Dominion Sound

MONTREAL, Oct. 20.—Dominion Sound Equipments, Ltd., comprising a comparatively recent amalgamation of sound projection product interests in Canada, has a new general sales manager in Lloyd C. Pearson. He succeeds B. C. Lewis, who was killed in an automobile accident a few weeks ago.

Prior to the amalgamation, Pearson was with the research and sales departments of Northern Electric.

Looking 'Em Over

"Alla en el Rancho Grande" ("There on the Big Ranch")

(*Bustamante y de Fuentes*)

MEXICO CITY, Oct. 20.—This film, by far the best picture Mexicans have produced, looks like sure-fire for American exhibitors who like a glamorous foreign film.

It is perhaps the most authentic Mexican picture ever made; it presents a true portrait of ranch life in this country, the characterizations are honest, costuming, atmosphere and side lights are the real thing. The simple, though engaging story, has much of pathos, but with clever comedy relief. It concerns a new treatment of the Cinderella attaining happiness and what a man can do for his best friend. Fernando de Fuentes directed well. Photography and sound are far above the average.

An indication of the picture's American values was its popularity with resident and visiting Americans at its exhibition in the Cine-Teatro Alameda here. Furthermore, it features Tito Guizar, ace Mexican tenor, and Lorenzo Barcelata, celebrated composer-musician. They have abundant opportunity for adding to the entertainment by displaying their wares, including a "song-guitar duel," a Spanish-Mexican rural custom of two gallants warbling each other's defects to guitar music. There are also fine displays of horsemanship and a splendid rendition of "El Jarabe Tapatio," spirited Mexican national dance. In addition there are two first class guitar-song trios.

Running time, 105 minutes. "G." LOCKHART

"David Livingstone"

(*FitzPatrick-Thomas*)

Transcribing the life and exploits of David Livingstone in Africa to the screen has been an arduous and difficult task, particularly for the efforts achieved. Those who are interested in the work accomplished by the English adventurer will find this immensely gripping. To James A. FitzPatrick goes the credit for attempting so hazardous a film—his years of producing TravelTalks having prompted the decision to make it—and certainly he has come through with a thoroughly convincing product.

Percy Marmont in the character of Livingstone, gives a sincere and touching performance. The story begins in 1841, when Livingstone at a sermon decides to visit the dark continent to civilize the natives. He meets with setbacks, returns to England, marries and after two children are born brings his wife to the veldt, where she dies of fever. Later, Livingstone meets a similar fate.

All of the African scenes have been taken in actual locales, adding a note of authenticity to the picturized work of the explorer. As Livingstone, Marmont is a matured actor under the direction of Fitz-Patrick. The picture may have a limited appeal, which will not be surprising, as it does not stress romance but adventure, which is the other way round in the bulk of the films made today. Art theatres will go for this one in a big way.

With the exception of Marmont, none of the British cast is known to American audiences.

Previewed without production code seal. Running time, 75 minutes. "G."

"The Human Adventure"

(*Wendell G. Shields-New York*)

Not entertainment in the general meaning of the word, yet it possesses those elements. This is a compelling educational film of high merit. The vital story of the rise of civilization, as unearthed by the Oriental Institute of the University of Chicago, in archeological researches in Egypt, Palestine and Persia, is told with a dramatic effect.

The readers of the stories which appear in newspapers from time to time reporting newly uncovered finds in the countries aforementioned should be found a receptive audience to the picture. Distribution will be governed by local cultural worth and presentation.

The narrative starts with an academic lecture by Dr. James H. Breasted, who explains beforehand, in a manner, the basic idea of the picture. The intriguing work of bringing to light the story of the past from the diggings of archeologists follows, and while another person delivers the narrative, there are revealed the ancient glories of Egypt, Palestine, Babylonia, Anatolia and Persia, tracing the rise of civilization from its pinnacle in Persepolis to early stone-age shelters. The photography is splendid.

Reviewed without production code seal. Running time, 70 minutes. "G."

Minimum Price Set For Paris Theatres

By PIERRE AUTRE

PARIS, Oct. 12.—A special committee of the Exhibitors' Ass'n has set specific minimum prices below which exhibitor members in the Paris area will not be permitted to sell admissions. Distributors and certain exhibitors had been complaining over a long period that prices in some instances were so low as to offer unfair competition. Houses were charging as low as two francs (about eight cents) for double bill shows.

The following prices have been set as minimum in the area: first run, no seats under six, eight or 10 francs; for midnight, afternoon or evening, respectively; second run, five, six or eight francs; third run, five and six francs. These prices apply to exclusive runs.

For general release, the first run minimum is three and four francs, and subsequents 2.50 and three francs. The seats priced at the minimum cannot exceed 30 per cent of the total capacity of the house.

Canadian Managers Are Shifted Again

TORONTO, Oct. 20.—Another important shakeup of managers has been put through by Famous Players Canadian Corp., cities from Winnipeg in the west to Halifax on the Atlantic coast being involved. Ray Tubman, district manager at Winnipeg, has returned to Ottawa where he will have charge of the Capitol and will preside over the five circuit houses in Ottawa and Hull.

Howard Knevels, manager of the Ottawa Capitol, has been transferred to the Capitol at Halifax, N. S., in succession to Leonard Bishop who, after four years, has gone to the Capitol in London, Ont. Harold Bishop, formerly of Calgary, has been transferred from the London house to Winnipeg.

Ferdinand Simon Dies

Ferdinand Simon, veteran booking agent, died in his sleep early yesterday at his home in Forest Hills, L. I.

Simon was 41 years old and had been connected with the theatrical business for over 25 years. He is survived by Mrs. Simon and two children. Funeral services have not yet been arranged.

Lillian Franklin Weds

ST. JOHN, N. B., Oct. 20.—Lillian Franklin, daughter of J. M. Franklin and Mrs. Franklin of this place, was married recently in New York to Michael Foster, newspaperman. They are honeymooning in Bermuda. The father is head of a circuit of theatres in the Maritime Provinces and was formerly Canadian representative of RKO theatre interests in Toronto.

Keipura-Eggerth to Wed

WARSAW, Oct. 20.—Banns have been posted at Kattowic for the wedding of Jan Keipura to Marta Eggerth.

Frinkoess Gets Mosque

John Frinkoess has leased the Mosque, Newark, from the Prudential Insurance Co. A picture policy will be reinstated. Warners for many years operated the house which during the past few months has been featuring concerts booked by John A. Fuerstman.

Purely Personal

JACK L. WARNER sails from Southampton today aboard the *Ile de France* having completed his combined business and pleasure trip in England. FERNAND GRAVET is also on the ship. He has been signed for Warners' "The King and the Chorus Girl."

•

PAUL GRAETZ, head of Paris Export Co., will sail on the *Ile de France* on Oct. 29. He is negotiating with WILLIAM PIZOR of Imperial Pictures for 15 color cartoons for distribution in Europe. He had a deal on with Grand National, but it fell through. Yesterday, he delivered a print of "Beloved Vagabond," the MAURICE CHEVALIER picture made by Toeplitz, to Columbia which will distribute it in America.

•

MOE STREIMER, special home office representative for U. A., last night was tendered a dinner by the Monday Knighters at the Park Central. The affair was a sellout and many who were not members of the organization and wanted to attend were turned away.

•

JACK BARNSTYN, new foreign sales head for Grand National, is scheduled to leave for the coast with E. L. ALPERSON in two weeks to confer with the company's producers before sailing for Europe.

•

VELOZ and YOLANDA, dancers featured in "Champagne Waltz," are in town. They made many personal appearances en route here from the coast.

•

MANNY REINER of M-G-M will act as master of ceremonies tonight at the fashion festival at the Roosevelt Hotel. GUY LOMBARDO and his orchestra will furnish the music.

•

PETE HULSKIN, architect for the Schine circuit, was operated on for appendicitis at Post Graduate Hospital yesterday after being stricken while on a visit here.

•

GEORGE HIRLIMAN, will meet GEORGE O'BRIEN in Louisville on Friday and from there both producer and star will leave for the coast.

•

HAL LEROY, stage and screen dancer, starts today on the two-reeler, "Shall We Dance," at the Vitaphone Brooklyn studio.

•

WILL H. HAYS entertained a party at the Cinema Club at luncheon yesterday.

•

MERLE OBERON, WILLIAM WYLER and JOHNNY WEISMULLER are booked to sail today on the *Queen Mary*.

•

LOUIS WEISS of Weiss Prod., Inc., is in Kansas City on his way east.

•

HY DAAB and MRS. DAAB have moved into the Warwick for the winter from Westport, Conn.

•

. . . Pittsburgh

The BEN STEERMANS have named the new arrival BARBARA. It's their first child.

ED SULLIVAN and GEORGE MCMANUS are coming on for the Variety Club banquet Sunday night.

TOMMY RICHARDS, a Pittsburgher who has been doing free lance publicity in Hollywood for the last 10 years, is back in town exploiting the Roosevelt Hotel.

ED SEGAL, who left Warners a couple of months ago to join the Schine circuit, has just been made manager of the Cameo in Rochester.

ROSY ROWSWELL'S latest purchase is a St. Bernard pup weighing exactly 90 pounds.

MIKE CULLEN'S mother has returned to her home in Washington, D.C., after spending a couple of weeks here in the Smoky City with the Penn manager.

ALEEN WETSTEIN, columnist for the *Pittsburgh Press*, is going to Hollywood for a couple of months and will do her daily article in the atmosphere of the studios.

Overseas Previews

"Le Grand Refrain"

(The Great Song)

(Metropa Film)

PARIS, Oct. 9.—This is one of the best musical films ever produced in a French studio. The well-known French author Yves Mirande, who has been in Hollywood for some time, has written the story and directed the film, which was supervised by the German director, Robert Siodmak, working now in Paris. There are excellent music and songs written by the German composer, Werner-Richard Heymann, composer of the music for "Three at A Patrol Station" and "The Congress Dances."

There is plenty of romance, comedy and fun in "Le Grand Refrain." It deals with a young, talented, but unknown composer, played by Fernand Gravet, who despairs of finding a publisher to buy his music. He meets a young girl, a singer, who recognizes his talent. Gravet writes a musical comedy and, when finished and minus money and a job, disappears. The girl, by this time, is deeply in love with the composer, but is unsuccessful in locating him. Eventually, she persuades a wealthy man to produce the show.

It is a success, as might be imagined. The singer, who plays the lead, encounters the composer as she leaves the theatre. It appears he had been living on the bounty of the Salvation Army and discovered his play was being produced on the day of its debut.

Chief interest for America is the appearance of Gravet, who speaks English and has been signed for Hollywood by Warners. He does an excellent job here and gets ample opportunity to display his genuine talent as a singer and a comedian. Other parts are played by Jacqueline Francell, Jane Aubert, Signoret and Alerme. Direction and technical work are good. There are a number of amusing scenes and incidents have good gag value. The Comedian Harmonists, German singers, are also featured and sing the theme song.

"Le Grand Refrain" may be the sort of French picture to interest America. In this instance, properly handled English titles would prove sufficient to convey the story development. Interesting, are the scenes on and back stage of a French musical comedy theatre with real Parisian backgrounds, of course.

Running time, 90 minutes. "G."

"Jenny"

(G.F.F.A.-French)

PARIS, Oct. 6.—This picture produced in Paris by the Company Réalisations d'Art Cinématographique is the first for a young French director, Marcel Carné, who had been for several years assistant to Jacques Feyder.

It is obvious that "Jenny" is, on the cinema point of view, a very good film, well produced and directed, with clever dialogue written by Jacques Prévert and Jacques Contant, and including an excellent cast. The tempo is fast, the atmosphere very well built up, and the technical work really good. For his first picture Carné has done an outstanding piece of work.

Unfortunately there are plenty of objections to the story which may not agree with the rules of the Legion of Decency. It is about a woman, Jenny, finely portrayed by Françoise Rosay, who manages one of these secret night clubs where rich men are received to make fun. Jenny is deeply in love with a man, much younger than herself, Albert Préjean. Jenny has a daughter, Lisette Lanvin, a young girl, well educated, who does not know what kind of business her mother conducts. She discovers her mother's real business and meets her mother's lover. The two young people fall in love and decide to go away to be married. The mother sacrifices her love for her daughter's happiness.

Although this melodramatic story drives to a moral end, and the picture is made with tact and does not include a vulgar scene, the vicious background may be objected to by some patrons.

With this reserve regarding the story, it may be a very good attraction.

Running time, 100 minutes. "A."

AUTRE

Short Subject

"The Chemist"

(Educational)

Buster Keaton applies his straight-faced antics to a story set in the laboratory of a college and the result is an offering that should please audiences who might have pondered the star's absence. The possibilities of the story, such as Keaton's chemical concoctions in the form of an enlarging powder, love potions and a noiseless explosive are drained for their utmost in comic worth. The film is well produced. It has a clever finish and a full content of excitement and laughs. David Freedman wrote the story. Production Code Seal No. 01,227. Running time, 20 mins. "G."

"Philippine Fantasy"

(Twentieth Century-Fox)

With the usual brand of fine photography, this number of the Magic Carpet series takes in the American possession recently given independence. The camera tour takes in the city of Manila, cigar and rope manufacture scenes, views of old Fort Santiago and an ancient and remarkably engineered system of irrigated rice terraces, centuries old. Interesting and informative material. Reviewed without production code seal. Running time, 10 mins. "G."

"Kiko Foils the Fox"

(Terry-Toons-Educ'l)

That frolicing kangaroo plays his flute to the amusement of many birds in this cartoon. And, as usual, menace in the form of a ragged fox comes on the scene and is the target of the bird's defensive tactics when he tries to make a meal of three youngsters. Kiko disposes of the enemy and a swarm of hornets finish the job. Average stuff. Production Code Seal No. 01,216. Running time, 8 mins. "G."

Wall Street

Board Losses Range ⅛ to 1 Point

	High	Low	Close	Net Change
Columbia	39⅛	39	39	— ¾
Consolidated	5	4⅞	4⅞	.....
Consolidated, pfd.	18	18	18	— ⅛
Eastman	175½	175½	175½	— ½
Gen. T. Equip.	27¾	26⅝	27⅜	— ½
Loew's, Inc.	57½	56¾	56¾	—1
Paramount	15¾	15⅛	15¼	— ½
Paramount 1 pfd.	113	110½	110¾	—2
Paramount 2 pfd.	14¾	14¼	14¼	— ½
Pathe Film	8⅜	8	8	— ⅜
RKO	8⅛	7⅝	7¾	— ¼
20th Century-Fox	32⅛	32	32	— ½
20th Century, pfd.	40¾	40¼	40¾	— ½
Universal, pfd.	102	101½	102	—1
Warner Bros.	14¼	13⅞	13⅞	— ½

Sonotone Up ⅛ Point on Curb

	High	Low	Close	Net Change
Grand National	3⅜	3⅛	3⅛	— ⅛
Sentry Safety	⅝	⅝	⅝	.....
Sonotone	2⅛	2	2⅛	+ ⅛
Technicolor	24½	23⅞	24¼	.....
Trans-Lux	4	3¾	3⅞	.....

Warner Bonds Gain

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	99⅛	99⅛	99⅛	+ ⅛
Paramount Pict. 6s '55	98⅞	98	98½	— ¼
Warner Bros. 6s '39 wd	96⅞	96	96⅝	+ ⅜

(Quotations at close of Oct. 20)

THEY'RE ALL CALLING IT THE LAUGH-AND-SONG HIT OF THE YEAR!





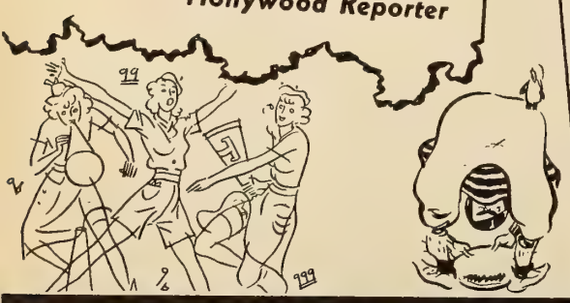


TOUCHDOWN FOR CENTURY WITH 'PIGSKIN PARADE'

Football Musical Top Entertainment

Here's a pip football musical that entertains every foot of the way and that will continue on its rollicking course long after the football season is buried under the snows of winter. It has a laugh-providing comedy story punctuated by a dozen lively songs and it is presented with brisk and youthful spirit by a brilliant cast of young players that chalks up one hit after another. Mark it down for a boxoffice Lady Bountiful wherever it shows.

Hollywood Reporter



"Pigskin Parade" Excellent Football Film

The best football picture yet! So may "Pigskin Parade," previewed last night at Grauman's Chinese Theater, be classified. It is a rich entertainment festival, and does not take the sports doings too seriously. The very novelty of the creation is, therefore, what appeals, and the film evinces the smartest showmanship. The film looks like a certain hit.

Los Angeles Times

Here is one of the entertainment touchdowns of the season which should chalk up heavy b.o. score for Darryl Zanuck and his 20th-Fox aggregation of production aides. They have put about everything in the bag into this hilarious, tuneful revue, set to football tempo for seasonal relish and exploitation. And how the boys and girls in the collection of names go to town with their rollicking and musicking and collation of antic nonsense!

Daily Variety

It's got the tunes ... tunes ... tunes:

"It's Love I'm After" • "You're Slightly Terrific" • "You Do The Darndest Things, Baby"

— and —

"The Balboa", the new collegiate dance sensation!

IT TOPS "THANKS A MILLION" AND "SING, BABY, SING"!



PIGSKIN PARADE



WITH A CAST PICKED FOR ENTERTAINMENT

STUART ERWIN • JOHNNY DOWNS
ARLINE JUDGE • BETTY GRABLE
PATSY KELLY • JACK HALEY
YACHT CLUB BOYS • DIXIE DUNBAR
ANTHONY MARTIN • JUDY GARLAND

Directed by David Butler • Associate Producer Bogart Rogers

Screen play by Harry Tugend, Jack Yellen and William Conselman • Based on a story by Arthur Sheekman, Nat Perrin and Mark Kelly • Music and lyrics by Lew Pollack and Sidney D. Mitchell • Music and lyrics of songs sung by Yacht Club Boys—by Themselves

20th CENTURY FOX

DARRYL F. ZANUCK
in Charge of Production

A DRAMATIC THUNDERBOLT

Aimed for your Box-office!

"EVERYTHING IS THUNDER" The secret password . . . for escape . . . for two outcasts whose love was outlawed

The love story women have been waiting for . . . *Starts where others stop*

J. L. HARDY'S SENSATIONALLY SUCCESSFUL NOVEL. AN EVEN GREATER SENSATION ON THE SCREEN

CONSTANCE BENNETT DOUGLASS MONTGOMERY **OSCAR**



Author J. L. Hardy
Directed by Milton Rosmer

HOMOLKA *in* EVERYTHING IS THUNDER

GB

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DISTRIBUT
EMPIRE FI
LTD.

"Heart" with Paul Ash Big In St. Louis

ST. LOUIS, Oct. 20.—"Give Me Your Heart" on the screen and Paul Ash in the orchestra pit directing several specialty acts pulled $16,800 into the Ambassador. This beat the house average by $7,800 and proved the most profitable attraction of the week.

"A Midsummer Night's Dream," at the Missouri after having had its premiere here some months ago, made the second best comparative showing with a gross of $12,500, or $3,500 above average. The supporting picture on the program was "Back to Nature." The business at the Missouri was aided by the co-operation of high schools, both public and parochial. Tickets were distributed among pupils, permitting them to see the picture for 25 cents. Their teachers urged attendance.

"The Magnificent Brute" and "Girl on the Front Page" at the Fox had a very satisfactory week with a take of $14,100.

At the St. Louis "Sing, Baby, Sing" and several acts of vaudeville did $7,200, or $1,200 above what this establishment should accomplish on a second run picture basis.

The weather was favorable and there was no serious competition.

Total first run business was $65,700. Average is $55,000.

Estimated takings for the week ending Oct. 8:

"GIVE ME YOUR HEART" (W.B.)
AMBASSADOR — (3,018), 25c-35c-55c, 7 days. Stage: Paul Ash and vaudeville. **Gross:** $16,800. (Average, $9,000)

"MAGNIFICENT BRUTE" (Univ.)
"GIRL ON FRONT PAGE" (Univ.)
FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $14,100. (Average, $14,000)

"GORGEOUS HUSSY" (M-G-M)
LOEW'S—(3,162), 25c-35c-55c, 7 days, 2nd week. **Gross:** $9,300. (Average, $10,000)

"A MIDSUMMER NIGHT'S DREAM" (W.B.)
"BACK TO NATURE" (20th-Fox)
MISSOURI—(3,514), 25c-35c-55c, 7 days. **Gross:** $12,500. (Average, $9,000)

"M'LISS" (Radio)
"GRAND JURY" (Radio)
ORPHEUM—(1,950), 25c-35c-55c, 7 days. **Gross:** $5,800. (Average, $7,000)

"SING, BABY, SING" (20th-Fox)
ST. LOUIS—(4,000), 25c-40c, 7 days. Stage: Vaudeville. **Gross:** $7,200. (Average, $6,000)

"ROMEO AND JULIET" (M-G-M)
AMERICAN—(2,000), 55c to $1.65, 2nd week. **Gross:** $6,500. (Average, $10,000)

Split Frease Circuit

SAN FRANCISCO, Oct. 20.—Decentralization of the late Phil A. Frease's theatre holdings has been effected here by Mrs. Frease, with the central office in the Golden Gate Bldg. abandoned. The Redwood in Redwood City is managed by Robert Pearson and the Vacaville, Vacaville, by Mrs. Frease herself and W. J. Clarke. The house in Albany, Berkeley suburb, will be operated by William J. Garon, San Francisco theatre architect who designed the building, with Neil Crowley acting as resident manager.

Drop Bank Night Fee

WINTER HAVEN, Fla., Oct. 20.—The city commission has decided that the $5 license fee on every Bank Night program will not be required of the local theatres.

175 1st Runs in 29 Cities Report $1,625,287 Gross

Comparative grosses for the latest available period:

	Week Ending Oct. 9-10		*Week Ending Oct. 2-3*	
	No. Theatres	*Gross*	*No. Theatres*	*Gross*
Boston	7	84,000	8	115,000
Buffalo	5	49,837	5	48,950
Chicago	8	130,100	9	136,800
Cincinnati	8	53,900	8	52,450
Cleveland	5	55,300	5	63,530
Denver	7	31,000	7	39,500
Detroit	6	77,500	5	68,100
Houston	4	26,000	4	25,700
Indianapolis	4	32,850	4	25,800
Kansas City	5	38,000	5	34,300
Lincoln	5	11,950	5	12,875
Los Angeles	10	109,700	10	108,300
Louisville	7	22,300	7	22,100
Milwaukee	5	25,200	5	26,200
Minneapolis	5	25,900	5	31,900
Montreal	4	39,000	5	48,000
New Haven	4	22,200	4	24,100
New York	10	271,500	10	285,653
Oklahoma City	4	14,200	4	15,700
Omaha	3	20,600	3	22,500
Philadelphia	9	88,000	10	97,900
Pittsburgh	5	43,650	5	47,050
Portland	6	38,150	6	31,700
Providence	5	38,100	5	44,200
San Francisco	9	80,100	9	81,800
St. Louis	7	65,700	6	67,900
St. Paul	4	17,000	4	19,000
Seattle	7	37,150	7	35,100
Washington	7	76,400	7	73,200
	175	$1,625,287	177	$1,705,308

Key city grosses from November to the week ending Oct. 9-10:

	No. Theatres	*Gross*
Nov. 28-29	181	1,593,860
Dec. 5-6	183	1,766,910
Dec. 12-13	180	1,434,785
Dec. 19-20	171	1,321,385
Dec. 26-27	175	1,228,199
Jan. 2-3	179	1,918,729
Jan. 9-10	179	1,901,455
Jan. 16-17	176	1,722,400
Jan. 23-24	173	1,539,065
Jan. 30-31	177	1,515,300
Feb. 6-7	168	1,591,350
Feb. 13-14	174	1,680,180
Feb. 20-21	175	1,558,185
Feb. 27-28	178	1,777,650
Mar. 5-6	179	1,689,550
Mar. 12-13	181	1,761,547
Mar. 19-20	174	1,502,583
Mar. 26-27	172	1,521,800
Apr. 2-3	174	1,373,875
Apr. 9-10	177	1,354,624
Apr. 16-17	180	1,732,100
Apr. 23-24	179	1,703,822
Apr. 30-May 1	186	1,583,945
May 7-8	182	1,565,050
May 15-16	169	1,432,569
May 22-23	170	1,441,980
May 29-30	169	1,379,250
June 5-6	165	1,458,666
June 12-13	166	1,357,750
June 19-20	160	1,349,200
June 26-27	165	1,376,208
July 3-4	168	1,557,696
July 10-11	169	1,431,650
July 17-18	165	1,357,200
July 24-25	165	1,426,153
July 31-Aug. 1	166	1,468,800
Aug. 7-8	169	1,518,011
Aug. 14-15	166	1,550,120
Aug. 21-22	162	1,559,350
Aug. 28-29	160	1,532,319
Sept. 4-5	163	1,747,748
Sept. 11-12	173	2,090,144
Sept. 18-19	176	1,806,350
Sept. 25-26	177	1,744,332
Oct. 2-3	177	1,705,308
Oct. 9-10	175	1,625,287

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"Brute" Smash In Cleveland With $8,350

CLEVELAND, Oct. 20.—"The Magnificent Brute" was the biggest box-office draw of the week. It polled $8,350 at the Allen, which was better than double the average business.

"The Big Broadcast of 1937" went $8,000 over par at Loew's State with a total of $20,000 for the week.

"Give Me Your Heart," at the RKO Palace with vaudeville on the stage, went to $17,500. This was $2,500 up.

"A Midsummer Night's Dream," sponsored by the leading women's clubs, made a good showing during its first popular priced run at Warners' Hippodrome. It went over the $10,000 average by more than $200.

"The Great Ziegfeld," playing its fourth consecutive week downtown at advanced admission prices, had a $5,500 take. This was only $100 under the average gross at the Stillman for a first week.

Total first run business was $61,600. Average is $47,000.

Estimated takings for the week ending Oct. 16:

"THE MAGNIFICENT BRUTE" (Univ.)
ALLEN — (3,300), 30c-35c-42c, 7 days. **Gross:** $8,350. (Average, $4,000)

"THE BIG BROADCAST OF 1937" (Para.)
LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $20,000. (Average, $12,000)

"THE GREAT ZIEGFELD" (M-G-M)
LOEW'S STILLMAN—(1,900), 35c-42c-56c 7 days, 4th week. **Gross:** $5,500. (Average, $6,000)

"GIVE ME YOUR HEART" (W. B.)
RKO PALACE—(3,100), 30c-42c-60c, 7 days. Stage: Vaudeville. **Gross:** $17,500. Average, $15,000)

"A MIDSUMMER NIGHT'S DREAM" (W. B.)
WARNERS' HIPPODROME—(3,800), 30c-35c-42c, 7 days. **Gross:** $10,250. (Average, $10,000)

"Ramona" Houston's Best Bet at $7,500

HOUSTON, Oct. 20.—"Ramona" led the parade in an average week, with $7,500 at the Majestic, where $7,000 is average.

"Dodsworth" hit par at $7,000 at Loew's State, building after a slow opening. "Give Me Your Heart" fell off $500, taking $6,500 at the Metropolitan where $7,000 is average.

The Kirby broke even on the week with $5,000, "Bengal Tiger" making the best showing on a program split three ways.

Rains and the first "norther" of fall hit grosses, and the Epsom Downs racing season cut in to some extent.

Total first run business was $26,000. Average is $26,000.

Estimated takings for the week ending Oct. 8:

"WALKING ON AIR" (Radio)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $1,900. (Average, 7 days, $5,000)

"LOVE BEGINS AT 20" (W. B.)
KIRBY—(1,450), 15c-35c, 1 day. Bank Night. **Gross:** $1,000. (Average, 7 days, $5,000)

"BENGAL TIGER" (F. N.)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,100. (Average, 7 days, $5,000)

"DODSWORTH" (U. A.)
LOEW'S STATE—(2,750), 25c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)

"RAMONA" (20th-Fox)
MAJESTIC—(2,250), 25c-50c, 7 days. **Gross:** $7,500. (Average, $7,000)

"GIVE ME YOUR HEART" (W. B.)
METROPOLITAN—(2,600), 25c-50c, 7 days. **Gross:** $6,500. (Average, $7,000)

"Libeled" Is Chicago Top; Gets $28,500

CHICAGO, Oct. 20.—"Libeled Lady" was the outstanding attraction in the Loop last week, with a take of $28,500, over par by $13,500. The United Artists played with film with a comedy and newsreel. The program was so short that the turnover was speeded up.

At the Chicago "Give Me Your Heart," with Eddie Peabody and a revue on the stage, pulled $37,500, up by $5,500. Good reviews on "Ramona" and a strong campaign on Don Ameche, former local radio favorite, pulled the Roosevelt gross up to $16,800, over normal by $5,800.

"Gorgeous Hussy" took $7,400 at the Garrick after three weeks at the United Artists, and "Anthony Adverse" grossed $6,800 in its second week at the Apollo.

Total first run business was $144,100. Average is $115,000.

Estimated takings:

Week Ending Oct. 14:

"TWO IN A CROWD" (Univ.)
PALACE—(2,509), 30c-40c-60c, 7 days. Stage: "Hollywood Hotel" Revue. **Gross:** $16,000. (Average, $19,000)

"GIVE ME YOUR HEART" (W. B.)
CHICAGO—(4,000), 35c-50c-75c, 7 days. Stage: Eddie Peabody and Revue. **Gross:** $37,500. (Average, $32,000)

"JAILBREAK" (W. B.)
ORIENTAL — (3,490), 25c-40c, 7 days. Stage: "Vogues of 1927" Revue. **Gross:** $16,800. (Average, $15,000)

Week Ending Oct. 16:

"RAMONA" (20th-Fox)
ROOSEVELT — (1,591), 30c-40c-60c, 7 days. **Gross:** $16,800. (Average, $11,000)

"LIBELED LADY" (M-G-M)
UNITED ARTISTS—(1,700), 30c-40c-60c, 7 days. **Gross:** $28,500. (Average, $15,000)

"ANTHONY ADVERSE" (W. B.)
APOLLO—(1,400), 30c-40c-60c, 7 days, 2nd week. **Gross:** $6,800. (Average, $4,500)

"GORGEOUS HUSSY" (M-G-M)
GARRICK—(900), 30c-40c-60c, 7 days, after 3 weeks at the United Artists. **Gross:** $7,400. (Average, $5,500)

"SECOND WIFE" (Radio)
STATE-LAKE — (2,776), 20c-30c-35c, 7 days. Stage: Fred Allen Amateurs. **Gross:** $14,200. (Average, $13,000)

"Broadcast" Pulls $7,000 at Spokane

SPOKANE, Oct. 20. — "The Big Broadcast of 1937" turned in the best showing of the week, $7,000, at the State. This was over par by $2,200.

"The Great Ziegfeld" garnered $10,100 in 10 days at the Fox. This was $2,100 over the house average at regular prices.

"Nine Days a Queen" and "Isle of Fury" played just two days the last of the week at the Orpheum to make room for "They Met in a Taxi" and a Major Bowes unit.

Total first run business was $21,100. Average is $16,800.

Estimated takings for the week ending Oct. 16:

"THE GREAT ZIEGFELD" (M-G-M)
FOX—(2,300), 35c-55c, 10 days. **Gross:** $10,100. (Average at regular 25c-40c, $8,000)

"BIG BROADCAST OF 1937" (Para.)
STATE—(1,000), 30c-40c, 7 days. **Gross:** $7,000. (Average, $4,800)

"MUMMY'S BOYS" (Radio)
"WOMEN ARE TROUBLE" (M-G-M)
ORPHEUM — (1,200), 20c-30c, 4 days. **Gross:** $3,100. (Average, $3,000)

"NINE DAYS A QUEEN" (G. B.)
"ISLE OF FURY" (W. B.)
ORPHEUM — (1,200), 20c-30c, 2 days. **Gross:** $900. (Average, $1,000)

"Your Heart" Gets $17,000 In Pittsburgh

PITTSBURGH, Oct. 20.—With two holdovers both doing excellent business, business in the downtown sector took a general spurt.

"Give Me Your Heart" pulled up the Stanley to an excellent $17,000.

"Mummy's Boys" and "I'd Give My Life" at the Warner jumped to $4,725. Although "Ladies in Love" started off with a rush at the Alvin, it fell way off at the half-way mark and the management at the last minute yanked it after eight days in favor of "The Magnificent Brute." In that period, the picture got around $8,750.

The pair of holdovers both fared exceptionally well. In its sixth week, "My Man Godfrey" did around $5,870 at the Fulton and stayed for a seventh week, breaking all run records here, while in its second and last week at the Penn, "The Great Ziegfeld" was good for $12,000.

Total first run grosses were $48,345. Average is $37,000.

Estimated takings for the week ending Oct. 15:

"LADIES IN LOVE" (20th-Fox)
ALVIN—(2,000), 25c-40c, 8 days. **Gross:** $8,750. (Average, for 7 days, $5,500)

"MY MAN GODFREY" (Univ.)
FULTON—(1,750), 25c-40c, 7 days, 6th week. **Gross:** $5,870. (Average, $4,500)

"GIVE ME YOUR HEART" (W. B.)
STANLEY—(3,600), 25c-50c, 7 days. **Gross:** $17,000. (Average, $11,500)

"MUMMY'S BOYS" (Radio)
"I'D GIVE MY LIFE" (Para.)
WARNER—(2,000), 25c-40c, 7 days. **Gross:** $4,725. (Average, $4,500)

Harttmann Party Fishes

KANSAS CITY, Oct. 20.—George Harttmann, operator of the Armour in North Kansas City; Frank Cassil, St. Joseph, Mo., exhibitor, and Mrs. Cassil, spent several days last week at Arrowhead Beach, Lake of the Ozarks, fishing. Cassil's hands still are raw from pulling in fish.

Barron Joins U. A.

PITTSBURGH, Oct. 20.—William Barron, manager of Warners' Kenyon, has resigned to join the United Artists sales force in Cleveland. He has been succeeded here by William J. Mahoney, formerly of Warners' Highpoint in St. Louis.

Reopen Canton House

CANTON, O., Oct. 20.—Bob Burch has reopened the old Grand Opera House with a burlesque policy, but plans to add pictures later. A stock company of 32 is on the payroll with shows being changed weekly.

Para. News Re-Equips

Paramount News is re-equipping its newsreel channels with new Western Electric amplifiers. Erpi reported yesterday that delivery of the new equipment had just been made.

Manages 2 Danz Houses

SEATTLE, Oct. 20.—Ross Youthers has been appointed manager of John Danz's Florence and Star here, third-run houses.

Try the Local

Skeleton skyscrapers, structural steel and rivets play such an integral part in "Iron Men," stage play which opened at the Longacre Monday evening, Bob Goldstein remarked to a talent scout: "You like that actor? Better talk to Local 40 about signing him."

No Ruling Made Yet On Bay State Reels

BOSTON, Oct. 20.—Four weeks have elapsed since the private hearing on the use of the 2,000-foot reel held before Commissioner of Public Safety Paul Kirk, but no statement has been issued approving or disapproving the new equipment. Kirk has been away from his desk on other matters, but according to Joseph Brennan, secretary to Allied Theatres, Kirk will probably take some stand within a week or two.

Films are being shipped into the local exchanges on the 2,000-foot reels, but when used in the booths they are mounted on the smaller reels to comply with union requirements which impose a fine upon projectionits who fail to make the change. Union operators have stated that they will abide by any decision that Commissioner Kirk may make.

Canada Using Long Reels

TORONTO, Oct. 20.—Distributors in Canada are following the move in the United States for the standardization of 2,000-foot reels. Several exchanges have been using the 2,000-foot reels during the past year, but the remainder are now falling into line to facilitate projection and to protect prints from repeated splicing.

Chicago to License Projection Devices

(*Continued from page* 1)

permits have been issued thus far nor have any been applied for. In some instances the law is being violated.

The Film Board of Trade will submit a resolution to the City Council next week asking that the ordinance be changed to allow three-fourths of an inch clearance instead of one inch. This would make unnecessary the buying of much new equipment or the rewinding on to smaller reels. Unless the council grants this change much trouble will probably result, as the distributors are against any other system and are planning a fight to the finish.

Start "Pup's Christmas"

HOLLYWOOD, Oct. 20.—Harmon-Ising have started "The Pup's Christmas," color cartoon subject intended for release in December. The studio is also preparing "To Spring," a color cartoon short which will be released in the late winter.

Tevlin at Twickenham

LONDON, Oct. 12.—C. J. Tevlin, who recently placed "Broken Blossoms" and "She Shall Have Music" in the American market, has been appointed American representative of Twickenham Film Distributors. He will return to New York at end of October.

"Cain," Dual Frisco Lead With $17,000

SAN FRANCISCO, Oct. 20.—The combination of "Cain and Mabel" and "Sworn Enemy" at the Fox, took top honors here with $17,000 against a $15,000 average, in a week which showed nothing spectacular in box-office results.

"Dodsworth" at the United Artists and the dual of "Ladies in Love" and "Murder with Pictures" at the Warfield, each went $1,000 over par, the former grossing $10,000, and the latter taking $14,000.

"Dimples" and "The Case of the Velvet Claws," dualled at the St. Francis, went $800 over a $6,000 average in the second week. The only other house to better par was the Clay, where the French film, "Lac Aux Dames," did $1,100 against an average of $1,000.

"George White's Scandals," with known New York names in the cast, pulled strongly at the Curran, while the WPA production of "The Fool" was weak at the Columbia. The weather was warm.

Total first run business was $85,100. Average is $94,500.

Estimated takings:

Week Ending Oct. 13:

"SWING TIME" (Radio)
EMBASSY—(1,400), 10c-30c-35c-40c, 7 days, 5th downtown week. **Gross:** $2,000. (Average, $4,000)

"BIG GAME" (Radio)
GOLDEN GATE—(2,850), 15c-30c-35c-40c, 7 days. Stage, vaudeville. **Gross:** $15,500. (Average, $16,000)

Week Ending Oct. 14:

"MY MAN GODFREY" (Univ.)
"YELLOWSTONE" (Univ.)
ORPHEUM — (2,440), 15c-30c-35c-40c, 7 days, 5th week. **Gross:** $6,200. (Average, $7,500)

"GORGEOUS HUSSY" (M-G-M)
"THREE MARRIED MEN" (Para.)
PARAMOUNT — (2,740), 15c-30c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $12,500. (Average, $13,000)

"DODSWORTH" (U.A.)
UNITED ARTISTS—(1,200), 15c-30c-35c-40c-55c, 7 days. **Gross:** $10,000. (Average, $9,000)

"LADIES IN LOVE" (20th-Fox)
"MURDER WITH PICTURES" (Para.)
WARFIELD—(2,680), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $14,000. (Average, $13,000)

Week Ending Oct. 15:

"CAIN AND MABEL" (W.B.)
"SWORN ENEMY" (M-G-M)
FOX — (5,000), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $17,000. (Average, $15,000)

"DIMPLES" (20th-Fox)
"CASE OF THE VELVET CLAWS" (W.B.)
ST. FRANCIS—(1,470), 15c-30c-35c-40c, 7 days, 2nd downtown week. **Gross:** $6,800. (Average, $6,000)

Week Ending Oct. 16:

"LAC AUX DAMES" (French)
CLAY—(400), 15c-35c, 7 days. **Gross:** $1,100. (Average, $1,000)

Set Music Hall Rally

The New York Wing of the Junior Birdmen of America will hold its winter rally at the Music Hall on Saturday morning, Dec. 12. It will mark the first time the Music Hall will be used for any private function.

Parker May Tip Scales

PORTLAND, Oct. 20.—Business has picked up so strongly with the advent of the fall season that J. J. Parker feels another raise in admissions may be possible, he says.

COME CLOSER, FOLKS...

I could sell you the shirt off your back! But today I am featuring a hot-out-of-Hollywood supersmash comedy with more laughs than a hyena, more speed than a streamlined rocket-plane. Who'll be the first to step right in to the nearest Columbia exchange and book the fastest, funniest racket expose since talkies were born?

Ready Now!



A COLUMBIA PICTURE

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

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Ascap Asking Canada Music Payments Here

Distributors Oppose, But MPPDA to Get Proposal

Indications are that Ascap, at a meeting with the M.P.P.D.A. law committee next Monday, will petition distributors again to pay the Canadian theatres music tax directly to it in order to avoid complications which may result for both the music licensing society and the distributors from the new Canadian regulations which restrict the schedule of music fees which may be charged in the Dominion.

The proposal was first advanced by Ascap last summer as a condition on which it would continue its Canadian operations but was rejected by the distributors. The proposal involved the continuation of the music tax rates which have applied in Canada heretofore with the payment being made directly to Ascap by American distributors on behalf of their Canadian accounts. The implication was left

(*Continued on page 6*)

Films Not Hit By Ban on Publicity

Motion picture news, reviews and similar material are not affected by a current campaign, directed by the American Newspaper Publishers' Ass'n, to eliminate free publicity from the news columns of American newspapers, according to *Motion Picture Herald.*

Already publishers in eight cities have subscribed to the ban, and the movement is taking hold elsewhere. Assurances have been given in most cases that there will be no reduction in drama and film editorial staffs, or in amusement page space.

The news coming out of Hollywood was cited by the A.N.P.A. as typical

(*Continued on page 7*)

Chappell-Warners Drop Deal on Harms

Negotiations for Chappell's to take over operation of Harms on a percentage basis from Warners have been called off. Differences between Max Dreyfus and Warners on the terms of the proposed deal were said to be the reason.

Louis Dreyfus recently arrived from England on his usual trip with the

(*Continued on page 6*)

ITOA Starts New Protest On Exclusives

Sets Meeting of Theatre Unit Representatives

Exclusive runs, which were dropped several years ago after an experiment, have cropped up again and yesterday nettled members of the I. T. O. A. to the point where telegrams were ordered sent out to every independent theatre organization east of Chicago, asking each to send a representative to a committee meeting next Wednesday at the Astor.

The purpose of the meeting is to discuss the advisability of calling a mass meetirg of theatre owners as far as the Windy City on the following Wednesday in New York to protest.

David Weinstock, a member of the local organization's buying committee, during the last week was visited by a representative of New England exhibitors who made the complaint. Weinstock took up the matter with I. T. O. A. members yesterday and it was decided to contact all unaffiliated units within 1,000 miles for opinions.

No individual company was singled out at the Astor session yesterday, the complaint being of a general nature, it was stated by John Manheimer, secretary of the organization. No information could be given as to where the practice is current.

Last night, telegrams were sent out

(*Continued on page 6*)

Bondholders to Ask More Time on Roxy

Due to uncompleted negotiations on the lobby lease, an extension of at least two weeks for the filing of a reorganization plan for the Roxy by the bondholders' committee will be sought tomorrow by Carlos Israels of White & Case, attorneys for the bondholders, when the adjourned hearing comes up before Judge Francis G. Caffey.

The lobby lease is a part of the rehabilitation plan which will include

(*Continued on page 6*)

Report Loew's-Penn Pittsburgh Deal Set

PITTSBURGH, Oct. 21. — Arrangements between the stockholders and landlord of the Penn and Loew's for turning over the theatre to Loew's for operation again are reliably reported to have been completed with the circuit to assume management about Nov. 1.

Loew's dropped the theatre several

(*Continued on page 7*)

No Holds Barred

Washington, Oct. 21.—The two major presidential nominees will have their say in terms of film today when the Rialto will inaugurate a week's run of "Let's Look at the Record," presenting the Republican objectives, and "The Fighting President," representing highlights of the Roosevelt administration. Both pictures will be held to identical running time, about 22 minutes for each picture.

Exits will be in the usual places.

Germans Are Disturbed by Cost of Films

WASHINGTON, Oct. 21.—Costs of German films are causing great anxiety, according to a report to the U. S. Dept. of Commerce from Trade Commissioner R. M. Stephenson in Berlin.

Although some films have been produced for 180,000 marks the average cost is between 250,000 and 300,000 marks; big features have cost around 600,000 marks, and super films, synchronized in several languages, 800,000 marks and more. Various attempts have been made to reduce costs.

The Filmkredit Bank G. m. b. H., in conformity with the Reichsfilm Chamber, has reversed its policy and is now granting credits on the average of only about 50 per cent of production cost instead of 75 per cent, as formerly. This change in policy has embarrassed producers as it involves an overhauling of their plans. One result

(*Continued on page 7*)

Copyright Report To Be Made Today

The formal report of E. P. Kilroe of Twentieth Century-Fox, containing the industry's recommendation that the United States join the Berne International Copyright Convention provided that four major changes in the rules of the convention are made, will be submitted to the M.P.P.D.A. copyright committee at the Hays office today.

The committee will be asked to adopt the report and to decide whether it should be forwarded to

(*Continued on page 7*)

Debentures of RKO Are Tied In with Notes

Holders Concerned Over Payment on Latter

Considerable concern is being evidenced among RKO debenture holders over the petition of the Irving Trust Co., as trustee of RKO, to retire the outstanding $750,000 of RKO gold notes which are now held by the Bank of America National Ass'n, Los Angeles. The petition is scheduled for hearing before Federal Judge William Bondy in U. S. District Court here today, but will probably be postponed at the request of Atlas Corp.—Lehman Bros.—RCA interests, which are the principal holders of the RKO debentures.

The RKO gold notes are secured by all of the working assets of the company, including the studio. The RKO trustee asks that these assets be turned over to it in the event the court authorizes the retirement of the gold notes as petitioned. Debenture holders have a second lien on the assets while the gold notes are unpaid and outstanding, thus giving the debentures a secured position until the notes are paid off.

The original agreement stipulated that the RKO assets securing the notes would revert to the company after they had been paid off. The indenture covering the RKO debentures then provides that the company cannot make a new loan without equally securing the debentures. In the current move to retire the last of the gold

(*Continued on page 6*)

Expect First Trade Concessions Today

The first company announcement of revisions of its sales policy to embrace trade practices sought by the M.P.T.O.A. is expected to be made today or tomorrow with the concessions of other companies being made known soon after.

The seven major companies exclu-

(*Continued on page 7*)

"Dodsworth" Pulls $27,600, 4th Week

"Dodsworth," in its fourth week at the Rivoli, garnered $27,600 and is now in its last week. For the third week, the tally was approximately $30,000.

The Paramount ended the second

(*Continued on page 7*)

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G. B. Annual Session Will Be Held Nov. 2

By BRUCE ALLAN

LONDON, Oct. 21.—Next developments in the Gaumont British situation are expected at the annual meeting which is to be held Nov. 2.

In the meantime S. R. Kent has gone to France. He is not expected to sail on the *Ile de France* and the date of his departure is uncertain.

Due to an error, it was stated that the sale price of the Ostrers' "B" shares in Metropolis and Bradford Trust to John Maxwell and Associated British Pictures was £325,000 cash and £300,000 in A.B.P. shares. The latter should have read 300,000 shares, the market value of which is now about £268,125 at 17/10½.

Rogers Leaving Coast

HOLLYWOOD, Oct. 21.—Charles R. Rogers will leave tomorrow by train for New York, where he will meet for conferences on new international production plans with Herbert Wilcox of the Universal board of directors. Wilcox will arrive in New York from London Nov. 2.

"Punches and Judy" Clean, Light Play, O.K. for Films

Pointing no moral, carrying no message, but just aiming to please—and succeeding in a fair measure—"Punches and Judy" showed itself a lightly diverting comedy, in its pre-Broadway week at the Boulevard of the subway circuit in Jackson Heights.

To John Golden, who produced the C. G. Blythe play, must go a unique distinction. He has, if you please, informed the playgoer in specific fashion on the program that Golden presents "A Clean American Comedy." And clean it is, clean and swift and entertaining.

There is a picture in it, much the same type of light, fast picture that it is a play, but with the added popular-taste literal action which the screen technically is able to apply. It tells a yarn of the prize fight game, and a world of squared circle action is awaiting the cameras.

There is a touch of drama, but it is not to be taken too seriously at any time. A bouquet goes to an eminently satisfactory cast, headed by Florence Reed, the Irish-brogued mother; Lawrence O'Brien as the helpful priest; Phyllis Welch as the pretty daughter; Eric Dressler as the young fight manager, and Broderick Crawford as the amorous, slow-witted and bulky pugilist.

Pug Steals Manager's Girl

Dressler, ex-fighter, decides to turn manager, finds himself Crawford, and aims for the better things in life—with Miss Welch. His one trouble is that he likes to take it slowly, caution being his mainstay in life. Miss Welch waits and hopes, then waits some more. But Crawford doesn't wait, and Dressler can't know that her leanings toward the pug-ugly are for his own eventual good.

In the second act of three comes fame and a shot at the champion, and Dressler is through with Miss Welch, and hates his fighter. He tries to get him beaten, but the boxer goes up. Through it all runs the objections, the battling for her "lost" child, of Miss Reed, lovable, cantankerous and delightfully human. Eventually Dressler sees the light, and Crawford is glad to relinquish Miss Welch, his one good eye (Miss Reed blacked the other) only on the championship.

Republic Talks Finished

Conferences on production costs for Republic Pictures were completed yesterday by home office, studio and sales executives. Grover Parsons, coast district manager, left last night by plane for Los Angeles, while Max Roth, midwest district sales head, departed by train for Kansas City. Nat Levine, production head, plans to leave in a few days.

M. P. Academy to Elect

HOLLYWOOD, Oct. 21.—The Academy will hold a joint meeting of the board of governors and combined executive boards tomorrow night to select new officers for the year.

It is understood the reelection of Frank Capra and several of the other officers is assured.

Matters of policy will also be discussed.

Poor Bette!

Rottingdean, England, Oct. 21.—Bette Davis, waiting for action on her appeal from the injunction obtained by Warners, went for a bicycle ride, forgot to turn a corner and skinned her knee. Then she caught a cold. Then, "I am a sick little girl," she told a caller.

She declared her mother is coming over, they will tour Europe, "Then I'll go back to Hollywood if I lose the appeal, or stay in England and work if I win. I'll probably lose and have to go back to Hollywood and the Warner Brothers' jail."

Her salary is $3,000 a week.

Ticket Taxes Up; $489,456 in Month

WASHINGTON, Oct. 21.—A sharp upturn in Broadway grosses is disclosed by figures made available today by the Internal Revenue Bureau, showing that taxes collected on box-office admissions during September in the third New York district totaled $489,456 against $314,708 in August.

Collections of all theatre taxes in the district last month reached $517,180 against $363,362 in August, but were $5,000 under the July figure of $522,536 in that month. Box-office collections were $471,748.

Taxes collected on free or reduced rate admissions, the bureau reported, were $1,714 last month against $4,056 in August, while $1,699 was collected on tickets sold by brokers, against $2,330; and $24,311 from admissions to roof gardens and cabarets against $41,173. There were no taxes collected during the month on tickets sold by proprietors in excess of the established price or on permanent use or lease of boxes and seats.

Dismiss Music Pickets

Charges of disorderly conduct were withdrawn by representatives of the Globe on Broadway against Ralph Whitehead, executive secretary of the A. F. A., and Abraham Lubert, member of Local 802, in connection with the picketing of the house as part of the union's drive for the reemployment of musicians in film theatres.

Tom Pettey Back on Job

HOLLYWOOD, Oct. 21.—Tom Pettey has returned from a vacation and resumed duties as press relations head of the Producers' Assn.

Kenneth Clark, who has been pinch hitting for Pettey, will return to New York tomorrow.

RKO Team to Dance

The RKO baseball team, winners of the M. P. League championship, will celebrate with a victory dance to be held Friday evening in the Casino of the Air of the Montclair Hotel.

FCC Chairman Also Had Record Barred

WASHINGTON, Oct. 21.—"The Columbia Broadcasting System's rule prohibiting the broadcasting of phonograph records or electrical transcriptions on its network, which received publicity in connection with the Senator Vandenberg broadcast from Chicago Saturday night, also was invoked against the Chairman of the Federal Communications Commission, Anning S. Prall, within the past two weeks," declares Harry C. Butcher, in charge of the CBS Washington office.

Continuing, Manager Butcher stated: "The chairman had been invited by the owners of Station KTSA, at San Antonio, Tex., to speak in a program over the Columbia network on Sunday evening, Oct. 4. The chairman accepted the invitation to speak for five minutes, prepared his speech, and then discovered that it would not be convenient to go to the broadcasting studio that evening. Someone suggested to him the possibility of recording his voice so that it could be put on the air without his presence. Without thinking to check as to the network rule prohibiting use of records or transcriptions, the chairman had a recording made and sent the recording to Columbia's Washington office for use on the network.

Claims Fairness to All

"The chairman was informed of the rule. Neither the transcription nor the chairman himself appeared on the network program. The chairman made no complaint.

"The fact that Columbia barred a recording by the Democratic chairman of the Federal Communications Commission would hardly seem to support published inferences that our action in the case of Senator Vandenberg was dictated by fear of either the Democratic Administration or the Federal Communications Commission."

Broadcast Theatre Singing

HAMILTON, O., Oct. 21.—The Westdale here has inaugurated group singing in the theatre which is broadcast over Station CHML.

Para. Sales Forces Discuss Zukor Drive

Following the St. Louis conclave of all division and district managers, studio executives and home office personnel, 11 Paramount district managers are holding individual meetings with local sales forces on the four-month Adolph Zukor Jubilee which will get under way Jan. 7.

Milt Kusell will conduct a meeting of the Albany and Buffalo forces in the latter city tomorrow and on Monday with the local men at the New York exchange.

A. H. Blank Back Home

DES MOINES, Oct. 21.—A. H. Blank, Mrs. Blank and their son, Raymond, have returned from Atlantic City, where they have been for several weeks while Raymond was convalescing from an operation. He has now completely recovered and will leave shortly for an extended stay at a ranch in Arizona.

To Honor H. M. Warner

H. M. Warner will be guest of honor at a Cinema Club luncheon to be held Oct. 30 in celebration of the 10th anniversary of sound.

Purely Personal

JACOB GLUCKMAN was host to a party of exporters at the Cinema Club yesterday. Also among the diners at the club were DAVID O. DECKER, GEORGE MCDONALD, DAVE PALFREYMAN, ROY NORR, LOUIS NIZER, WALTER TRUMBULL, EDWARD MORRIS, LOUIS PHILLIPS and GABRIEL HESS.

•

HAL OLIVER and LEE BLUMBERG of Warners will leave today for Chicago, spend a few days there and then head for the coast where they will spend three weeks on preparations for advance exploitation on the "Gold Diggers of 1937" cross-country stunt.

•

BEN KALMENSON, Pittsburgh; HARRY SEED, Buffalo; ROBERT SMELTZER, Washington, and W. G. MANSELL, Philadelphia, all Warnerites, have left for their territories after conferences at the home office with GRADWELL SEARS.

•

TITO SCHIPA, Metropolitan tenor, arrives today on the *Rex* from Italy where he completed a picture for Appia Films. The singer will begin a concert tour at the Brooklyn Academy of Music on Oct. 27.

•

ERICH WOLFGANG KORNGOLD, Viennese composer, adaptor of the music for "A Midsummer Night's Dream" and "Anthony Adverse," will arrive today on the *Rex*.

•

S. CHARLES EINFELD is the father of a baby girl born to MRS. EINFELD at the Doctors' Hospital. The child will be named LINDA.

•

WILLIAM SUSSMAN, eastern division manager for Twentieth Century-Fox, will head for Pittsburgh and the annual Variety Ball tomorrow night.

•

ARCHIE MAYO shoves off for California today, if his schedule of earlier in the week holds. His next for Warners will be "Call It a Day."

•

CAB CALLOWAY and his Cotton Club Orchestra will get under way Oct. 27, at the Vitaphone Studio in a short as yet untitled. ROY MACK will direct.

•

EDWIN KNOPF, story head for M-G-M, left for the coast yesterday on the American Mercury, the new air sleeper.

•

HARRY ROSENTHAL of the George White office will be among the TWA passengers en route to the coast tomorrow.

•

JOHN HAY WHITNEY entertained for the daily film editors yesterday. Strictly metropolitan paper stuff. No trade paper reporters were there.

•

HAL WALLIS is due from the coast Monday to meet JACK L. WARNER on his arrival from England on the *Normandie*.

•

GREGG TOLAND, well known coast cameraman, is here and may do a picture in England for ALEXANDER KORDA.

•

ANDRE KOSTELANETZ will make his sixth weekend trip to the coast on Saturday. He's due back Monday, as usual. While in Hollywood, he confers with LILY PONS.

•

MRS. AL LICHTMAN will leave today by train for the coast to join her husband at the M-G-M studios.

•

GEORGE LYNCH left for Gloversville yesterday after two days in town on product buys for the Schine circuit.

•

E. C. GRAINGER will leave next week for a 10-day tour of Feiber & Shea theatres.

•

HARRY FOSTER, English representative of the William Morris office, will leave by plane for the coast Sunday.

•

MRS. S. N. BEHRMAN, wife of the playwright, left via TWA last night for Hollywood.

•

WALTER J. LYNCH, for many years with Pathe, has joined Producers' Laboratories as sales and contact man.

•

ELAINE BARRIE will be heard as a reader of poetry over radio station WMCA today at 3:15 P. M.

•

PAULETTE GODDARD has plane reservations to leave for California tomorrow.

•

CLAIRE TREVOR arrives on the Century Saturday morning for a vacation.

•

BILL HOWARD returns from London in a couple of weeks.

•

EDWARD M. SCHNITZER, Republic district manager, is down with a cold.

•

JIM NORMANLY left for Hollywood yesterday by train.

•

HAL ROACH is due Monday from the coast.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Country Gentlemen"

(*Republic*)

HOLLYWOOD, Oct. 21.—Ole Olsen and Chic Johnson return to the screen in a rollicking comedy. As presented here the veteran entertainers give promise of becoming an important addition to comedy teams. The fast-moving film unreels to the tune of amusing fun in situation, action and dialogue, the latter of a quality sparkling with typical John P. Medbury gag-chatter. All this is under the competent direction of Ralph Staub. Capable action by the leads and the support results in laughable entertainment.

Peddling worthless goldmine stock gets Olsen and Johnson in a jam, the comic situation of which is complicated when a kidnapping charge is also tacked on. The matter adjusted, the pair, teamed with Lila Lee, envision riches in playing bonus-rich war veterans for suckers in oil well promotion. When they are ready to make their coup the trio are exposed as a gang of sharpers. The irate veterans, while riding Olsen and Johnson out of town on a rail, toss a dynamite bomb into an oil well project which unleashes a gusher. The villains become greater heroes when the gold mine also turns out to be a bonanza.

The straight theme is interluded by tricks and gags that keep the laughs coming fast and enthusiastically, and give Joyce Compton, Pierre Watkin, Donald Kirke, Ray Corrigan, Wade Boteler, Frank Sheridan and Joe Cunningham effective, fun-provoking surpporting parts. The freshly contrived original is credited to Milton Raison, Jack Harvey and Jo Graham with the screen play by Joseph Hoffman and Gertrude Orr. The direction, concentrating on the comedy, succeeds in giving Olsen and Johnson opportunities which should popularize them with theatregoers.

Production Code Seal No. 2,738. Running time, 80 minutes. "G."

"Love Letters of a Star"

(*Universal*)

HOLLYWOOD, Oct. 21.—A confused and unexciting murder mystery leaves the audience rather baffled and in a tangle of unexplained clues.

The daughter of a wealthy family commits suicide after being blackmailed with her letters to a matinee idol. The blackmailer is killed during an interview with her grief-stricken family. They attempt to hide the body rather than explain it all to the police. There follow a lot of questions by one of those know-it-all detectives, another murder, and the solution is hung rapidly and unconvincingly on a previously unsuspected character.

The good players are helpless to liven up the material. They include Henry Hunter, Polly Rowles, C. Henry Gordon, Walter Coy, Hobart Cavanaugh, Ralph Forbes, Alma Kruger, Samuel Hinds, Mary Alice Rice, Halliwell Hobbes, Rollo Lloyd, Olin Howland, Warren Hymer and Virginia Brissac. Lewis R. Foster directed.

The title tends to capitalize on recent love letter news stories that have no connection with the plot.

Production Code Seal No. 2,731. Running time, 55 minutes. "G."

Additional Review on page 7

Old Foreign Films In Museum's Series

The third series of programs gathered by the Museum of Modern Art Film Library for distribution to museums, colleges and film study groups throughout the country will consist of the new acquisitions obtained by John E. Abbott and Miss Iris Barry on their recent trip abroad. The programs will illustrate the development of films in France and Germany.

The films in the list cover the German industry from the early offerings of the pioneer Skladanowsky in 1896, to the successful "Emil and the Detectives," from the UFA studios, in 1932.

The French programs will embrace the progress from early Lumiere days to the modern Rene Clair.

Regan Day Transfers International Stock

WASHINGTON, Oct. 21.—Transfer to International Cinema on July 27 of 40,000 shares of its common stock by Regan Day, Inc., Los Angeles, was disclosed today in the semi-monthly report of the Securities and Exchange Commission on the stock transactions of officers and directors of listed corporations.

At the close of the month, Regan Day still held 200,000 shares of the stock, it was shown.

The report also disclosed that in July, Robert W. Atkins, New York, director in Grand National Films, bought and sold during the last two days of the month 2,000 shares of $1 par common stock of the company.

Officers Reelected By Film Carriers

CHICAGO, Oct. 21.—The National Film Carriers' Ass'n completed its sessions here today with an election and discussion of Interstate Commerce Commission regulations.

All officers were reelected except two. E. E. Jameson of Kansas City was named vice-president and M. G. Rogers of Omaha replaced him on the board of directors.

All who attended seemed pleased over the prospects for the new physical distribution plan, as considerable business is expected from independents. The men started leaving tonight for their homes.

Halt Two at 20th-Fox

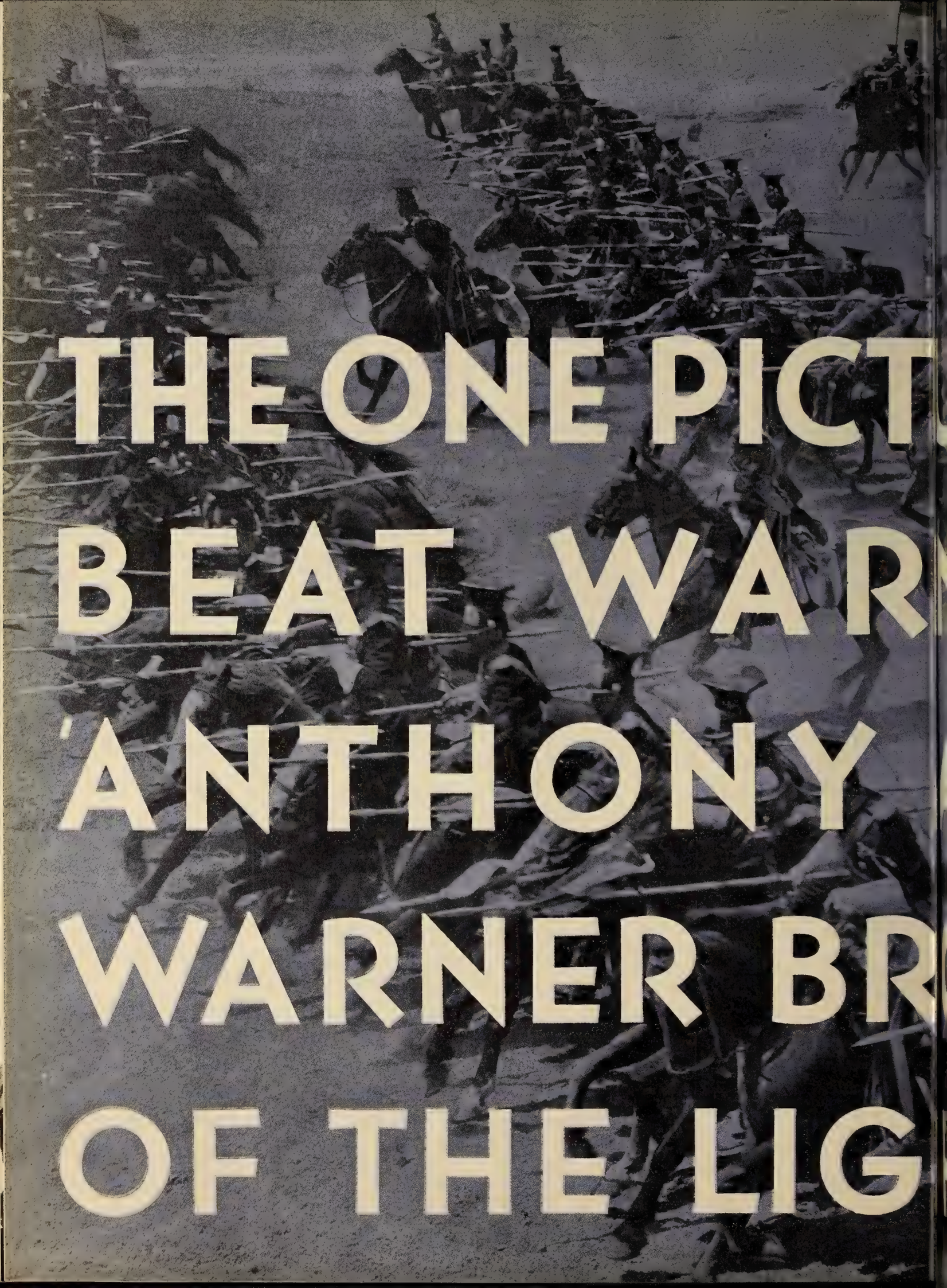
HOLLYWOOD,, Oct. 21.—Two pictures at Twentieth Century-Fox have been forced into suspension by illness of important players. Warner Baxter's broken foot will delay "The White Hunter" about five weeks. On Monday Alice Faye was rushed to the Cedars of Lebanon Hospital with a severe attack of influenza which will suspend "Stowaway" for at least 10 days.

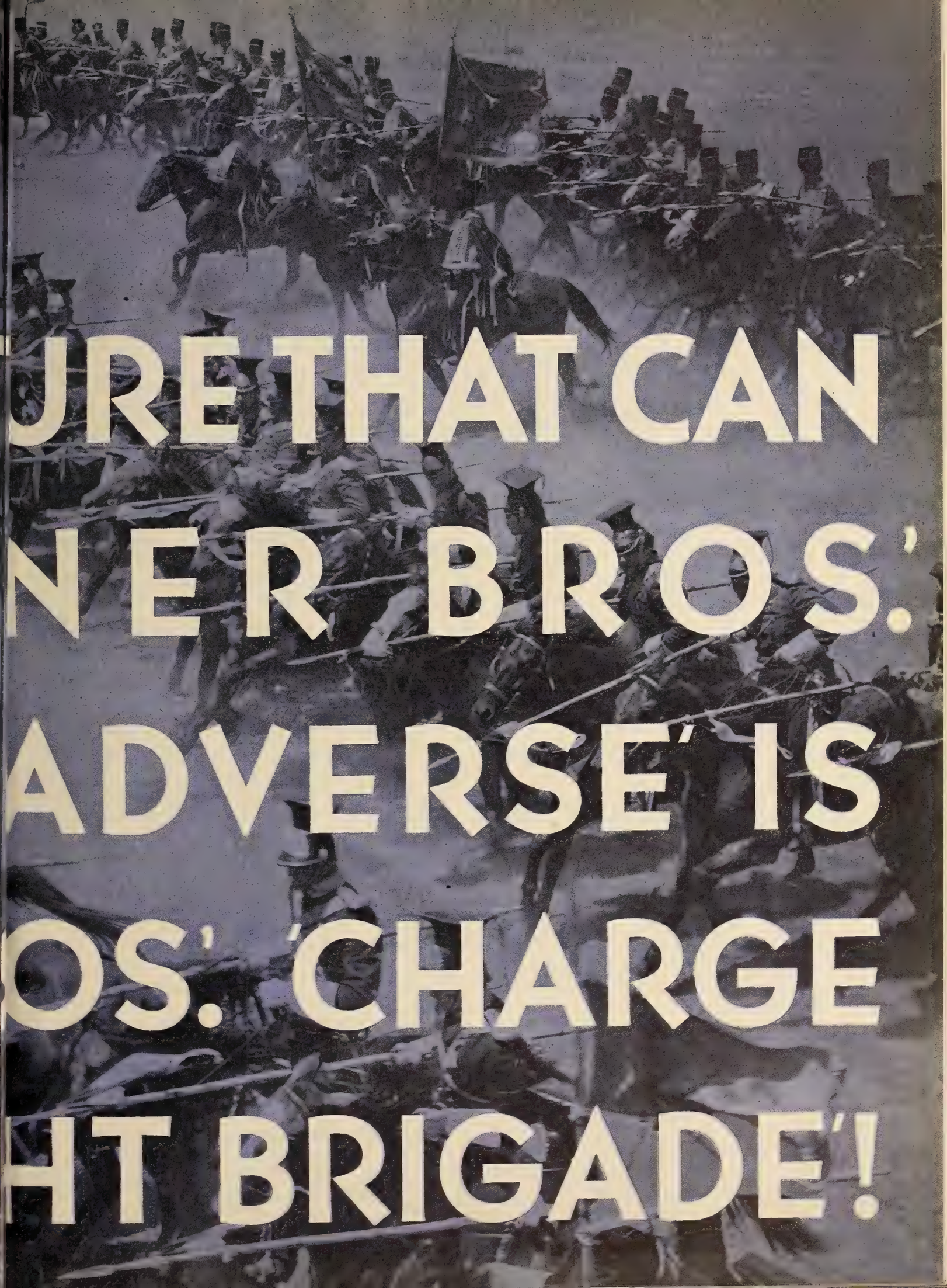
Set Next for Filmarte

"Janosik," French film, will follow "Carnival in Flanders" at the Filmarte, according to John S. Tapernoux, head of the French M. P. Corp., which is distributing the film here.

Robbins to Coast

Herman Robbins, president of National Screen Service and associated companies, flies to Hollywood tomorrow on his annual trip. He will be away several weeks.


THE ONE PICT
BEAT WAR
'ANTHONY
WARNER BR
OF THE LIG


URE THAT CAN
NER BROS.'
ADVERSE' IS
OS. 'CHARGE
HT BRIGADE'!

Ascap Asking Canada Music Payments Here

(*Continued from page* 1)

that the tax could be recouped by a boost in film rentals.

Distributors opposed the suggestion at that time and, to all appearances, have not changed their views since. The greatest opposition to the proposal stems from the belief that if such a course were to be adopted for Canada, the precedent would be seized upon by exhibitors in the United States as a basis for demands that the music tax be absorbed by distributors in this country and that any attempt to recoup the tax through higher film charges would be met with insurmountable sales resistance.

Leslie Boosey, head of the British Performing Rights Society, which, with Ascap, controls the Canadian Performing Rights Society, is now in Ottawa conferring with Dominion officials on the new Canadian regulations. On his arrival here from London last Monday, Boosey said that he favored an attempt to negotiate a compromise with the Dominion government on the rate restrictions and would attempt to work out an agreement which would permit the Canadian Performing Rights Society to continue its operations.

Boosey to Meet with MPPDA

E. C. Mills, general manager of Ascap, stated at the inauguration of the new Dominion restrictions, that the Canadian music licensing organization would be suspended except as a policing agency for copyright owners. Since that time the Canadian organization has been issuing licenses to music users on a month to month basis only. Boosey is expected back here this week end and will attend the meeting with the Hays organization law committee on Monday.

Bondholders to Ask More Time on Roxy

(*Continued from page* 1)

terms for leasing the theatre to Twentieth Century-Fox for 15 years. With all details virtually set, the lobby lease talks are said to be holding up the final plan. It is expected to take two weeks, or three, to complete negotiations on the rental for that part of the lobby which belongs to the Taft Hotel. In the event the talks are extended to the third week another postponement on the court hearing will be asked.

Israels is expected to confer today with Judge Caffey on the extension to Nov. 6.

Harry C. Arthur, who, through Artco, has a management contract for the Roxy with Howard S. Cullman, trustee, is understood to have entered a similar arrangement with Twentieth Century-Fox, if and when, the company, through a subsidiary, acquires the operation. Arthur is in St. Louis and could not be reached for a statement at his local office in the RCA Bldg.

Fox Is On Stand Again

ATLANTIC CITY, Oct. 21.—Questioning of William Fox and his bookkeeper, Herbert Leitsteen, continued today in the Fox bankruptcy hearing before Federal Referee Robert E. Steedle. Attorneys for the creditors continued their effort to trace various gifts made by Fox. The hearing will resume tomorrow.

208 Installations

Erpi has installed the new Western Electric Mirrophonic sound equipment in a total of 208 theatres in various parts of the country since the introduction of the new type, the company reports.

Eureka Seeks Censor Test

A suit to test the New York censor law was filed in Federal Court yesterday by Eureka Prod., Inc., against Governor Lehman, Attorney General John J. Bennett, Jr., and others.

Eureka asks that the statute insofar as it tends to or actually interferes with the exhibition of films in New York State which have been imported, inspected by the Treasury Dept. and approved by the Government be declared null and void. The complaint states that the section of the state law as far as it concerns imported pictures is against Article 1, Section 8, of the Constitution.

The complaint also asks that the defendants be restrained from interfering with the showing of "Ecstacy" during trial of the action and permanently thereafter.

Patent Ruling Awaited

BOSTON, Oct. 21.—A decision of the U. S. Circuit Court of Appeals is being awaited in an infringement suit brought by Bank Night against Parlay Cash Night. The latter admitted using a plan similar to that employed by Bank Night, basing its arguments on the allegation that Bank Night was not patentable.

The case was brought several months ago by George S. Ryan, representing Roy Heffener of Affiliated Enterprises, and was thrown out of court previously on the grounds that both schemes were lottery violations. Bank Night has since been adjudged legal by the Massachusetts Supreme Judicial Court.

Rule Screeno Illegal

DES MOINES, Oct. 21.—Screeno has been ruled an illegal lottery under Iowa law by the attorney general's office. The opinion by Walter Maley, first assistant attorney general, said the plan contained the three elements of chance, consideration and prize which constitutes a lottery under Iowa law.

Fuller Bond Not Filed

NEW ORLEANS, Oct. 21.—To date George Fuller of Florida, who brought suit in U. S. District Court here, alleging discrimination on the part of seven major companies, has not yet filed a bond for costs with the clerk of the court. It is expected that the case will be heard some time in November.

Para. Re-Signs Reed

HOLLYWOOD, Oct. 21.—J. Theodore Reed has been given a new directorial contract by Paramount. His next will be "Betting Fever."

ITOA Starts New Protest On Exclusives

(*Continued from page* 1)

to Allied of the District of Columbia, Allied of Illinois, Independent Exhibitors of New England, Allied of Michigan, Allied of New Jersey, United M. P. T. O. of Eastern Pennsylvania, Southern N. J. and Delaware, Allied of New York, Cleveland M. P. Exhibitors' Ass'n, and one or two others.

As general sales manager for United Artists several years ago, Al Lichtman inaugurated exclusive runs with several spots in the midwest playing U. A. pictures on that basis. Harry C. Arthur, who operated four theatres in New England, extended the policy to that area and in addition to U. A. had M-G-M shorts as well as features bought on that basis. Numerous protests were launched against the plan and within a short time it was discontinued.

The plan, at that time, was to show a given picture at only one theatre in a zone at a 40-cent minimum admission. Second and subsequent runs were not to get the pictures. Complaints followed that theatres would be forced to close due to a dearth of available product.

Whether the latest complaints are against this policy or a modified version could not be learned.

Nov. 4 for Michigan Allied

DETROIT, Oct. 21.—Nathan Yamins, president; Abram F. Myers, general counsel, and W. A. Steffes of National Allied will be the leading speakers at the state convention of Allied of Michigan, to be held at the Hotel Statler here Nov. 4 and 5.

Mayor Frank Couzens of Detroit will welcome the delegates, as will Louis J. Flint for a citizens' committee. Fred Delodder, Michigan Allied president, will respond for the organization. Yamins will speak on the opening day, while Myers and Steffes will talk on Nov. 5. Officers will be elected on that day and the annual banquet will conclude the meeting in the evening. The board of directors will hold their annual meeting on Nov. 3, to be followed by an "election party" at the local Variety Club.

Chappell, Warners Drop Deal on Harms

(*Continued from page* 1)

Harms matter regarded as incidental. He will remain in New York for another month before returning to the other side. Jerome Kern, vice-president of Harms, arrived from Hollywood about two weeks ago to look in on the deal and complete arrangements for moving his home west. He will be in town for another two weeks.

Abe Frankle Married

DES MOINES, Oct. 21.—Abe Frankle, president and manager of Riverview Park Amusement Co., and owner of the Casino, was married to Mrs. Esther Smith of Des Moines in St. Joseph, Mo., on Oct. 9. They will be at home after Nov. 1.

Debentures of RKO Are Tied In with Notes

(*Continued from page* 1)

notes, therefore, the legal question is raised as to whether or not the debentures will have any secured position at all in the event the notes are paid off and no lew loan is made.

The RKO trustee does not contend that such would be the case and the petition before the court sets forth the view that the question need not even be decided at this time. Retirement of the notes is viewed as advisable, the petition states, because of the current favorable position of RKO with more than $6,000,000 of cash on hand, prospects of continued improved earnings and the appreciable savings on interest charges on the notes. If the notes are not retired as petitioned, they are subject to an agreement providing for payments of $25,000 monthly, plus interest, over a period of years until paid off.

Foreclosure a Possibility

A factor in favor of the debenture holders' position as secured creditors, even though the gold notes are paid off at this time, is the fact that RKO defaulted in its interest payments on the debentures in 1932 and that a foreclosure proceeding was brought by the debenture holders at that time, but was not pressed after RKO went into receivership early in 1933. The foreclosure action is still extant and probably could be invoked by debenture holders to preserve their secured position even after the gold notes were retired.

In spite of this, however, large RKO debenture holders view the trustee's move with forebodings and undoubtedly will either oppose the petition or ask that the asests securing the notes be turned over to a debenture holders' trustee, instead of to Irving Trust Co., if the notes are paid off. If the move did leave the debenture holders in an unsecured position, it would enable RKO to reorganize without having to provide for any secured creditor class. In this eventuality there would be no necessity for reorganized RKO to issue any interest bearing security or any stock issue which would be on a dividend basis. The new company would be relieved of meeting all fixed financial obligations of this nature for the immediate future, as all of its creditors would be of the unsecured class and their claims, whether debentures or otherwise, could be paid off with common stock.

Lasky to RKO Monday

HOLLYWOOD, Oct. 21.—Jesse L. Lasky will occupy his new quarters at RKO on Monday although his new contract is not actually signed as yet. He has been in daily conference with Sam Briskin in an effort to work out final details.

Gershwin-Astaire on Air

HOLLYWOOD, Oct. 21. — George Gershwin, who is working with Fred Astaire on a new picture at the Radio studio, will coach the U. C. L. A. glee club for an appearance on Astaire's next broadcast, Oct. 27.

Germans Are Disturbed by Cost of Films

(Continued from page 1)

has been the reduction in salaries of actors, reported in some cases to amount to more than 50 per cent. An agreement has been entered into between UFA and Tobis as to maximum salaries.

A plan is under consideration according to which principal actors, directors, supervisors, authors and others would receive salaries only at the level usually paid in theatres plus a percentage of the net profits.

* * *

According to the preliminary program, 220 features will be shown in Germany during the 1936-37 season.

It is by no means certain that this tentative schedule can be adhered to, particularly as regards the share given American films, as the censors in this respect have for months been postponing a definite decision.

Six large German companies, UFA, NDLS, Europa, Rota, Bavaria and Terra, are down for 133; other German companies, 55 and American companies, 32.

* * *

Stereoscopic films were shown recently for the first time at a meeting of theatre owners in Dresden.

In place of the red-green glasses formerly used for stereoscopic effects, colorless "Herotar" filter glasses developed by Zeiss-Ikon were used.

The process uses the principle of light polarization, two shots being made with light polarized in different planes. Each lens of the filter glasses supplied to the spectator admits the light of only a single plane.

Disadvantage of the system is the eyestrain resulting from long continued use of the filter glasses.

Expect First Trade Concessions Today

(Continued from page 1)

sive of Warners all report that their efforts to revise their policies are progressing satisfactorily and three of these are near enough to completion to warrant their being made public from day to day. It was learned that attorneys for several of the major companies opposed the forthcoming concessions vigorously on both legal and business grounds, and that delays in several of the announcements will result from this opposition. That they will be overcome ultimately, however, appears certain from the apparent determination of sales heads to make whatever concessions are possible in line with the trade practice program.

Rome Is Robbed of $50

BALTIMORE, Oct. 21.—J. Louis Rome, president of Associated Theatres here, was robbed of $50 last night by a negro who jumped on his car and forced him to drive to Druid Hill Park.

Musical Pacts Signed

HOLLYWOOD, Oct. 21.—M-G-M has signed to new extended term contracts Paul Lannin, musical director, and Val Burton and Will Jason, composers.

Looking 'Em Over

"Tugboat Princess"

(*Columbia*)

Strongly reminiscent of Marie Dressler's popular picture of some years ago, this is unpretentious, simple fare of the kind that the family, youngsters included, should enjoy. The old man, the little girl, the ancient and honorable tugboat, and the tough old skinflint rival of the captain, whose heart eventually melts to make the sun shine for all concerned, are the ingredients of which this film has been concocted. In a minor fashion they have proved their worth many times before.

Walter C. Kelly is excellent as the captain, and the child, Edith Fellows, is equally good as his unofficial ward. Valerie Hobson is adequate in a comparatively minor role, taking care of the incidental romance.

Kelly's business is almost non-existant, his former rival has grown wealthy, and when the child is hurt and hospitalization is required, Kelly is forced to go to him for money. His security is the tug, and he faces the loss of his boat, his only means of livelihood. The child is taken from him and placed in an institution; escapes only to find the tug gone. The job, in a heavy fog, results in the captain risking his life and boat to save a liner of his rival. Then the latter relents.

David Selman directed from a screenplay by Robert Watson.

Production Code Seal No. 2,010. Running time, 68 minutes. "G."

Copyright Report To Be Made Today

(Continued from page 1)

the State Dep't at Washington or to the member nations of the Berne convention.

The four principal changes in the rules of the International Copyright Union, on which the industry's recommendation is conditioned, involve the right to change an author's work after it has been acquired; the elimination of copyrights on styles of acting; the elimination of copyrights on ideas, unless written records of them are in existence, and designation of the person or organization which has the legal right to bring suit for infringement as the author of the copyright.

Kilroe is chairman of the industry copyright committee and visited Europe last summer to study the advisability of the U. S. becoming a member of the Berne convention, in the light of the effect of such action upon the industry, which is the largest user of copyright material.

Report Loew's-Penn Pittsburgh Deal Set

(Continued from page 1)

months ago when it failed to get together with the landlord on revised rental terms. It is stated a new deal has been worked out to the satisfaction of all concerned.

Joseph R. Vogel of Loew's said yesterday he knew nothing about the Pittsburgh Penn deal being set. Negotiations, he said, are still in progress and no date has been scheduled for the circuit to assume operation.

Plans Ukranian Films

Wasile Avramenko has formed Avramenko Film Prod., Inc., for the production of six musical features in the Ukrainian language, which will be distributed by Roman Rebush of Kinotrade.

Films Not Hit By Ban on Publicity

(Continued from page 1)

of the kind of material which is considered of genuine interest to readers. In a similar category is placed information from exhibitors relative to future and current attractions at the theatres.

Reports that Syracuse theatre managers were contemplating the withdrawal of all amusement advertising from newspapers there, which have instituted the ban, as a retaliatory measure, have proved unfounded. There is no intention on the part of executives of either Loew's or the Schine circuit in Syracuse to cut theatre advertising in local papers. Under the plan there all outside cooperative advertising must be paid for at the amusement rate, which virtually means the abandonment of the former practice of using full page cooperative ads.

Pathe for Coronation

Pathe News will have a battery of 26 cameras at the Coronation of King Edward next spring, says Jack Connolly who has just returned from abroad. He stated that motion pictures will be taken inside of Westminster Abbey for the first time in history.

Oppose Sunday Shows

ANNAPOLIS, Md., Oct. 21.—The Ministerial Union of Annapolis at a meeting here the other day scored Sunday pictures in a resolution.

Claudette Colbert Back

HOLLYWOOD, Oct. 21.—Claudette Colbert has resumed work in "Maid of Salem" after an illness of three weeks caused by a head injury in an auto collision.

Spencer Tracy Re-signed

HOLLYWOOD, Oct. 21.—Spencer Tracy has been signed to a new contract with M-G-M. Tracy is scheduled to start soon on "They Gave Him a Gun."

"Dodsworth" Pulls $27,600 Fourth Week

(Continued from page 1)

week of "Valiant Is the Word for Carrie" and Enric Madriguera and his band on the stage to the tune of $26,000. "The Big Broadcast of 1937" opened there yesterday to long lines of standees who found it necessary to wait more than an hour on 43rd St. before admittance could be gained.

"Ramona" finished a second week at the Criterion with about $14,000. "Follow Your Heart" opened yesterday, and next Wednesday "In His Steps," the first Grand National release, will start an indefinite run.

"Godfrey" Strong in Pittsburgh

PITTSBURGH, Oct. 21.—"My Man Godfrey" finished a seven-week run at Shea's Fulton last night with an aggregate gross of approximately $50,000. More than 300,000 persons are said to have visited the theatre during the run of the picture.

For the first week, the tally was $9,200; second week, $7,600; third, $8,200; fourth, $6,900; fifth, $7,400; sixth, $6,300; last week, $4,400.

At the Fremont, Fremont, O., "The Big Broadcast of 1937" broke all weekend records of the Feiber & Shea house.

Alhambra Has Last Film

LONDON, Oct. 21.—The last performat the Alhambra, Leicester Square, soon to be replaced by the Odeon, was a sequence from London Films' "Men Are Not Gods," representing a gala performance of "Othello." More than 40 years ago the Alhambra was the scene of the first film show in England.

"Spring Shower" Shown

WASHINGTON, Oct. 21.—"Spring Shower," the Hungarian importation distributed by DuWorld which the New York Board of Censors barred, opened last night at the Belasco for one showing.

Wall Street

Board Mostly Off

	High	Low	Close	Net Change
Columbia	38⅞	38¾	38¾	— ¼
Columbia, pfd	46½	46	46	—1
Consolidated	4⅞	4¾	4¾	— ⅛
Consolidated, pfd	18	17¾	17¾	— ¼
Eastman	175½	175	175	— ½
Gen. T. Equip.	27⅝	27¼	27½	+ ⅛
Loew's, Inc.	57⅜	56¾	56¾	.....
Paramount	15⅜	15	15⅜	+ ⅛
Paramount 1 pfd.	111½	110⅞	111½	+ ¾
Paramount 2 pfd.	14½	14⅛	14⅜	+ ⅛
Pathe Film	8⅜	8	8⅜	+ ⅜
RKO	7⅞	7⅝	7⅝	— ⅛
20th Century-Fox.	32	31½	31½	— ½
20th Century, pfd.	40½	39¾	39¾	— ½
Universal, pfd.	102	102	102	.....
Warner Bros.	14	13¾	13⅞	.....

Grand National Curb Gain

	High	Low	Close	Net Change
Grand National	3⅛	3¼	3¼	+ ⅛
Sonotone	2	2	2	— ⅛
Technicolor	23¾	22⅞	23	—1¼
Trans-Lux	3⅞	3¾	3⅞	.....
Universal Pict.	9	9	9	.....

Paramount Bond Up

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	99⅛	99⅛	99⅛	.....
Paramount Pict. 6s '55	99¼	98½	99	+ ½
RKO 6s '41 pp.	93½	93½	93½	.....
Warner Bros. 6s '39 wd	96¾	96	96	— ⅞

(Quotations at close of Oct. 21)

"Dream" Top As Takes In Denver Slip

DENVER, Oct. 21.—"Midsummer Night's Dream" was the best comparative grosser here in a week of only fair business, with $4,500 at the Aladdin against an average of $3,000. It has gone to the Broadway for a second week.

The only other show to better par was the dual feature at the Center, "Sea Spoilers" and "There's Always Tomorrow," with $2,500, over par by $500.

"Ladies in Love" managed only $7,000 at the Denver against a $7,500 average, and moved to the Aladdin for a second week.

Principal competition is the weekly football games and the marathon dance.

Total first run business was $27,500. Average is $28,000.

Estimated takings for the week ending Oct. 15:

"MIDSUMMER NIGHT'S DREAM" (W. B.)
ALADDIN—(1,500), 25c-40c-50c, 7 days. **Gross:** $4,500. (Average, $3,000)

"STAGE STRUCK" (F. N.)
BROADWAY—(1,500), 25c-40c, 7 days, following five days at the Denver. **Gross:** $2,000. (Average, $2,000)

"SEA SPOILERS" (Univ.)
"THERE'S ALWAYS TOMORROW" (Univ.)
CENTER—(1,500), 15c-25c-35c, 7 days. **Gross:** $2,500. (Average, $2,000)

"WEDDING PRESENT" (Para.)
DENHAM—(1,500), 25c-35c-40c, 7 days. **Gross:** $4,000. (Average, $4,500)

"LADIES IN LOVE" (20th-Fox)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $7,000. (Average, $7,500)

"THE DEVIL IS A SISSY" (M-G-M)
"WALKING ON AIR" (Radio)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $6,000. (Average, $6,000)

"END OF THE TRAIL" (Col.)
"THEY MET IN A TAXI" (Col.)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $1,500. (Average, $3,500)

Simon Rites Today

Funeral services for Ferdinand Simon, prominent booking agent who died Tuesday, will be held this afternoon at the Riverside Memorial Chapel, 76th St. and Amsterdam Ave.

Nelson Services Tomorrow

Services for William J. Nelson, veteran stage actor, who died Tuesday in Lenox Hill Hospital, will be held tomorrow in Walter B. Cooke's Funeral Home. Burial will be in Kensico Cemetery.

Nelson was born in New York in 1878. He made his first stage appearance at the old Globe on the Bowery. In later years he appeared in vaudeville and a Guild production of "The Rise of Silas Lapin."

Funeral of Mrs. Wolf Held

Funeral services were held at the Riverside Memorial Chapel yesterday for the late Mrs. Esther Wolf, mother of Jack, veteran cashier at the local Twentieth Century-Fox exchange. Burial was at Old Mt. Carmel Cemetery.

Mrs. Wolf had been ill for some time and succumbed to a heart attack late Tuesday night. In addition to her son, she is survived by a daughter, Mrs. M. Rosen.

"Big Noise" Good In Oklahoma Slump

OKLAHOMA CITY, Oct. 21.—"The Big Noise" was the only attraction in town to make much of a showing last week. It reached $2,500 in four days at the Liberty with vaudeville on the stage. Normal for a week is $3,000.

"Ladies in Love" took a par $4,000 at the Midwest. Other spots were off.

Total first run business $13,700. Average is $14,000.

Estimated takings for the week ending Oct. 17:

"DODSWORTH" (U. A.)
CRITERION—(1,700), 10c-25c-35c-55c, 7 days. **Gross:** $4,500. (Average, $5,000)

"LADIES IN LOVE" (20th-Fox)
MIDWEST — (1,500), 10c-25c-35c-55c, 7 days. **Gross:** $4,000. (Average, $4,000)

"GIRL ON THE FRONT PAGE" (Univ.)
CAPITOL — (1,200), 10c-20c-26c-40c, 7 days. **Gross:** $1,800. (Average, $2,000)

"THE BIG NOISE" (W. B.)
LIBERTY — (1,500), 10c-25c-35c-40c, 4 days. Stage: Seven acts of vaudeville. **Gross:** $2,500. (Average, for week, $3,000)

"CRASH DONOVAN" (Univ.)
"PALM SPRINGS" (Para.)
LIBERTY—(1,500), 10c-25c-35c, 3 days. **Gross:** $900. (Average, for week, $3,000)

"Adverse" $7,900 Grosser in Omaha

OMAHA, Oct. 21.—"Anthony Adverse," at the Omaha as a single feature, a rarity in this house, ran the gross up to $7,900, which was $2,400 in the profit column.

"Ramona," with "Women Are Trouble" as the second feature, was a surprise at the Orpheum, the $9,200 take exceeding average by $1,700. "Stage Struck" and "Love Begins at 20" were good for $5,200, up by $1,200, at the Brandeis.

Total first run business was $22,300. Average is $17,000.

Estimated takings:

Week Ending Oct. 14:
"STAGE STRUCK" (F. N.)
"LOVE BEGINS AT 20" (F. N.)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $5,200. (Average, $4,000)

"ANTHONY ADVERSE" (W. B.)
OMAHA — (2,200), 25c-40c, 7½ days. **Gross:** $7,900. (Average, $5,500)

Week Ending Oct. 15:
"RAMONA" (20th-Fox)
"WOMEN ARE TROUBLE" (M-G-M)
ORPHEUM — (3,000), 25c-40c, 7 days. **Gross:** $9,200. (Average, $7,500)

"Valiant" Is Strong Draw On the Coast

LOS ANGELES, Oct. 21.—"Valiant is the Word for Carrie" made an excellent showing at the 900-seat 4-Star with a take of $6,500, which was double par.

"The Big Broadcast of 1937," with a stage show at the Paramount, garnered $20,500, over par by $2,500, in its second week.

Business elsewhere was dull. "Big Game," dualled with "Two in a Crowd," was $1,000 over average at the Pantages on a take of $9,000 and $1,700 to the good on a take of $9,700 at the Hillstreet.

The weather was rainy.

Total first run business was $106,950. Average is $108,950.

Estimated takings for the week ending Oct. 21:

"ROMEO AND JULIET" (M-G-M)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days. 3rd week. **Gross:** $9,500. (Average, $17,000)

"LIBELED LADY" (M-G-M)
"BACK TO NATURE" (20th-Fox)
CHINESE—(2,500), 30c-55c, 7 days, 2nd week. **Gross:** $11,500. (Average, $12,500)

"VALIANT IS THE WORD FOR CARRIE" (Para.)
4 STAR—(900), 30c-55c, 7 days. **Gross:** $6,500. (Average, $3,250)

"WALTZ TIME IN VIENNA"
GRAND INTERNAT'L—(750), 35c-40c, 7 days. **Gross:** $2,100. (Average, $1,200)

"BIG GAME" (Radio)
"TWO IN A CROWD" (Univ.)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $9,700. (Average, $8,000)

"LIBELED LADY" (M-G-M)
"BACK TO NATURE" (20th-Fox)
LOEW'S STATE—(2,500), 30c-55c, 7 days. 2nd week. **Gross:** $14,700. (Average, $14,000)

"BIG GAME" (Radio)
"TWO IN A CROWD" (Univ.)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $9,000. (Average, $8,000)

"THE BIG BROADCAST OF 1937" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days, 2nd week. Stage: F. & M. revue, Lee Murray, Rube Wolf and orchestra. **Gross:** $20,500. (Average, $18,000)

"DODSWORTH" (U.A.)
"THE CASE OF THE VELVET CLAWS" (F.N.)
WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 7 days, 3rd week. **Gross:** $12,250. (Average, $14,000)

"DODSWORTH" (U.A.)
"THE CASE OF THE VELVET CLAWS" (F.N.)
WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 7 days, 3rd week. **Gross:** $11,200. (Average, $12,000)

"Swing Time" Seattle 2nd Week Leader

SEATTLE, Oct. 21.—"Swing Time" proved the best first run bet in town on its second week at the Fifth Avenue, where it took $7,600. It was moved to the Blue Mouse for an extended run.

The only other house to get into the profit column was the Palomar, with "She Shall Have Music" and a vaudeville bill. The $4,900 take was over par by $400.

Total first run business was $35,800. Average is $36,500.

Estimated takings for the week ending Oct. 16:

"THE GENERAL DIED AT DAWN" (Para.)
"WOMEN ARE TROUBLE" (M-G-M)
BLUE MOUSE—(950), 25c-40c-55c, 7 days, 2nd week, extended run from Orpheum. **Gross:** $3,200. (Average, $4,000)

"SWING TIME" (Radio)
FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days, 2nd week. **Gross:** $7,600. (Average, $7,000)

"ALIBI FOR MURDER" (S.R.)
"DOWN THE STRETCH" (F.N.)
LIBERTY—(1,800), 15c-25c-40c-55c, 6 days. **Gross:** $3,600. (Average, $5,000)

"THE GORGEOUS HUSSY" (M-G-M)
"STAR FOR A NIGHT" (20th-Fox)
MUSIC BOX—(950), 25c-40c-55c, 7 days, 3rd week, extended run from Paramount. **Gross:** $3,600. (Average, $4,000)

"STAGE STRUCK" (W.B.)
"LADY BE CAREFUL" (Para.)
ORPHEUM—(2,450), 25c-30c-40c, 7 days. **Gross:** $5,100. (Average, $6,000)

"SHE SHALL HAVE MUSIC" (Imperial)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Vaudeville and band. **Gross:** $4,900. (Average, $4,500)

"GIVE ME YOUR HEART" (W.B.)
"BACK TO NATURE" (Para.)
PARAMOUNT — (3,050), 25c-40c-55c, 7 days. **Gross:** $5,800. (Average, $6,000)

Gets Olympic Rights

HOLLYWOOD, Oct. 21.—Pete Smith has acquired the exclusive American rights to the Winter Olympic Games in Germany. He will use this material to make two short subjects for M-G-M, "Olympic Ski Champions" and "Sports on Ice."

"Broadcast," Show $26,700 Detroit Lead

DETROIT, Oct. 21.—"The Big Broadcast of 1937," with a revue headed by Tom Howard, turned in the best showing of the week, $26,700, which is $6,700 over normal for the Michigan.

"Dimples" was a close second. The stage show was headed by Horace Heidt and his band. The gross at the Fox was $25,400, up by $5,400.

"Swing Time" took $14,000 in its second week at the Madison, which was $2,000 to the good, and the picture was held for a third week. "The Great Ziegfeld" fell off to $8,300 in its second week at the United Artists.

Total first run business was $83,500. Average is $72,000.

Estimated takings for the week ending Oct. 15:

"SEVEN SINNERS" (20th-Fox)
"36 HOURS TO KILL" (20th-Fox)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $2,900. (Average, $5,000)

"DIMPLES" (20th-Fox)
FOX—(5,100), 15c-75c, 7 days. Stage: Horace Heidt Band with Lysbeth Hughes, Alvine Rey, Alyce King, Jerry Bowne, Art Thorsen, Bob McCoy and King Sisters. **Gross:** $25,400. (Average, $20,000)

"BIG BROADCAST OF 1937" (Para.)
MICHIGAN — (4,100), 15c-75c, 7 days. Stage: Radio Revue with Tom Howard, George Shelton, Shandor, Moreton Bowe, 3 X Sisters, Abbot & Tanner. **Gross:** $26,700. (Average, $20,000)

"SAN FRANCISCO" (M-G-M) (2nd Run)
"STRAIGHT FROM THE SHOULDER" (Para.)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $6,200. (Average, $5,000)

"THE GREAT ZIEGFELD" (M-G-M)
UNITED ARTISTS—(2,070), 15c-75c, 7 days, 2nd week. **Gross:** $8,300. (Average, $10,000)

"SWING TIME" (Radio)
MADISON—(2,000), 15c-65c, 7 days, 2nd week. **Gross:** $14,000. (Average, $12,000)

Sue Carol to Marry

HOLLYWOOD, Oct. 21.—Sue Carol and William H. Wilson, screen writer, yesterday filed notice of their intention to wed. The date has not yet been set.

Hunters Go to Wyoming

KANSAS CITY, Oct. 21.—C. E. "Doc" Cook of the Tivoli, Maryville, Mo.; Earl Jameson, head of Film delivery, and William Warner, Warner branch manager, have gone to the Jackson Hole country of Wyoming for a week's hunting of bear, elk, big horn, and anything else that shows up.

The party, traveling by plane to Denver, picked up Jim Wymore, Film Delivery manager at Salina, Kan., and at Denver were joined by Jack Langdon, Universal manager, and his party.

Joe Jacobson of the Kansas City Airport accompanied them.

Steffes Addresses MPTO

PITTSBURGH, Oct. 21.—Al Steffes, substituting for Abram F. Myers as the chief speaker at the banquet last night which closed the M.P.T.O. of Western Pennsylvania convention, urged the association to support Allied's national defense fund.

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Alert, Intelligent and Faithful Service to the Industry In All Branches

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Court Grants Delay on RKO Notes Payment

If "Ulterior Motive" Is Shown Will Act

The payment of $750,000 of RKO secured gold notes outstanding will be ordered forthwith at the time RKO's plan of reorganization is submitted to the Federal court here in the event the plan shows that any "ulterior motive" influenced the request which was granted yesterday for a postponement to Nov. 23 of the hearing on a petition to retire the gold notes, Federal Judge William Bondy stated.

The request for the postponement of the hearing was made by Hamilton C. Rickaby of Simpson, Thacher & Bartlett, attorneys for Atlas Corp., which is directing the RKO reorganization. The delay was not opposed by Irving Trust Co., trustee of RKO, which presented the petition to pay off the RKO gold notes last August. The only opposition to the postponement was voiced by Joseph M. Cohen, attorney for an independent RKO stockholders' committee, who argued that the retirement of the notes would improve RKO's financial position and thereby benefit stockholders of the company.

Cohen raised the delicate point of whether payment of the outstanding

(*Continued on page 8*)

Mid-Season Session To Be Held by Sears

Gradwell L. Sears, general sales manager of Warners, will hold a mid-season meeting of district managers early next month. At the session plans will be formulated for the annual 10 to 12-week sales drive in January.

Details have not yet been completed as to location and date, but will be on the return of Sears from Miami on Monday. He will leave for the winter resort today. Hal Wallis, studio production head, is due in town Monday and has with him several of the

(*Continued on page 8*)

Lutherans in Move To Classify Films

COLUMBUS, Oct. 22.—A film program which includes the appointment of a board to rate pictures has been adopted by the 10th biennial convention of the United Lutheran Churches of America. The program was submitted by the Committee on Moral and Social Welfare.

The first point is a "challenge to

(*Continued on page 12*)

Kilroe's Copyright Report Wins Approval of MPPDA

The copyright committee of the M.P.P.D.A. at a meeting yesterday approved the formal report of its chairman, E. P. Kilroe of Twentieth Century-Fox, which recommends that the United States become a member of the Berne International Copyright Convention if four major changes in the convention's rules are made.

Copies of the report are to be filed with the State Dep't at Washington and sent to all nations that are members of the convention. The Berne Convention is now inactive but can be revived on six months' notice. A meeting of representatives of the signatory nations is to be held in Brussels at a future date for this purpose and, it is assumed, action on the recommended changes in the rules will be taken at that time.

Kilroe is preparing a definite report for the M.P.P.D.A. which will present more fully the industry's position on the United States becoming a member of the Berne Convention. The four major changes in the convention's rules desired by the industry are the right to change an author's work after it has been acquired, elimination of copyrights on styles of acting, elimination of copyrights on ideas unless written records of them are in existence, and designation of the person or organization which has the legal right to bring suit for infringement as the author of the copyright.

Charity Fund Quota Is Set at $200,000

A quota of $200,000 for the amusement division in the annual drive for funds of the Federation for the Support of Jewish Philanthropic Societies was set yesterday at a meeting of the division committee at the

(*Continued on page 12*)

G.B. Retrenching

London, Oct. 22.—Rumors are current here that an economy campaign has been started by Gaumont British with some executives asked to take a 50 per cent cut in salaries.

WPA and NBC Stage Units Are Planned

WASHINGTON, Oct. 22.—Plans to put out "amateur hour" roadshows similar to those operated by Major Bowes are being worked out between the National Broadcasting Co. and WPA theatre project officials, it was learned here today. Hallie Flanagan is head of the theatre project.

WPA officials explain that the plan was broached by the NBC Artists' Bureau, with the suggestion that among the unemployed actors taken under the wing of the theatre project there should be considerable talent of the type required.

NBC, it was said, will bear all the expense of putting on the show, but it was not indicated whether the actors would be paid by the WPA or out of the money obtained from the theatres for the act.

All actors and actresses on WPA rolls will be eligible for auditions, amateurs as well as professionals.

At the present time, it was said,

(*Continued on page 8*)

"Stage Door" Only Routine; Has Some Laughs, Tiny Plot

The news is this morning that George S. Kaufman, that old sophisticate, still believes in fairy tales. It is far more important news than "Stage Door," his latest collaboration with Edna Ferber, which last night sent a slightly hysterical audience at the Music Box into real or imaginary snorts of delight and more handshaking than this reviewer, even at his magnanimous most, can account for.

It was not good Kaufman. Neither was it good Ferber. It was, however, the old Cinderella theme, cooked over the same fire, garnished with the usual truffles and served up with the same, old sauce. A very familiar dish and on scraping acquaintance, at least, with everyone's palate.

The scene of this unimportant foray into the theatre is the Foot-Lights Club where young hopefuls, on the search for histrionics and contracts,

(*Continued on page 8*)

SEC Charges Made Against Consolidated

Letter to Stockholders Called Misleading

By CLARENCE LINZ

WASHINGTON, Oct. 22.—Charges that a letter sent out to stockholders by Herbert J. Yates, president of Consolidated Film Industries, Inc., announcing a special meeting of stockholders Oct. 9 to consider a proposed plan of recapitalization, was misleading in several respects were made public today by the Securities and Exchange Commission following refusal of officers of the company to meet with commission officials this week to discuss the situation.

The question whether certain statements in the letter might be misleading was raised following a preliminary study by the commission of a complaint by a stockholder.

A conference was held with company officials Oct. 8, as a result of which the stockholders' meeting was deferred until Oct. 23.

Further investigation confirmed the commission's original opinion that misleading statements had appeared in the letter, and it was suggested that the company recircularize its stockholders with supplemental information which would correct any wrong impression

(*Continued on page 8*)

Bidding Is Extended In Skouras Auction

ST. LOUIS, Oct. 22.—The public auction sale here today of the assets of Skouras Brothers Enterprises, Inc., was not completed, since Arthur Greene of the Merchants' and Manufacturers' Finance Co., of Chicago, obtained informal permission from Bankruptcy Referee Hope to submit a bid next Monday afternoon when the

(*Continued on page 12*)

Tom Pettey Elected By Advertising Men

HOLLYWOOD, Oct. 22.—Tom Pettey was elected unanimously today as chairman of the Studio Publicity Executive Committee at a meeting of the M.P.P.D.A. Pettey succeeds John LeRoy Johnston, who held the post for three years.

At today's meeting the committee discussed plans to make stills available to schools and libraries throughout the country. Many requests for this type of service have been received.

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Thalberg Option on 27,000 Loew Shares

The estate of the late Irving Thalberg has the privilege of exercising an option on approximately 27,000 shares of stock in Loew's, Inc., at $35 a share, according to a statement issued to the *New York Post* yesterday by J. Robert Rubin, Loew vice-president. The purchase of the stock, which is quoted on the current market at about $56 a share, would result in a profit of approximately $567,000 to the Thalberg estate.

The statement further points out that the Thalberg personal service contract under which he held another option to buy a second portion of 100,000 shares of the common at varying prices terminated with the death of the producer.

Allows Cullman Suit

Federal Judge Samuel Mandelbaum yesterday gave Julia and Zelig Zam permission to sue Howard S. Cullman, trustee of the Roxy, for $50,000 because of alleged permanent injuries suffered by Mrs. Zam when she fell down a flight of steps in the theatre on Sept. 20 last.

Purely Personal

GEORGE J. SCHAEFER returned yesterday from Chicago. He left L. JACK SCHLAIFER in the Windy City. The latter intends making a few western exchanges before heading east again.

•

RUBE JACKTER, JOE MCCONVILLE and LOU WEINBERG will leave on the midnight train tonight for Pittsburgh for the annual Variety blowout over the weekend. JULES LEVY will make every effort to be on the same train.

•

CHARLES K. STERN, assistant treasurer of M-G-M, returned yesterday on the *Rex* from a lengthy stay abroad. It was a vacation and included stopovers in Austria, England, France, Switzerland and Italy.

•

IRVING NATHANSON of the Warner home office legal department, after 10 years with the company, has resigned, effective Oct. 29, to enter private law practice at Miami.

•

HOWARD S. CULLMAN, trustee of the Roxy, was bereaved late Wednesday night when his mother-in-law, MRS. MARGUERITE SANDERS, passed away.

•

W. RAY JOHNSTON has acquired his 13th story for the revived Monogram. It is "Murder in Manhattan," an original by EDWIN NEILY PORTER.

•

JACK BENJAMIN, brother of BOB of the PHILLIPS & NIZER office, has been placed in charge of the chair department for JOE HORNSTEIN, Inc.

•

O. HENRY BRIGGS, president of Pathe, is slated to return from a quick trip to the coast on Monday. He's traveling via the rail route.

•

KATHARINE CORNELL arrives on the *Bremen* today. MARY GARDEN also returns on that ship to take a musical advisory post in Hollywood.

•

ARCHE MAYERS, general sales manager for DuWorld, is on his way to New York after having spent two months visiting exchanges.

•

ED FINNEY got back from Hollywood yesterday. SIDNEY M. BIDDELL, story editor for Grand National, is due next Wednesday.

•

GREGG TOLAND, chief cameraman for SAMUEL GOLDWYN, is in town to view a performance of "Dead End," soon to be screened.

•

SLEM SAMUELS is en route to Batavia, Dutch East Indies, on the *Statendam* after a few months here lining up deals.

•

IRMA PHILLIPS, NBC script writer in the Chicago studios, sails today on a 32-day cruise aboard the *Santa Clara.*

•

E. M. SAUNDERS is planning to make that midnight train out tonight for Pittsburgh and the annual Variety Ball.

•

MIRIAM HOPKINS left yesterday for the coast, where she will start on Goldwyn's "The Woman's Touch."

•

HASKELL MASTERS plans to spend several weeks in Toronto on U. A. film deals.

KEN CLARK, M.P.P.D.A. public relations aide, who has been pinch-hitting for TOM PETTEY at the Hollywood Producers Ass'n, will make several stopovers to contact newspapers while on his way back east, arriving here Oct. 31.

•

JULIE NINCHERIE, secretary to JOHN J. O'CONNOR, will take unto herself a groom on Nov. 11. He is JOHN THONE of New Jersey and not connected with the film business.

•

JOE HUMMEL of the Warner foreign department will leave Sydney, Australia, in 10 days for the Orient, with stopovers scheduled in Java, Japan, China and the Philippines.

•

JOHN CONSENTINO, on a sales trip as special representative of Spectrum, has closed deals on the Fred Scott westerns in New Orleans, Atlanta and Charlotte.

•

DAVE STAMPER has been signed by British National Pictures of America, Ltd., to write an original for a musical to be produced in this country.

•

MARY PICKFORD and MERLE OBERON are in the coast group which arrives Monday. Miss OBERON sails for London shortly thereafter.

•

BILLY GAXTON and OSCAR SHAW seen in a huddle with RAY WALBURN, BOB O'CONNOR and MITCHELL LEWIS at The Lambs.

•

MAX THORPE, London branch head for Columbia, is due in New York in about three weeks.

•

MAE WEST is due in New York on Nov. 18 for a personal appearance at the Paramount.

•

C. C. PETTIJOHN returned yesterday on the *Rex* from a month's vacation abroad.

•

GEORGE KELLY, the dramatist, is enroute to Hollywood by automobile.

•

REX BEACH is on his way to New York from Hollywood.

•

. . . Seattle

LOUIS GOLDSMITH, assistant manager of the RKO exchange, has just returned from a two-week vacation jaunt to Chicago.

VIC GAUNTLETT, advertising director of Hamrick-Evergreen circuit, is ill at home.

HERBERT SOBOTTKA, manager of Evergreen's Music Box, Blue Mouse and Oriental in Portland, spent a week's vacation in this district with MRS. SOBOTTKA.

Among the visitors on Film Row: LOUIS PERUNKO of Tacoma; WALTER GRAHAM of Shelton, LOREN WAHL of Bellingham, HAROLD MURPHY of Olympia.

Drop Mansfield Shows

MANSFIELD, O., Oct. 22.—Warner's Madison has returned to straight films and has dropped a combination policy of pictures and occasional dates of legitimate stage attractions. Patronage at the initial stage show was such as to cause cancellation of the remaining attractions booked for the season.

Academy Credits on 109 Features Listed

HOLLYWOOD, Oct. 22.—The sixth quarterly issue of the Academy Technical Credits Bulletin has been distributed to all studio executives, technical department heads and members of the Academy Technicians' Branch.

The bulletin contains credits for 109 productions completed between July 1 and Sept. 30, 1936. It also contains individual credits for 427 technicians receiving credit for art direction, photography, film editing, special photographic effects and sound recording.

The breakdown on the 109 productions completed during the last quarter are: Columbia, 15; Cosmopolitan, two; First National, seven; Hal Roach, four; Hirliman, three; Major, one; M-G-M, 11; Paramount, 16; Pickford-Lasky, one; Reliance, one; Republic, eight; Radio, nine; Samuel Goldwyn, one; B. P. Schulberg, one; Twentieth Century-Fox, 13; Universal, 11; Warners, five.

This represents an increase of 28 features over the number produced during the second quarter and 17 over the number produced during the first quarter of the year.

Wilcox and Players Coming for Opening

LONDON, Oct. 22.—Herbert Wilcox, producer, and Ann Neagle and Tulio Carminati will sail on the *Queen Mary* Oct. 27 for personal appearances of the two players at the opening of "The Three Maxims."

Wilcox will take along prints of "Limelight Thrill," "Make You Whistle" and rushes of the London musical, "The Navy Eternal," for the purpose of seeking distributors.

Conferences will be held in New York with Charles R. Rogers of Universal on reciprocal production and the use of talent. Miss Neagle has a stage offer in New York.

20th-Fox Sells Two More to Music Hall

Two more Twentieth Century-Fox pictures have been booked by the Roxy, starting Nov. 13. They are "Pigskin Parade," which will start an indefinite run first, to be followed by "Reunion," starring the Quintuplets.

"Dimples" wound up its second week at the theatre last night with a gross of $32,000. The Shirley Temple film garnered $51,500 for the first seven days.

Richardson Plans Set

Plans have been completed for Richardson Week, during which F. H. Richardson, who conducts the Technological Dep't in *Motion Picture Herald,* will be honored. The opening feature will be a banquet at the Hotel Pennsylvania tomorrow night, and luncheons next Tuesday, Wednesday and Thursday. In conjunction with the affair there will be an historical exhibit of old projection equipment at the Pennsylvania.

Margot Grahame Signed

HOLLYWOOD, Oct. 22.—Margot Grahame, who recently finished "Make Way for a Lady" has been signed to a new term contract by Sam Briskin for Radio.


BIGGER
BIGGER
BIGGER

BIGGER STAR VALUES!

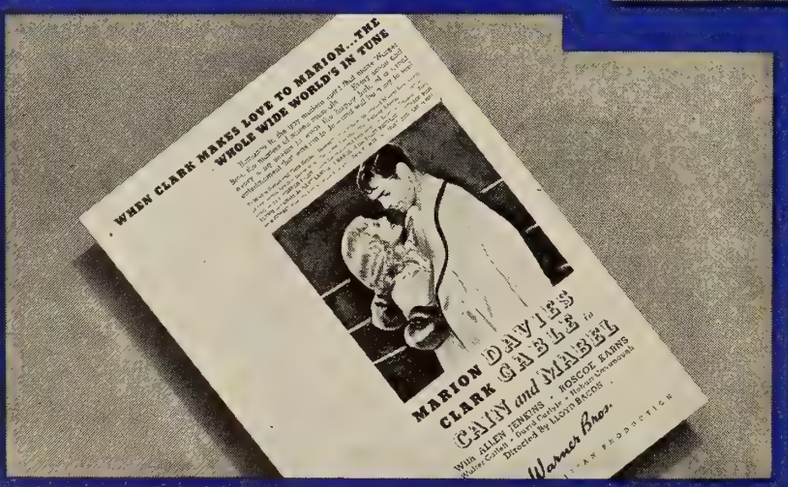




BIGGER STORY!

BIGGER PRODUCTION!





BIGGER PROMOTION!

Rave Check-Up of First Key Engagements by 'Variety'!
"Swell at Stanley, Pittsburgh; big at Minnesota, Minneapolis; zooming at Michigan, Detroit; leading Frisco in 2 houses"..and held for giant 2nd week at Strand, N.Y.!



AND DOING BIGGER BUSINESS THAN MARION'S EVER DONE BEFORE!

MARION DAVIES
and
CLARK GABLE
in
"CAIN and MABEL"

With ALLEN JENKINS • ROSCOE KARNS

WALTER CATLETT • DAVID CARLYLE • HOBART CAVANAUGH • Directed by LLOYD BACON

Dances by Bobby Connolly • The Songs, 'I'll Sing You a Thousand Love Songs', and 'Coney Island' by Warren & Dubin

A COSMOPOLITAN PRODUCTION FOR *Warner Bros.* THE 'ANTHONY ADVERSE' COMPANY

Short Subjects

"Ace Drummond"
(*Universal*)

From the newspaper cartoon syndicate feature of the same name comes this serial. And, following the regular treatment of this type of entertainment, the film has its full quota of tense situations, romance, juvenile interest, spectacular photography, thrills and the general sort of story which demands an outstanding character to come through heroically in many escapes and situations.

The plot centers around the difficulties experienced when a world-girdling airline is about ready to complete its last link across Mongolia. A certain unscrupulous character calling himself "The Dragon" has other ideas, however, and therein lies the story.

The characters all fit their parts. Playing the title role, John King is fittingly handsome, with that dramatic flare and courage. Jean Rogers is adequate as the female romantic interest. Noah Beery, Jr., has a good serio-comic role in which he gives a fine performance. Others in the cast include Guy Bates Post, Arthur Loft, Chester Gan, Jackie Morrow, Lon Chaney, Jr., and Robert Warwick. A theme song, "Give Me a Ship and a Song," is sung intermittently by King.

The screen play was developed from the newspaper feature by Wyndham Gittens, Norman S. Hall and Ray Trampe.

It is good entertainment for the younger element.

Production Code Seal No. 2,362. Running time, each chapter, 20 mins. "G."

"Whoops, I'm An Indian"
(*Columbia*)

The Three Stooges apply their antics against the background of a trading post saloon where they are discovered to be cheating the populace in a bunco game. Their trickery discovered, they flee, with the sheriff in pursuit. Out in the open spaces they indulge in horseplay while fishing and come upon a trapper's cabin. Disguising themselves with costumes they find in the dwelling, they venture back to town and meet the cabin's owner, a Frenchman, who gets a crush on Curly, disguised as a squaw. They marry and the chase commences and so winds up the film. The usual comedy of the trio is present. Entertaining, with plenty of laughs. Production Code Seal No. 2,297. Running time, 20 mins. "G."

"Symphony in Snow"
(*Treasure Chest-Educational*)

Well put together shots of the beauties of snow forms in Switzerland and some finely filmed scenes of mountain climbing. An informative spoken accompaniment is delivered by A. L. Alexander. Should fill out a program nicely. Production Code Seal No. 01,220. Running time, 10 mins. "G."

"Pink Lemonade"
(*Educational*)

That old standby which has children trying to get in to see a circus although they have no money is here again enacted. This variation features the Cabin Kids. When they are caught under canvas, Toto, the Clown, intervenes and following a reciprocal exchange of entertainment by the two, the children are allowed admission. It should please child audiences. Production Code Seal No. 01,202. Running time, 10 mins. "G."

"Krazi-Inventions"
(*Treasure Chest-Educ'l*)

Juliet Lowell, of Dumb-Bell Letters fame, delved into archives at the U. S. Patent office and uncovered a number of cerebral upheavals in the form of bizarre inventions for which patents were issued. Many of the details and operating models of the items are disclosed. The bits are done against a farce background where characters act out the business in pantomime. Such things as automatic hat tippers and a hair planter should arouse favorable reaction from audiences. Production Code Seal No. 01,247. Running time, 10 mins. "G."

Looking 'Em Over

"Amphitryon"
"The Gods at Play"
(*Globe Films*)

From France has come another delightful comedy, with an unusual and amusing theme and done with a fine touch of subtle good humor which should make the picture hugely enjoyable to the discriminating type of intelligent audiences.

As the great god Jupiter comes down from the heights of mighty Olympus to taste of mortal pleasures in the ancient Grecian city of Thebes, the fun is smart and keen-edged. The story might well have been taken from something that the late Thorne Smith would have done, but with something less than Smith's Rabelaisian touch.

The settings have been done with an elaborate simplicity, in keeping with what the world knows of the forms of ancient Greece. The story is told in song and dialogue, the latter, as translated, studded with clever lines, the former tuneful, wholly appropriate to the theme and its execution.

Virtually perfect are the performances of Henri Garat as Amphitryon, the Theban general, and Jupiter; Armand Bernard, as a comic Mercury and an equally comic servant to the general; Jeanne Boitel as Amphitryon's wife; Odette Florelle as the servant's wife, and Marguerite Moreno, as Juno, Jupiter's statuesque better half.

Against Mercury's better judgment Jupiter decides to visit Thebes, there to court the fair wife of the general. He tells Juno he must seek a cure for his rheumatism in Sparta, transforms himself into Amphitryon, and Mercury into the servant, and before the real general can return from the war, makes his bid for mortal fun. Mistaken identity, the arrival of the real husbands, the effort to escape and the sudden coming of Juno to find her erring spouse merely add to the delight. It is cleared in the end, but it is a chastened Jupiter who ascends to his godly throne on Olympus.

Reinhold Schunzel and Albert Valentin directed and wrote the screenplay, Serge Veber the dialogue and songs, and Francois Doelle the music. L'Alliance Cinematographique Europeenne of Paris produced.

Reviewed without production code seal. Running time, 102 minutes. "A."

Finish Washington Plans

WASHINGTON, Oct. 22.—Final details for the building of the new Calvert have been set by Warners and the Globe Amusement Co. The new house will make a total of 16 Warners houses in the capital. John Eberson drew the plans for the house which is to be built on Wisconsin Ave., N. W. Construction is expected to be completed early next spring.

Mae West to Appear

HOLLYWOOD, Oct. 21.—Mae West will make a week's personal appearances in Chicago starting Nov. 6 in connection with "Go West Young Man."

Improve Seattle Club

SEATTLE, Oct. 22.—Enlargement and alteration of the quarters of the Northwest Film Club on Film Row are about to be begun. Under the direction of L. J. McGinley, recently-elected president, the dining room and clubroom facilities will be improved and the recreation quarters enlarged and renovated.

Jules A. Schwartz Dead

CLEVELAND, Oct. 22.—Jules A. Schwartz, veteran exhibitor, died suddenly late Wednesday night of a heart attack. He was associated with Jack Shulman and his brother, Abe Schwartz, in the operation of the Utopia and Park at Painesville.

Virgil Price Recovers

LONDON, O., Oct. 22.—Virgil Price, operator of two local houses, has fully recovered from injuries received when his automobile ran into the rear of a loaded truck near Columbus.

Set Ruggles-Boland Yarn

HOLLYWOOD, Oct. 22.—Paramount has set "Too Young to Die" as the next picture for Charles Ruggles and Mary Boland. The story is by Lewis R. Foster, and the screen play is being prepared by Gerald Geraghty and Paul Schofield. George Arthur will produce.

May Have Second Run

ST. LOUIS, Oct. 22.—Harry C. Arthur may reopen the Shubert-Rialto as a second run instead of a first run on Oct. 30.

Variety Club

Washington

WASHINGTON, Oct. 22.—Luncheon this week with A. E. Lichtman acting as the king for a day, was turned into a business session of the Variety Club, discussing various aspects of the forthcoming third annual dinner and dance.

For the affair, which will be held at the Willard Hotel Nov. 21, Chief Barker J. LOUIS ROME has named CARTER T. BARRON and SAM A. GALANTY as general chairmen.

Committee chairmen named were: Dinner, HARRY P. SOMERVILLE; program, SIDNEY B. LUST; ticket, HARRY S. BROWN; publicity, ERNEST JOHNSON; seating, ARTHUR A. DeTITTA; entertainment, GUY WONDERS; reception, A. JULIAN BRYLAWSKI; finance, SAMUEL N. WHEELER; printing, HAROLD A. WEINBERGER; hotel and reservations, CHARLES KRANZ; transportation, A. E. LICHTMAN; decorations, HARRY E. LOHMEYER; host to talent, DR. FRANK T. SHYNE; out-of-town guests, RUDOLPH BERGER.

* * *

The following have been elected to membership:

Affiliate: EUGENE YOUNG, partner of the brokerage firm of Simon, Koengsberger & Young.

Resident: JOSEPH HENRY BERNHEIMER, projectionist at the Twentieth Century-Fox exchange and the Little Theatre; SOL L. SORKIN, assistant manager of RKO-Keith's; HOMER L. McCORMICK, attorney for Loew's, Inc.; DeFOREST L. ORMES, projectionist for Warners; WILLIAM DOLPH, manager of WOL; HENRY McMANUS, president of McManus, Inc.

Non-Resident: A. FRANK O'BRIEN, manager of the Colonial, Richmond.

Indian Educational Film Gets Showing

MILWAUKEE, Oct. 22.—Record business was clocked at the Tosa in Wauwatosa, Milwaukee suburb, for the premiere of "Mishawkwut," educational film sponsored by the Wauwatosa Board of Education and produced entirely as a WPA project.

Admission to a student premiere at 6:30 P.M. was 25 cents, while the admission to the later opening at 8:30 P.M. was 50 cents. A public address system in front of the Tosa broadcast interviews with noted educators and personages including Mrs. Philip F. LaFollette.

Depicting the ceremonies, feasts and burial rites of Wisconsin's Menominee tribes, the picture was filmed against the scenic background of the Wisconsin Dells. Elliot Cooley and Norman Franz, WPA artists who have four other successful educational films to their credit, wrote, directed, produced and filmed the picture, while costumes were designed by Alberta Johnson, instructor in stage craft at the Wauwatosa High School.

Reply to SEC by Mail

HOLLYWOOD, Oct. 22.—Officers of Hollywood Famous Pictures, Inc., will not go to Washington to answer queries of the Securities and Exchange Commission, according to Henry S. Orozco, vice-president.

Orozco told MOTION PICTURE DAILY that SEC had mailed a questionnaire here, and that the answers had been forwarded by mail.



Announcing a New National Screen Baby

National Screen Accessories, Inc.

..eighteen months in preparation... eighteen months of organization...eighteen months of careful research into the needs and necessities of the modern theatre lobby ...and now at last we're here with a new and special type of lobby display accessories worked out in cooperation with major producing companies... the combined result of producer selling brains... exhibitor showmanship and our own special experience in giving exhibitors real economical selling help... ***Gentlemen! Showmen! We give you...***

National Screen Accessories INC. ...the magic touch of showmanship!

Court Grants Delay on RKO Notes Payment

(Continued from page 1)

notes would not leave RKO debenture holders in the position of unsecured creditors in the reorganization, and intimated that the adjournment of the hearing was desired by the large debenture holders in order to present the plan of reorganization before the question of the security behind the debentures was determined.

It was at this point that Judge Bondy declared that if any "ulterior motive" for the delay appears in the reorganization plan he would order the notes paid immediately, and added by way of reassurance that "then we will be where we would if the payment was ordered now."

Rickaby said that the desire to complete and present an RKO reorganization plan within the next two weeks was the reason for the request that yesterday's hearing be delayed.

"The cake is about 90 per cent baked," he said, referring to the present status of the reorganization plan. "I hope it will be appetizing even to those who would oppose the postponement of this hearing."

Rockefeller Center Claim Vital

Indications are that completion of the plan hinges primarily upon the length of time required to reach an agreement with Rockefeller Center on the treatment which its $9,100,000 claim will receive under the plan when the amount in which the claim will be allowed has been determined. Federal Judge William Bondy's decision on the allowance of the claim is expected in the near future, but is certain to be appealed by one side or the other.

Answering Cohen's statement that retirement of the notes would leave debenture holders in an unsecured position, Rickaby said that "if the question is raised it must be met. We would contend that paying the notes does not release the security and would carry that theory on appeal as far as we could."

In reply to a direct question by Judge Bondy, Rickaby said that the reorganization plan does not attempt to capitalize on the questioned security behind the debentures in the event of retirement of the gold notes.

Permission to Examine Refused

"If the plan attempts to give any class of creditors an unfair advantage, the court will not stand for it," Judge Bondy remarked.

Rickaby refused Cohen permission to examine the reorganization plan in its present form.

The retirement of the RKO gold notes, the last $750,000 of which are held by the Bank of America National Ass'n, is sought by the RKO trustee as an interest saving measure, and believed advisable at the present time because of RKO's improved financial position as evidenced by cash on hand of more than $6,000,000. However, RKO debentures have a second lien on the company's assets securing the notes and, if the notes are retired, the assets may revert to the trustee. In this way the question of whether the debentures would be secured in this eventuality is raised.

"Stage Door" Only Routine; Has Some Laughs, Tiny Plot

(Continued from page 1)

fritter their lives away as they seek out the breaks. If there is any moral in it, that moral might be for young women to stay clear of the Roaring Forties and their theatrical lure.

However, there is little reason to believe Kaufman and Miss Ferber wrote this for the moral tale it might convey. They poke at Hollywood with lusty digs, yet they have written a routine potboiler no doubt looking toward its purchase by that very Hollywood they take for a ride. It seems fitting to point out here and now that the picture colony can and does do much better.

At any rate, this all has to do with Margaret Sullavan, young stalwart who passes up a coast offer and eventually is reduced to the blouse department at Macy's rather than abandon her ambition for stage acclaim. Eventually and in the approved fashion she gets it. That's where Cinderella and the fairy tales merge.

Onslow Stevens Featured

In between, her boy friend, who starts out as a left winger and who has a play on which she aided accepted, walks out when success comes his way. He is the instance of the playwright going Hollywood and liking it. Onslow Stevens is the instance of the playwright, now in pictures, who goes out to Hollywood and likes that. The affinity in interest with Miss Sullavan leads finally to love and, presumably, marriage.

The play is interlarded occasionally with lines of the bright and witty school of which Kaufman is a member and some amusing pieces of business. But the story it has to tell is stretched out painfully and thin with large patches of daylight shining through.

"Stage Door" would make a motion picture. Nothing exciting, mind you, but a motion picture. The boys in Hollywood, however, can do as well. For the big money which will be sought for the rights there is too little to buy.

Mid-Season Session To Be Held by Sears

(Continued from page 1)

recently completed pictures which will be shown to the district sales heads.

Jack L. Warner will arrive next Tuesday on the *Ile de France*.

Warners Remodel House

Approximately $10,000 is being spent by Warners for remodeling the Warner which is being converted into a legitimate house. Until recently, the theatre was known as the Cine Roma.

RKO to Publish Fan Paper for Theatres

RKO will put out a monthly fan magazine of its own, starting next month. It will be called *RKO Hollywood Review* and will be distributed free in all of the circuit's theatres. John Dowd will edit.

Loew's recently inaugurated the idea with *Loew's Moviegoer*. The new magazine will have advertising, the same as the Loew publication.

SEC Charges Made Against Consolidated

(Continued from page 1)

that might have been formed by the original material.

"The company manifested considerable reluctance to do this," it was explained, "and the commission thereupon advised the company that an opportunity would be afforded to the company's representatives to appear before the commission on Oct. 20 or 21, at the company's convenience.

"On Oct. 21 the commission was advised by the company that the latter did not desire to appear before the commission and was unwilling to send any additional communication to stockholders of the company prior to the meeting on Oct. 23, the company taking the position that the president's letter contained a full, frank and detailed explanation of what it proposed and why and precisely how it was to be accomplished and the result of it to each holder of preferred or common shares. Under these circumstances, it has appeared to the commission that, pursuant to Section 21A of the Securities and Exchange Act of 1934, it is appropriate for the commission, in the public interest and in the interest of all stockholders of the company, to publish information which is available to the commission bearing upon the adequacy of certain statements contained in the president's letter of Sept. 4, 1936."

Share Value Comparisons Made

The commission charges that the letter does not explain that although the redemption price and liquidating value of the new preference stock to be issued is $25 per share, plus accrued dividends, the corresponding redemption price and liquidating value of the old preferred stock was $35 per share, plus accrued dividends, so that the stockholders will not get stock to a greater value, even without taking into account the amount of accumulated dividends on the old preferred.

It also charges that while the letter stated the company has not been able to pay the full quarterly dividend on outstanding preferred since April 1, 1932, its net earnings in each year from the beginning of 1932 to the end of 1935 have been in excess of such dividend requirements and that at the close of last year the company had an earned surplus of nearly $3,000,000.

The commission alleged that in other respects, also, the company's letter was misleading to stockholders.

Seeks To Halt Meeting

A motion will be heard in N. Y. Supreme Court this morning on an application for an injunction to restrain the officers and directors of Consolidated Film Industries, Inc., from holding a special meeting this afternoon, when a vote is scheduled to be taken on Consolidated's plan of recapitalization.

The plan includes the reclassification of preferred stock amounting to $2,000,000. The motion was filed by Norman Johnson, a stockholder, as part of his action to prevent the carrying through of the recapitalization plan. Johnson claims the holders of preferred stock will be deprived of their voting rights and that the value of the preferred stock will be reduced from $2 to $1.25 per share if the plan is approved.

H. J. Yates, Sr., and other officials of Consolidated could not be reached last night for comment on the Washington and local court developments. However, a spokesman for Yates said that there had been no postponement of the adjourned meeting of stockholders which is scheduled to vote on the recapitalization plan today.

WPA and NBC Stage Units Are Planned

(Continued from page 1)

plans are being formulated for the development of one unit. If that is successful, additional units may be formed and sent out. So far as could be learned, the whole scheme will be confined to stage shows and no radio broadcasting "hour" is planned.

Deafness Subject of Broadcast

NEW ORLEANS, Oct. 22.—Weekly Tuesday afternoon broadcasts on deafness are being sent out over WSMB and an NBC hookup by Sonotone Corp. The programs feature the radio personality "Cheerio," have music and talks warning that reliable doctors should be consulted for the ears.

Buhler Discusses Songs

NEW ORLEANS, Oct. 22.—Louis E. Buhler has made some interesting observations since March 25, 1936, on the song hits of the week. He has deduced some informative data for song hit fans which discloses that "Would You" was played for 16 consecutive weeks and shares the top honors with "In a Little Gypsy Tea Room," "Red Sails in the Sunset" and "Alone." "It's a Sin to Tell a Lie" was on the program for 15 consecutive weeks.

Fourteen-week hits were: "Lost," "Is It True What They Say About Dixie?", "The Glory of Love" and "Melody from the Sky."

"Did I Remember?" remained in first place for six consecutive weeks and is still going strong. "Is It True What They Say About Dixie?" took top honors for four consecutive weeks. "Goody Goody," entered on March 4, was in first place for five consecutive weeks. In one week it sold 100,000 copies of sheet music and was played 51 times on New York radio stations alone in the same week.

St. Louis Paper Licensed

ST. LOUIS, Oct. 22.—The Federal Communications Commission has granted the application of the *St. Louis Star-Times* for a permit to operate a new broadcasting station on a frequency of 1,250 kilocycles, 1,000-watt power, with unlimited hours of operation.

SUPER X STARS

EASTMAN Super X helps the cameraman as no other film has ever helped before . . . to enhance his artistry . . . to solve difficult situations. It helps the exhibitor, too, by delivering photographic quality that undeniably heightens box-office appeal. In this dual role, Super X stars in the fullest sense of the word. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, New York, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

"Broadcast" $14,800 Top, Kansas City

KANSAS CITY, Oct. 22.—"The Big Broadcast of 1937" made the big noise among first runs in a fair week, taking $14,800 at the Mainstreet in eight days, $5,800 over average. It was moved to the Newman for a second week.

Rain hurt Thursday and Friday openings, but President Roosevelt's appearance downtown for about an hour Tuesday brought tremendous crowds into the area, a part of which theatres got for the night show.

"Wives Never Know" and "Two Against the World" lasted only six days at the Fox Uptown, where the pair grossed $3,000, off by $500. The other first run double, "Craig's Wife" and "Adventure in Manhattan," also made a poor showing, going $3,500 under the Midland's $11,500 line.

Total first run business was $41,700. Average is $37,500.

Estimated takings:

Week Ending Oct. 13:

"WIVES NEVER KNOW" (Para.)
"TWO AGAINST THE WORLD" (W. B.)
UPTOWN—(2,000), 25c-40c, 6 days. **Gross:** $3,000. (Average, 6 days, $3,500)

Week Ending Oct. 15:

"BIG BROADCAST OF 1937" (Para.)
MAINSTREET—(3,100), 25c-40c, 8 days. **Gross:** $14,800. (Average, 8 days, $9,000)

"CRAIG'S WIFE" (Col.)
"ADVENTURE IN MANHATTAN" (Col.)
MIDLAND — (4,000), 25c-40c, 7 days: **Gross:** $8,000. (Average, $11,500)

"LADIES IN LOVE" (20th-Fox)
NEWMAN — (1,900), 25c-40c, 7 days. **Gross:** $9,000. (Average, $7,000)

"DON'T TURN 'EM LOOSE" (Radio)
TOWER—(2,200), 25c, 7 days. Stage: Ferry Corwey, Bud and His Buddies, Ward & Milford, Larry Collins and Edward Cordes. **Gross:** $6,900. (Average, $6,500)

"Scotland" $3,000 Leader at Lincoln

LINCOLN, Neb., Oct. 22.—"Mary of Scotland" got away in the clear to a $3,000 take, the best; it was $800 above average. This was helped by a heavy ad campaign.

"Give Me Your Heart" went sour from the start at the Stuart getting less than average with a $3,000. The Orpheum with a dual, "Women are Trouble" and "Ambassador Bill" and a girl show barely nosed over the line to $2,200, which was $450 up.

Total first run business was $10,450. Average is $9,000.

Estimated takings:

Week Ending Oct. 14:

"ACES AND EIGHTS" (Puritan)
"HI, NELLIE" (W. B.)
"COLLEGE COACH" (W. B.)
"SEA SPOILERS" (Republic)
LIBERTY—(1,200), 10c-15c, 7 days, first two films 3 days. **Gross:** $950. (Average, $850)

Week Ending Oct. 15:

"MARY OF SCOTLAND" (Radio)
LINCOLN—(1,600), 10c-20c-25c, 7 days. **Gross:** $3,000. (Average, $2,200)

"WOMEN ARE TROUBLE" (M-G-M)
"AMBASSADOR BILL" (20th-Fox)
ORPHEUM — (1,350), 10c-15c-20c-25c, 7 days. First three days with "Hollywood All-Girl" unit, featuring Hollywood Debs band. **Gross:** $2,200. (Average, $1,750)

"EVERYTHING IS THUNDER" (G. B.)
VARSITY—(1,100), 10c-15c-20c-25c, 7 days. **Gross:** $1,300. (Average, $1,100)

Week Ending Oct. 16:

"GIVE ME YOUR HEART" (W. B.)
STUART—(2,000), 10c-25c-40c, 7 days. **Gross:** $3,000. (Average, $3,100)

"Broadcast," "Dodsworth" Boston Hits

BOSTON, Oct. 22.—Two hits struck town simultaneously — "The Big Broadcast of 1937" and "Dodsworth." Business on each was sensational.

"Broadcast" went $17,000 over normal for a total of $39,000 at the Metropolitan, helped by Dave Apollon on the stage. "Dodsworth," playing day and date on a dual with "Sworn Enemy," at Loew's Orpheum and Loew's State, took $16,500, up by $4,500, at the former, and $15,500, up by $4,500, at the latter.

"My Man Godfrey" ended its second week at the Memorial with $12,000, par for the house.

The other Keith house, the RKO Boston, playing "36 Hours to Kill" and the stage show "Cuban Follies," grossed $18,000 on the week.

Total first run business was $120,000.

Estimated takings for the week ending Oct. 15:

"ANTHONY ADVERSE" (W.B.)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $7,000. (Average, $4,500)

"MY MAN GODFREY" (Univ.)
RKO MEMORIAL—(2,907), 25c-50c-55c, 7 days. (2nd week.) **Gross:** $12,000. (Average, $12,000)

"DODSWORTH" (U.A.)
"SWORN ENEMY" (M-G-M)
LOEW'S ORPHEUM—(2,970), 25c-35c-55c, 7 days. **Gross:** $16,500. (Average, $12,000)

"DODSWORTH" (U.A.)
"SWORN ENEMY" (M-G-M)
LOEW'S STATE—(3,537), 25c-35c-55c, 7 days. **Gross:** $15,500. (Average, $11,000)

"BIG BROADCAST OF 1936" (Para.)
METROPOLITAN—(4,332), 25c-50c-65c, 7 days. Stage: Dave Appolon unit. **Gross:** $39,000. (Average, $22,000)

"ANTHONY ADVERSE" (W.B.)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $12,000. (Average, $7,000)

"36 HOURS TO KILL" (20th-Fox)
RKO BOSTON—(3,246), 25c-50c-65c, 7 days. Stage: "Cuban Follies," with Mitchel & Durant. **Gross:** $18,000. (Average, $11,000)

"Broadcast" Takes Lead in New Haven

NEW HAVEN, Oct. 22.—Musicals were out front last week. "The Big Broadcast of 1937" led at $8,600 in the Paramount. This was $3,800 over par.

"Sing, Baby Sing" ran second at $5,000 in the College, over average by $2,200. Both were held over.

The Poli, with "Ramona" and "Star for a Night" just made the $7,000 par, while "Cain and Mabel" and Bengal Tiger" at the Roger Sherman missed the $4,700 mark by $300.

Total first run business was $25,000. Average is 19,300

Estimated takings for the week ending Oct. 16:

"SING, BABY, SING" (20th-Fox)
"BLACKMAILER" (Col.)
College—(1,499), 25c-35c, 7 days. **Gross:** $5,000. (Average, $2,800)

"THE BIG BROADCAST OF 1937" (Para.)
PARAMOUNT—2,348), 35c-50c, 7 days. **Gross:** $8,600. (Average, $4,800)

"RAMONA" (20th-Fox)
"STAR FOR A NIGHT" (20th-Fox)
POLI—(3,040), 35c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)

"CAIN AND MABEL" (W. B.)
"BENGAL TIGER" (W. B.)
ROGER SHERMAN—(2,200), 35c-50c, 7

Claims Records

Pierre, S. D., Oct. 22.—J. E. Hipple, operator of the Bijou, claims two records. He has operated the house continuously since 1908 and has played all the films that M-G-M and its predecessors have released.

Take Appeal on Tax Increase in Holland

By PHILIP DE SCHAAP

AMSTERDAM, Oct. 14.—The proposal to increase admission taxes in Haarlem under local ordinance to 25 per cent has been held in abeyance pending an appeal directed by the theatre owners and employes to the Government. The Dutch M. P. Federation had advised the owners to close their theatres in protest if the tax increase is enacted.

It lies within the power of the Government, however, to invalidate, or prevent the enactment of such a law. Meanwhile, and until a reply is received from the Government, the Federation has ordered that the houses remain open.

The situation in Haarlem is being watched with interest by the entire industry in Holland, since an important precedent will be set, no matter what the outcome may be.

* * *

The devaluation of the Dutch guilder has placed American offices here in a position similar to that obtaining when the American dollar was devaluated three years ago. Before Dutch devaluation, the dollar was quoted at 1.50 florins, while now it is set at 1.80 florins, reducing dollar profits by about 20 per cent.

The move is expected eventually to result in an increase in admission prices, based on an expected rise in film rentals, general exploitation costs and like factors.

* * *

The first newsreels taken in the Dutch East Indies, by ANIF, have been shown in the leading Amsterdam theatres.

Briskin Has Seven Ready

HOLLYWOOD, Oct. 22.—S. J. Briskin will have seven negatives ready to ship east during the early part of November. This will be a new record for Radio. The pictures are "Make Way for a Lady," "The Smartest Girl in Town," "Wanted: Jane Tuner," "The Riddle of the Dangling Pearl," "Night Waitress," "All Scarlet," and "The Plough and the Stars."

Re-Sign Burns and Allen

HOLLYWOOD, Oct. 22.—Paramount has signed George Burns and Gracie Allen to a new two-year contract to become effective in December when their present agreement expires. They are now working in "College Holiday." Their next assignment is not set.

M-G-M Picks New Title

HOLLYWOOD, Oct. 22.—"Sinner Take All" has been chosen by M-G-M as the final title for the film formerly called "Murder for a Wanton."

Trade Board In Australia Sets New Era

By CLIFF HOLT

SYDNEY, Sept. 22 (*Via Air Mail*). —The ratification of the newly formed Film Board of Trade by both exhibitors and distributors is seen as opening a new era in the industry in Australia. Authorized by law, the board will act as mediator in attempting to settle all exhibitor-distributor problems, and is expected to eliminate the repeated instances of Governmental—and political—intervention in the affairs of the industry.

The only disturbing element which has developed is the belated applications of certain British interests and allied trades to gain representation. Although no real objection exists to granting the applications, the impression is that any additional members will make the board unwieldy and hamper its activities.

At present there are nine members, one independent chairman, four representatives of the exhibitors and four of the distributors. Developed for the purpose of handling distributor-exhibitor problems, the board will consider matters relative only to theatre license control, standard film contract, rejection, free gifts, minimum admissions, program footage and censorship.

Those not now represented are chiefly disturbed over the "drag-net" clause, which empowers the board, additionally, to define the exhibitor and distributor attitude on any matter of policy, provided it has the sanction of the two assocations, as well as Hoyts and Greater Union Theatres.

* * *

Walter J. Hutchinson, head of Twentieth Century-Fox foreign activities, opened the Twentieth Century-Fox and Gaumont-British Dominions sales convention. He will be here for a short time before continuing his world trip.

* * *

"Uncivilized," produced by Expeditionary Films, leading domestic producer, has been banned in its present form from export, although exhibition in Australia has been approved. Two scenes are apparently the basis of the ruling. An appeal is to be taken.

Attendance Increase Predicted for Cuba

WASHINGTON, Oct. 22.—Attendance at theatres in Havana during 1936 is expected to show an increase over last year, according to a report from Assistant Commercial Attache C. H. Ducote to the U. S. Dept. of Commerce.

The same increase is expected also to obtain in the interior centers.

Theatre receipts had declined considerably during the warm months, as is usual during that period of the year, but September set an upward trend which is expected to continue for the rest of the year.

Distributors on American films base their expectations of a better total attendance this year on bookings and the comments of exhibitors.

The American Projection Society marks another milestone in its path of glorious achievements by honoring its foremost member

F. H. RICHARDSON

(Technical Editor of Motion Picture Herald)

with a

Testimonial Banquet

to be held at the

PENNSYLVANIA HOTEL

At 12 Midnight

Saturday, October 24th, 1936

F. H. RICHARDSON is to Projection what Thomas A. Edison was to Science; C. Francis Jenkins to Television, and S. L. Rothafel to Theatrical Genius, and is, as were these distinguished gentlemen, an Honorary Member of our Society.

He, through his indomitable will and his everlasting quest for "Perfection in Projection," is responsible, more than than any other single factor, for the vast improvement in projection today over what it was when he entered the field, more than three decades ago.

To most of us, the name "Richardson" is identified with our earliest memories of the technical aspects of projection. What can be more fitting and proper than a show of some degree of the esteem in which he is held, by, not only us of the projection fraternity, but by the entire industry, of which he is so important a part.

This, then, will be truly an occasion, so often commented upon, and so seldom brought to realization, when we shall be presenting the bouquets while the recipient is still capable of enjoying the fragrance.

That you will be assured of an utterly enjoyable evening can be attested by the spontaneous cooperation extended by personages from every walk of life in the Motion Picture Industry. . . . ***W. W. Byrne, President, American Projection Society***

•

Telephone Your Reservations:

American Projection Society, 251 West 42nd Street, New York

LOngacre 5-8271

"Libeled" Is Philadelphia Wow, $21,000

PHILADELPHIA, Oct. 22.—"Libeled Lady" and "Big Broadcast of 1937" kept the movie ledger out of the red last week, the former with a magnificent $21,000 at the Fox and the latter with a strong $17,000 at the Stanley. Both were held a second week.

"Dodsworth" ended strongly at the Aldine with $12,000 for its last nine days. It was yanked while still playing to good business and it looks like a cleanup in the second runs.

The rest of the town was below average. Unseasonably warm weather slowed up trade, while political and football interests took their slice of business.

Total first run business was $88,800. Average is $84,110.

Estimated takings for the week ending Oct. 15:

"DODSWORTH" (U.A.)
ALDINE—(1,300), 40c-55c-65c, 9 days, 3rd week. **Gross:** $12,000. (Average, 7 days, $8,160)

"TEXAS RANGERS" (Para.)
ARCADIA—(600), 25c-40c-50c, 8 days. (2nd run.) **Gross:** $2,700. (Average, 7 days, $2,800)

"MY MAN GODFREY" (Univ.)
BOYD—(2,400), 40c-55c, 7 days, 2nd week. **Gross:** $13,000. (Average, $14,000)

"WALKING ON AIR" (Radio)
EARLE — (2,000), 25c-40c-55c, 7 days. **Gross:** $12,500. (Average, $14,000)

"LIBELED LADY" (M-G-M)
FOX—(3,000), 40c-55c-65c, 7 days. **Gross:** $21,000. (Average, $14,000)

"RAMONA" (20th-Fox)
KARLTON—(1,000), 25c-35c-40c, 7 days. (2nd run.) **Gross:** $2,700. (Average, $4,000)

"STAGE STRUCK" (F.N.)
KEITH'S—(2,000), 30c-40c-50c, 6 days. (2nd run.) **Gross:** $2,500. (Average, 7 days, $4,000)

"BIG BROADCAST OF 1937" (Para.)
STANLEY — (3,700), 40c-55c, 7 days. **Gross:** $17,000. (Average, $14,000)

"ISLE OF FURY" (W.B.)
STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $5,400. (Average, $7,000)

"Wives" and Show $22,003, Buffalo

BUFFALO, Oct. 22.—"Wives Never Know" topped the list last week. Showing at the Buffalo with a Major Bowes' amateur unit, it drew $22,003, breaking average by $10,003.

"Swing Time" at the Great Lakes for its second week continued to draw heavily with a total of $9,800, or $2,500 above par.

"Romeo and Juliet," at the Erlanger at roadshow prices, had a top notch second week. It drew $10,800 in an $8,000 house.

Total first run business was $48,403. Average is $38,400.

Estimated takings for the week ending Oct. 17:

"WIVES NEVER KNOW" (Para.)
BUFFALO—(3,000), 30c-50c, 7 days. Stage: Major Bowes Amateurs. **Gross:** $22,003. (Average, $12,000)

"TEXAS RANGERS" (Para.)
HIPPODROME—(2,500), 25c-40c, 7 days. **Gross:** $9,400. (Average, $7,300)

"SWING TIME" (Radio)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $9,800. (Average, $7,300)

"PEPPER" (20th-Fox)
"KING OF THE ROYAL MOUNTED" (20th-Fox)
CENTURY—(3,000), 25c, 7 days. **Gross:** $9,500. (Average, $5,800)

"NINE DAYS A QUEEN" (G-B)
"TWO-FISTED GENTLEMAN" (Col.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $7,500. (Average, $6,000)

It's Genius

Manchester, England, Oct. 22—A little girl, aged 12, had a hankering to go to the films, but no money. It was a simple problem, easily solved.

She found a five-year-old in the park, undressed her, pawned the clothes for 18 cents, and the film industry gained by that much.

The youngster was placed on probation in Juvenile Court.

Letters Urge Passes For Blind Children

NEBRASKA CITY, Neb., Oct. 22.—Letters are being sent to the managers of 169 theatres located near all the schools for the blind in the United States suggesting that they do as Wesley and R. R. Booth, who own the Paramount and Booth here, have done in allowing pupils at the Nebraska School for the Blind to attend at least one show a week free.

Co-operating with the Booths in seeking extension of their plan is Regina Molseed, secretary of the Omaha Film Board of Trade.

The Booths have found that both the near-blind and totally blind pupils at the school enjoy films. Some are able to distinguish the action by sitting in close, but others have to follow it by the dialogue.

One child, both blind and deaf, "sees" and "hears" the pictures with the help of two instructors. One instructor sits on each side holding the child's wrists. Through a code of finger pressure one instructor describes the action; on the other wrist the second instructor transmits the dialogue.

Orchestra Leaders Ruled Contractors

WASHINGTON, Oct. 22.—Exhibitors contracting with individuals to furnish music, paying a weekly check in a lump sum to the orchestra leader for the services rendered by him and his orchestra, are not employers of either the orchestra leader or his musicians under a ruling with respect to hotels made public today by the Internal Revenue Bureau under the Social Security Act.

In the case before the bureau, the hotel company contracted for the services of a 10-man orchestra which received its pay from the leader, who had the right to hire, control and discharge the players, and he received from the hotel a weekly check in a lump sum.

Under the circumstances, stated the bureau, the leader is an independent contractor. The orchestra leader may be held as an employer if he hires more than eight men.

Urge New Film Grouping

LONDON, Oct. 22.—The film committee of the Public Morality Council plans to send a deputation to the Home Office urging the adoption of a new method of censoring films in "categories." Instead of the present "A" (adults only) class, to which children are admitted if accompanied by adults, it is suggested there should be a category of films from which children would be absolutely excluded.

Charity Fund Quota Is Set at $200,000

(*Continued from page* 1)

Metropolis Club. The quota must be filled by Dec. 1, it was said. The screen, the legitimate theatre and music publishers are included in the division. Another meeting will be held Nov. 10.

David Bernstein of Loew's and Major Albert Warner were named co-chairmen of the division. The various sections of the division will be represented as follows: Loew's, Al Lichtman, Leopold Friedman; Warners, Sam E. Morris; Columbia, Jack Cohn, Abe Schneider; RKO, Jules Levy, Phil Reisman; Twentieth Century-Fox, Joseph Moskowitz; Grand National, Edward L. Alperson; Universal, Nate Manheim; Paramount, Barney Balaban; United Artists, Paul Lazarus; B. I. P. , Budd Rogers; G. B., A. P. Waxman; Republic, Jack Milstein, Herman Glucksman; independent exhibitors, Harry Brandt, Leo Brecher; theatres, Alex Yokel; trailers, Herman Robbins; burlesque, Max Rudnick; laboratories, Jack Goetz, Allan Friedman; artists, Louis K. Sidney, Ben Bernie, Phil Baker; music publishers, Louis Bernstein, Jack Bregman, Edwin H. Morris; exhibitors, Louis Frisch, Sam Rinsler; trade papers, Jack Alicoate, Red Kann.

"Sissy" at $35,000 First Capitol Week

"The Devil Is a Sissy" wound up its first week at the Capitol last night with a nice $35,000. The picture will be replaced Friday by "Libeled Lady," which, according to advance indications, may possibly run three to four weeks.

The Music Hall ended a second week of "Gay Desperado" at $68,000, slightly under expectations. "My Man Godfrey" and "15 Maiden Lane" at the Palace took in around $8,000, while the Rialto garnered approximately $7,000 on "The Longest Night."

Lutherans in Move To Classify Films

(*Continued from page* 1)

our people to attend only wholesome, decent and worthy pictures."

Parents are urged not to permit children to attend theatres until they have satisfied themselves regarding the types of pictures, and editors of the church publications are asked to form a film estimating agency for the publication of classifications.

"Community selection of pictures" also is asked. This is aimed at block booking.

Fox Quiz Is Pressed

ATLANTIC CITY, Oct. 22.—The questioning of William Fox and his bookkeeper, Herbert Leitsteen, continued here today before Federal Referee Robert E. Steedle, in the Fox bankruptcy hearing, with creditors' lawyers taking pages from All-Continent records and questioning Fox concerning them. Several pages were placed in evidence over the strenuous objections of Murry C. Becker, Fox attorney, who was overruled. The hearing is scheduled to be resumed next Tuesday.

Bidding Is Extended In Skouras Action

(*Continued from page* 1)

court will hear the trustee's report of today's sale.

Apparently the sale resulted in the buying in of the property by Thomas N. Dysart, acting for the bondholders' protective committee of Central Properties Corp., with a bid of six per cent on the general claims of $4,637,317, plus $12,762.90 for preferred claims and the balance needed to pay the administration expenses of the bankruptcy, estimated at $35,000. The trustee has $9,605 on hand.

Dysart's bid was equivalent to $317,995 in cash. Harry Koplar, exhibitor, was the only other bidder at the sale. The principal assets of the Skouras company are 52 per cent of the St. Louis Amusement Co. stock and the West End Lyric Theatre property. Greene's attorney said his bid would be at least equal to, and probably higher than that submitted by Dysart today. The latter will have another opportunity to bid on Monday. Greene said he wanted time to examine the assets and financial statements to guide his bid.

Exhibitors Oppose Phila. Billposters

PHILADELPHIA, Oct. 22.—Members of the United M.P.T.O. today refused to accede to demands of the Billposters' Union on distribution of window cards. Action was taken at a special meeting.

Lewen Pizor and George P. Aarons were named as a committee to go into the legal aspects of the case.

Exhibitors protested that not in 20 years have they been approached by union labor on window card distribution and they fear that surrender might now lead to further demands covering distribution of programs and other services. The billposters want $10 per day for the work.

Wall Street

Board Issues Continue Off

	High	Low	Close	Net Change
Columbia	39	38⅝	38⅝	— ⅛
Columbia, pfd	45	45	45	—1
Consolidated	4⅞	4¾	4⅞	+ ⅛
Consolidated, pfd.	18	17¾	17⅞	+ ⅛
Eastman	175¼	175	175	.....
Gen. T. Equip.	27½	26¾	26⅞	— ⅝
Loew's, Inc.	56⅝	55⅝	56	— ¾
Paramount	15⅜	14⅝	14⅞	— ½
Paramount 1 pfd.	111	109½	109½	—1¾
Paramount 2 pfd.	14½	13¾	14	— ⅜
Pathe Film	8	7⅞	8	— ⅜
RKO	7⅞	7⅝	7⅝	.....
20th Century-Fox.	32	31½	32	+ ½
20th Century, pfd.	39¾	39⅝	39¾	.....
Universal, pfd.	102	101¾	102	.....
Warner Bros.	14	13½	13½	— ⅜
Warner Bros., pfd.	61	61	61	.....

Technicolor Drops on Curb

	High	Low	Close	Net Change
Grand National	3⅜	3¼	3¼	.....
Sentry Safety	⅝	⅝	⅝	.....
Sonotone	2	2	2	.....
Technicolor	22¾	22	22¾	— ¼
Trans-Lux	4	3⅞	3⅞	.....
Universal Pict.	9	9	9	.....

Bonds Rise Fractionally

	High	Low	Close	Net Change
Keith B. F. 6s '46	97	97	97	.....
Loew's 6s '41 ww deb rights	99⅛	99⅛	99⅛	.....
Paramount Pict. 6s '55	99	98¾	98¾	+ ⅛
Warner Bros. 6s '39 wd	96½	96¼	96¼	+ ¼

(Quotations at close of Oct. 22)

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 98 NEW YORK, SATURDAY, OCTOBER 24, 1936 TEN CENTS

Consolidated's Recapitalizing Plan Approved

Court Overrules Attempt To Prevent Meeting

Consolidated Film Industries' plan of recapitalization was approved at an adjourned special meeting of stockholders yesterday, after the N. Y. Supreme Court refused an application for an injunction to prevent the holding of the meeting.

Voted in favor of the plan were 238,639 shares of preferred stock and 331,475 shares of common. Opposing the plan were 5,615 shares of preferred and 1,491 shares of common. There are 400,000 shares of preferred and 524,973 shares of common outstanding. Represented by proxy at the meeting were 240,443 shares of preferred and 330,295 shares of common, and, in person, 8,073 shares of preferred and 3,164 shares of common.

The legal attempt to prevent the holding of the meeting through a temporary injunction was brought by

(*Continued on page 4*)

Academy's Officers Are All Reelected

HOLLYWOOD, Oct. 23.—All the present officers of the Academy were reelected by acclamation here last night at a joint meeting of the board of governors and the executive committee, acting as an electoral body. The officers are: Frank Capra, president; Howard Estabrook, first vice-president; Nathan Levinson, second vice-president; Jane Murfin, secretary; Fred Leahy, treasurer; Donald Gledhill, executive secretary.

A committee of five was appointed to investigate all phases of the Academy awards policy and report its findings back to the board of governors. No specific instructions were given to the committee, which includes Waldemar Young, David O. Selznick, DeWitt Jennings, Frank Lloyd and Van Nest Polglase, and represents all branches of the Academy.

Pittsburgh Variety Party Is a Sellout

PITTSBURGH, Oct. 23.—For the eighth year Variety Club's "Big Top" banquet at the William Penn hotel Sunday night will be a complete sellout. The 875 reservations available were disposed of several days ago and efforts are now being made to crowd

(*Continued on page 3*)

Sales Policy Revisions of Two Majors Ready Early Next Week

Sales policy revisions embracing trade practices sought by the M.P.T.O.A. were reported to have been completed by two major distributors yesterday and definitive announcements are being drawn for release on Monday or Tuesday. Indications are that similar announcements from five of the six remaining major distributors will be made prior to Nov. 1.

The concessions being made will be applicable to all contracts not yet closed, according to report.

Ed Kuykendall, M.P.T.O.A. president, is expected here on Tuesday. The concessions of the various companies will be detailed and analyzed in a bulletin to be issued to M.P.T.O.A. members.

K-A-O 39-Week Net Profit Is $666,080

Keith-Albee-Orpheum Corp. and subsidiaries report a net profit after all charges of $666,080.63 for the 39 weeks ended Sept. 26, 1936, which compares with a similar net profit for the 39 weeks ended Sept. 28, 1935, of $172,114.33.

B. F. Keith Corp. and subsidiaries, for the same period in 1936 report a net profit after all charges of $531,842.56, which compares with a net of $176,753.45 in the 1935 period.

The K-A-O profit for 1936 is equal

(*Continued on page 4*)

300 Are Expected at Richardson Banquet

More than 300 film men are expected to attend the testimonial banquet to F. H. Richardson, technological editor of *Motion Picture Herald*, to be given by the American Projection Society at the Hotel Pennsylvania tonight at midnight. The hour was set in order to permit projectionists, working late, to attend.

An elaborate program of speeches,

(*Continued on page 4*)

Dividend Not Wise, G. B. Report States

By BRUCE ALLAN

LONDON, Oct. 23.—No dividend decision at present is prudent, states the latest Gaumont British report, until "after a careful survey of the production activities of the corporation, and pending recovery from America of a proportion of the higher cost of films produced for that market."

Regarding G. B. distribution, the report states that a substantial fall in profits is due to this higher cost.

"Any sums received from America,"

(*Continued on page 4*)

"Broadcast" Heads Into $65,000 Week

Garnering $9,000 on the opening day and $8,400 on the second day, "The Big Broadcast" is expected to hit about $65,000 at the Paramount. Clyde Lucas and his band are on the stage.

The theatre is opening at 8:30 A. M. and closing at 3 A. M. during the run, according to Bob Weitman, manager. Weitman plans to remain open

(*Continued on page 4*)

Drama of Theme Overrides Drama in Kingsley's Play

Nobody conscious of the difficulties of this belabored world will argue with the anti-war, down-with-the-munitions-makers subject matter of Sidney Kingsley's latest play, "Ten Million Ghosts." Some, and perhaps many, however, might disagree with that playsmith, how he approached his powerful theme and the disposition he made of it. This first-nighter is one.

For the show which went on display at the St. James Theatre last night before a large and, no doubt, expectant audience full of high hats and furs, is a disappointment. Laudable, certainly, in its purpose; serious in its treatment and effective in its physical reproduction, somehow or other it never quite comes off.

Kingsley, in last night's event, was more than the author. He was also the producer. He went on a spree in his vital opening set, full of gun lathes, whirring machinery, deafening

(*Continued on page 4*)

More Delays On Roxy Plan Are Indicated

Seligson Protests Move To Get RFC Funds

Indicating a new series of delays before a plan of reorganization is unanimously agreed upon by bondholders for presentation to the court, Federal Judge Francis G. Caffey yesterday granted the Roxy Theatre Protective Committee the right to intervene in negotiations under way by the Roxy Theatre bondholders' committee. At the same time, the court continued the date for hearing until Nov. 13.

Claiming to represent $352,000 in first mortgage bonds, Harold P. Seligson, attorney for the protective group, told the court he had been working with the bondholders' committee for some time and that his "committee is not in favor of the proposals made."

"The proposals have very radical faults," he said, "and the protective committee hopes to find someone who will come along with a better plan.

"The difference is a fundamental one," he added, "and we believe no reorganization plan should go through unless the need to replace the first mortgage bonds by new bonds can be obviated."

Seligson referred to the bondholders'

(*Continued on page 3*)

Levine Plans Eight Republic Musicals

Republic plans to increase its list of musicals from two to six, Nat Levine told a group of trade paper men at luncheon yesterday at the Waldorf-Astoria.

The company's first color film, "The Beloved Rogue," for which the Magnacolor process was used, has been completed, he said, and will be shipped east in a few days when editing has been finished.

Levine had been in New York since last Monday for production conferences. He left for the coast last night by TWA.

FCC Concludes Its Broadcast Hearing

By BERTRAM F. LINZ

WASHINGTON, Oct. 23.—Hearings on broadcasting problems have been concluded here by the Federal Communications Commission with indications that no steps toward reorganization of broadcasting stations would be

(*Continued on page 4*)

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Lease Fight to Court

CHICAGO, Oct. 23.—Aaron Saperstein is expected to go to court in connection with the refusal of Warners to vacate the Symphony here, which has been leased by Saperstein. Saperstein took over the lease when the building corporation refused to renew Warners' lease.

Clark, Gehring Meet

DENVER, Oct. 23.—John D. Clark and William Gehring met here today with the sales force of the Twentieth Century-Fox exchange. Tomorrow they will go to Des Moines and hold a session with Stanley Mayer and his men.

Jubilee to Start Jan. 3

Paramount's Silver Jubilee in honor of Adolph Zukor will officially get under way Jan. 3, 1937, and continue until May 1.

Lehman Heads Trust

Robert Lehman has been elected president of the Lehman Corp., investment trust. He succeeds Arthur Lehman, who died several months ago.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Here Comes Carter"

(*Warners*)

HOLLYWOOD, Oct. 23.—Ross Alexander as the racy, fast-talking Hollywood press agent, turned radio commentator specializing in production scandal-mongering, imparts to this otherwise ordinary yarn its active character.

Despite the fact that in the conclusion Alexander is at great pains to tell his radio audience that Hollywood is for the most part an upright, straightforward community, with only a few upstarts and fakirs, the impression apt to be created in the minds of the audience concerning underlying incidents of double-dealing is anything but a happy one for the business of the screen.

Alexander, fired for his revelation of the truth about an actor's marital affairs, takes over a radio commentator's program and begins to broadcast "inside stuff" to the distress of his sweetheart, Anne Nagel, and the delight of his new secretary, Glenda Farrell. Particular object of his biting is the actor who caused him to be fired.

He is warned by gangsters, slugged by them, and by playing on the stupidity of one of them, learns enough to reveal the actor as in league with the gangsters and uncover the leader as the killer in a bank robbery. All's well that ends well, apparently, as he promises his radio audience to reform and launches into a closing eulogy of Hollywood and its inhabitants.

William Clemens directed from a story by M. Jacoby.

Production Code Seal No. 2,358. Running time, 58 minutes. "G."

"General Spanky"

(*Roach-M-G-M*)

HOLLYWOOD, Oct. 23.—With the kids of Our Gang featured, this is juvenile entertainment of the whoop-and-holler variety. The show is a burlesqued Civil War comedy melodrama with an appealing vein of human interest that makes heroes of the youngsters in all but the romantic angle, meanwhile ribbing the grownups.

The gist of the plot has Spanky and Billie Thomas, the little negro, getting in the hair of Irving Pichel, the villain and a river boat card sharp. When war breaks out the pair really go to work. They sympathize with the South because of their friendship with Phillips Holmes. Spanky's bobtail army makes hash of Captain Pichel's dream of appearing as a great military strategist of the North.

In the course of events Pichel captures Holmes, who is taking an oath in Spanky's army. Accused as a spy, he is saved from death when the youngsters appeal to Ralph Morgan, the Northern general. Pichel is stripped of his command and disgraced when Morgan paroles Holmes to Rosina Lawrence. Holmes then joins the little general's army.

Spanky, Carl Switzer and Billie Thomas account for most of the fun. Pichel does a smart job of acting, making himself an effective foil for the youngsters. The show, however, should not be mistaken for anything other than a juvenile attraction containing all the elements that induce kid laughter. That's the sole purpose of the story by Richard Flourney, Hal Yates and John Guedel. Fred Newmeyer and Gordon Douglas directed cooperatively and handled the antics of the kids in a manner that will enthuse child audiences. Production details have been utilized to accentuate and emphasize the hokum idea.

Production Code Seal No. 2,480. Running time, 73 minutes. "G."

"Smartest Girl in Town"

(*Radio*)

HOLLYWOOD, Oct. 23.—This is a flip, fast comedy that scores in the rapid pace and smart production that Radio has set for light comedies and should prove extremely useful on a double bill program.

Ann Sothern plays a commercial model struggling to be hard-boiled and snag wealthy Erik Rhodes into marriage. She mistakes Gene Raymond, a millionaire, for a male model and he, having been taken for plenty of payoffs by practical dames in the past, allows the misunderstanding to continue to test her love.

It is not new, but it is funny in the development of the bright dialogue by Viola Brothers Shore, especially when Eric Blore, a valet, masquerades as president of an advertising company. Helen Broderick, as Miss Sothern's suspicious sister, draws a full share of laughs as usual and the whole show moves with firecracker speed under the direction of Joseph Santley and the production by Edward Kaufman. Plug the favorite cast and the comedy.

Production Code Seal No. 2,576. Running time, 60 minutes. "G."

F. P. Harmon Leaves YMCA for MPPDA

Francis S. Harmon, general secretary of the international committee of the Y. M. C. A. for the past four years, is resigning that post to become associated with the M.P.P.D.A. in a general advisory capacity next March 1.

Harmon's experience in law, newspaper publishing and as a world traveler will be utilized in special work on the industry's foreign and group relationships in conjunction with Frederick L. Herron's and Carl E. Milliken's M.P.P.D.A. departments.

Raymond B. Mays Dead

DENVER, Oct. 23.—Raymond B. Mays, formerly connected with the Tabor Grand Opera House, passed away at his home here, following a year of illness. Mays was an usher the opening night of the old opera house, and later became treasurer and an official. He was later a manager of the Broadway, resigning in 1901. He was 70. A widow, daughter and brother survive.

Critics Mother Dies

KANSAS CITY, Oct. 23.—Mrs. Helen M. Laird, mother of Landon Laird, film critic of the *Kansas City Star,* is dead here. She was 74 years old.

Cup to Major Thompson

The Quigley Cup, won by the championship RKO baseball team, was presented last night to Major Leslie E. Thompson of RKO at a Victory Dance held in the Hotel Montclair. Individual members of the team were presented with gold baseballs by the Ben Shlymen Publications. Al Finestone made the presentations.

Music was furnished by an orchestra under Jackie Harris, RKO page boy at the home office.

Picket 55th St. House

The Joint Boycott Council of the American Jewish Congress and the Jewish Labor Committee will picket the 55th St. Playhouse beginning today, in connection with the showing of the film, "Amphitryon," which has been advertised as a French film, but which, the council claims, is of German origin.

"U" Closes Atlanta Deal

Universal has closed a deal with the Lucas & Jenkins circuit for its new season product, J. R. Grainger, general manager of distribution, said yesterday. The deal was closed by Harry Graham, district manager, and John Ezell, Universal exchange manager at Atlanta.

U. A. Closes Two Deals

United Artists has closed product deals with Walter Reade and Isle Theatre circuits in Greater New York. Charles Stern and Moe Streimer represented the distributor in the negotiations.

Flash Preview

"Fugitive in the Sky"—Story of a transcontinental flight, slightly implausible, but good average entertainment.

This film will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

More Delays On Roxy Plan Are Indicated

(*Continued from page* 1)

committee plan to obtain RFC funds which would be given preference over the first mortgage bonds. He said the theatre is earning on an average of $10,000 a week and that his group was in favor of getting new money which would not come ahead of the outstanding bonds. He asserted the men on his committee are trying to get someone to underwrite a plan along these lines.

"The members of our committee are not stuffed shirts or figureheads," he advised the court. "They represent bonds which they own. Most of the bonds had been deposited with the original S. W. Strauss committee, while "the Pounds committee does not have the real bread and butter interest in working out a plan. They do not represent real bondholders.

Israels Supports Plan

Judge Caffey intervened at this point and said "most of the committees mean nothing. It is the lawyers who really do the work. It is all up to them."

Carlos Israels of White & Case, representing Roxy Theatre bondholders' committee, welcomed any effort to have the reorganization plan underwritten. He said he would be the first to go for it.

Before the motion to intervene came up, Israels asked for a three-week extension on the ground that negotiations for a lobby lease for 10 and a half years after 1937 were underway and that the rental will have an important bearing on any analysis of a plan his committee would present. This indicates that the Twentieth Century-Fox proposal is not for 15 years, but for three and a half years less.

Seligson, Israels Differ

After the session, Seligson told MOTION PICTURE DAILY he believed a reorganization plan can be underwritten as suggested to the court, while Israels differed on that point. Seligson would not comment when asked if a deal was being negotiated.

At the hearing were Irving Cohen of the Paramount legal staff and a representative for Fox Theatres, which owns the common stock. Both Cohen and Israels denied Paramount had any proposal of reorganization. The Fox Theatres' attorney was refused a draft of the tentative plan by Israels, who said he hoped to have one ready for distribution in three weeks.

Following the meeting, Israels and Seligson conferred privately at the latter's office. On the Roxy Theatre Protective Committee are: Chester H. Tipton, president of C. H. Tipton Securities Corp., chairman; George A. Rogers of George A. Rogers & Co., Inc., and Carol O. Johnson, secretary.

Republic Sets 2 in L. A.

LOS ANGELES, Oct. 23.—Two Republic films are slated for first run openings here with "President's Mystery" booked into the Orpheum on a one-picture deal on Oct. 28 and "Follow Your Heart" scheduled for two Warner houses on the same date.

Purely Personal

JOE MOSKOWITZ hies himself to New Haven tonight for a peek at "Red Hot and Blue," stage musical which comes in here next week.

•

FERNAND GRAVET will arrive with JACK WARNER on the *Ile de France* Tuesday. The French actor will be tendered a cocktail party by Warners on Thursday at the Center theatre. The refreshments will be served on the stage.

•

MILT KUSELL is due back by plane this afternoon from Buffalo where he held a session with the Paramount Albany and Buffalo sales forces in connection with the ADOLPH ZUKOR Jubilee.

•

STEPHEN PALLOS, general sales manager of London Film, plans to come to New York within two weeks for United Artists conferences. He will have with him a print of "Rembrandt."

•

VAN HEFLIN, Theatre Guild actor, has been signed to a long term Radio contract by SAM BRISKIN as a result of his work in "A Woman Rebels," which opens at the Music Hall Oct. 29.

•

JOHN W. HICKS, JR., vice-president in charge of Paramount's foreign department, is due back on the *Manhattan* next Thursday.

•

DICK FORAN arrived by plane at 1 A. M. yesterday from the coast. He is in Flemington, N. J., visiting his family.

•

MRS. HARRY SHIFFMAN, who is recovering from an operation, will leave Mt. Sinai Hospital on Thursday.

•

WESLEY RUGGLES stopped over in Chicago, en route to Hollywood, to make a number of screen tests.

•

AL WOODS still plans a hunt in Hollywood for players for "Story to be Whispered," stage play.

•

SI FABIAN returned yesterday from a three-day trip to Albany with a slight attack of the grip.

•

A. H. SCHWARTZ has decided to remain at Lake Placid and continue his hunting indefinitely.

•

DOUGLAS FAIRBANKS will leave the coast today en route to Switzerland for the winter sports.

•

L. C. Lowe of the Paramount exchange in Atlanta today celebrates another birthday.

•

CHARLES BALLANCE, Paramount manager in India, will sail today on the *Rex*.

•

MARION DAVIES is due to sail from England Oct. 28 on the *Queen Mary*.

•

ELLIOTT NUGENT arrives from London on the *Ile de France* next week.

•

BRIAN AHERNE is traveling here from the coast in his own plane.

•

FREDRIC MARCH has returned to the coast.

•

PAULETTE GODDARD flew to the coast yesterday.

SAMUEL GOLDWYN has purchased "Folly and Farewell," a story by RICHARD SHERMAN, author of "To Mary—With Love."

•

EDWARD H. GRIFFITH, director, arrived yesterday from Europe on the *Bremen*, en route to Hollywood.

•

LOUIS WEISS, in New York from Hollywood on his first visit in a year, will remain a couple of weeks.

•

SONJA HENIE, skating champion, plans a tour of this country and Canada in skating exhibitions.

•

BOB GOLDSTEIN may fly to the coast today, where his new office requires attention. Back in a week.

•

GEORGE BECK's story, "Women Are Poison," has been purchased by Radio.

•

TED HEALY greeting the boys along West 47th St.

Ripley President, Washington MPTO

SEATTLE, Oct. 23.—William Ripley of Longview was elected president of the M.P.T.O. of Washington at the convention of the organization held here today at the New Washington Hotel. Ripley succeeds Hugh Bruen.

Other officers elected were: L. O. Lukan of Seattle, first vice-president; Milton Kenworthy of Moscow, Idaho, second vice-president; Paul Aust of Seattle, third vice-president. James N. Hone was reelected to the office of secretary.

The board of trustees comprises John Hamrick, Al Rosenberg, LeRoy Johnson, John Danz and B. F. Shearer, all of Seattle; also H. G. Moore of Tacoma, Fred Mercy, Jr. of Yakima, Cecil Miller of Spokane and Cecil Gwinn of Centralia.

The convention ended tonight with a Movie Ball sponsored by the Northwest Film Club and attended by 2,000 guests.

Warners Get Biltmore

Warners, it is now revealed, purchased the Biltmore, south of Broadway and 52nd St., a few days ago. At an auction last week, Arthur A. Hershkowitz, an attorney, bought the house on a bid of $150,000. He did not disclose the name of his clients at the time.

Chaplin Buys "Regency"

HOLLYWOOD, Oct. 23. — Charles Chaplin has bought screen rights to D. L. Murray's "Regency" and is preparing the preliminary screen adaptation with the aid of Major R. V. Bodley. In the past Chaplin always has written his own screen stories.

Wallis on Way East

HOLLYWOOD, Oct. 23.—Hal B. Wallis left by train today for New York where he will meet Jack L. Warner, who is scheduled to arrive from Europe Oct. 27.

To Film Shaw Play

LONDON, Oct. 23.—Gabriel Pascal has signed a contract with George Bernard Shaw for the filming of the latter's "Pygmalion."

Short Subject

"Star Gazers"

(*Columbia*)

Another issue of Columbia Tours. The story of the astronomical telescope from Gallileo to the modern instruments in the big western observatories is illustrated and the camera takes the audience to the various locales. It is fairly interesting. Reviewed without production code seal. Running time, 10 mins. "G."

Pittsburgh Variety Party Is a Sell Out

(*Continued from page* 1)

a few more tables into the hall to accommodate a number of latecomers from out of town.

For the show, General Chairman John H. Harris has lined up Johnny Perkins, who is coming on from the coast to serve as ringmaster; Jane Pickens, Stan Kavanaugh, the Ben Yost Singers and Cherry and June Preisser, all of the "Ziegfeld Follies;" Mitchell and Durant; Rose Coyle, "Miss America of 1936;" Paul Pendarvis and his orchestra; Dick and Edith Barstow; Roberts and White; 3 Sharps and A Flat; Tommy Trent, Dewey Moon, Jerry Mayhall and his band, Bernie Armstrong and others.

The speakers will include H. R. Ekins, the newspaper reporter who won the recent round-the-world race; John B. Kennedy, editor and radio commentator; Regis Toomey, now rehearsing for a new Broadway play; H. M. Warner; Ed Sullivan, the columnist; Walter C. Kelly, the Virginia Judge; Carl E. Milliken, of the Hays office; Gov. George Earle of Pennsylvania; Dr. Korocco; Jerry Belcher, of broadcasting fame; David Lawrence, Democratic chief in this state, and Judge Frank Patterson. A. K. Rowswell will serve as toastmaster.

Representatives will be on hand from each of the other 17 Variety Club tents and a flock of out-of-town showmen will arrive in Pittsburgh a day ahead of the banquet to take in the Pitt-Notre Dame football game.

The affair will honor the outgoing chief barker, Art Levy, manager of the Columbia exchange, and his successor, John J. Maloney, head of the M-G-M office.

W. E. Callaway to L. A.

LOS ANGELES, Oct. 23.—W. E. Callaway, branch manager for Warners at Dallas for the past three years, has been transferred here as branch manager, filling the position left vacant several weeks ago by the death of Newton Levi.

No successor has been appointed to the Dallas post. Calloway takes over the local branch on October 26.

"Devil" Holds Over

"The Devil Is a Sissy" went into its second week at the Capitol yesterday.

CLASSIFIED

EQUIPMENT WANTED

Professional 35mm. sound camera. Also portable 35mm. sound projector. Both complete with accessories. Describe fully and give lowest cash prices. Box 782, MOTION PICTURE DAILY.

Consolidated's Recapitalizing Plan Approved

(*Continued from page* 1)

Norman Johnson, a stockholder, and denied by Justice Bernard L. Shientag, whose ruling also applies to any possible future request for a restrainer against another meeting of the shareholders in connection with the recapitalization plan. Efforts were also made at the meeting itself by stockholders to keep the plan from a vote by motions made to adjourn the meeting shortly after it had been opened by H. J. Yates, Sr., Consolidated president, but which failed to carry.

The possibility of further legal action against the plan was voiced after the meeting by Ivan R. Lashins, a stockholder.

The letter of the Securities and Exchange Commission made public Thursday in Washington, which held that information concerning the recapitalization plan which had been given to the company's stockholders might be construed as misleading, created but little comment within the meeting. It was referred to by Yates in a statement to the stockholders in which he stated that the company believed it was acting in the best interests of the shareholders and in an entirely legal manner and would not substitute its judgment for that of an outside agency in the absence of legal advice to do so. In reply to a stockholder's question, Yates said that he was advised that the S. E. C.'s attitude would not jeopardize the registration of the new stock issues called for under the plan.

Proceedings Tranquil

Discussion of the plan preceding the vote was lengthy but completely devoid of pyrotechnics.

The plan provides for the issuance to preferred stockholders of one and one-quarter shares of new preferred and one-quarter share of new common and a $1 cash dividend in exchange for each share of old preferred together with accumulated dividends in excess of the $1, amounting at this time to $4 per share. Common stockholders receive two-thirds of a share of new common for the old. The new preferred carries a fixed cumulative dividend of $1, instead of the former $2, and takes one-half of all dividends declared in addition to the $1. The common takes the other half. Directors are to meet at once to authorize the initial $1 dividend.

Dividend Not Wise, G. B. Report States

(*Continued from page* 1)

the report continues, "will be used in the reduction of such costs."

The company's balance sheet shows a bank overdraft of £1,149,785 secured by a mortgage on the stock; cash in hand and in the bank of £35,735. Productions in work are valued at £521,257.

John Maxwell, S. R. Kent and M. Boardman are directors up for reelection.

Drama of Theme Overrides Drama in Kingsley's Play

(*Continued from page* 1)

noises and little drama. To bridge the time necessary for prop shifting—three times in the first, three times in the second and four in the last—he filled the entire stage opening with slides of newspaper headlines, charts and graphs illustrating the war dead, the profits from ammunition, anti-aircraft guns and, in the second act, he further merged film and stage technique by running off a battlefield film on the stage.

Deliberately, it is the assumption, he sublimated characters to theme. With a subject so powerful and so closely interlocked with this daily existence, probably this was the correct course to follow. However, the lack of essentially personalized drama made itself woefully apparent and, by its failure to appear, further emphasized the lecture-like atmosphere which prevailed all through the performance.

Background Dominant

The chief difficulty last night was not any paucity of dramatic content. But the drama was not Kingsley's. It was something deep and inherent in the subject which he, from time to time, sharpened by his stage direction and far too infrequently by his dialogue. For "Ten Million Ghosts" is like turning back the pages of your daily newspaper and reading and digesting the highlights of its headlines. Those headlines engulfed and made Kingsley and the characters he drew puny and ineffective against the overwhelming force of the facts they conveyed.

And Hollywood, what? This is propaganda with social force overtones and that would make "Ten Million Ghosts" a dubious enterprise before the cameras. It might better be left alone, for Hollywood, a commercial institution, has to pull punches too often to give a theme such as this the impact terrific which must be its to be significant.

One Closes, Second Tonight

"White Man," which opened at the National last Saturday, closed last night.

"Daughters of Atreus," which opened at the Forty-Fourth St. Oct. 14, steals quietly away this evening.

300 Are Expected at Richardson Banquet

(*Continued from page* 1)

entertainment and dancing has been arranged for the affair, the first event in a series which will feature Richardson Week. A. R. T. Bishop is chairman of the arrangements committee, who declared that there will be no sale of tickets at the door. Jay C. Flippen will be master of ceremonies.

On Tuesday a luncheon will be given for Richardson, also at the Pennsylvania, by National Theatre Supply Co. and International Projector Corp. On Thursday a Quigley luncheon will be held at the hotel. Throughout the week an exhibit of old projection equipment will be maintained there. Wednesday will be Pioneer Day, when another luncheon will be held.

Author, Author!

Bob Goldstein yesterday told the story of a friend of his who caught "Stage Door" when it played out-of-town. Between Acts 1 and 2 there stalked in a man who sat himself down in an adjoining vacant seat and began to rustle newspapers.

"Say, do you mind keeping quiet? This play is bad enough as it stands," remarked a playgoer to the late comer.

A few minutes later the lights blinked on. The tardy arrival was George S. Kaufman, co-author with Edna Ferber.

Goldstein also reports a change in routine. "Instead of calling 'curtain going up,' they're calling 'building going up,' over at "Iron Men."

Much of the action takes place on the steel skeleton work of a giant skyscraper, 63 stories off the street.

F.C.C. Concludes Its Broadcast Hearing

(*Continued from page* 1)

taken for some weeks, probably not until after the first of the year.

Nearly three weeks were devoted by the commission to the hearing of broadcasters and radio engineers on such questions as super-power, limitation of time of operation, and reallocation of stations to remove some of the interference now experienced by listeners.

Following the close of the hearings, members of the commission indicated that they would pursue a cautious policy in ordering reallocations, so as to disturb listeners' habits as little as possible and minimize the danger to existing program contracts. In all probability, it was intimated, there will be no general reallocation, such as caused great confusion in 1928, but stations will be shifted to new frequencies, where necessary, one or two at a time.

In dealing with the question of power increases and removal of limitations on operating time, the commission will be able to move more quickly.

Rathner Closes a Deal

BOSTON, Oct. 23.—Harry Rathner, general sales representative for Burroughs-Rice Prod., has closed a deal with Specialty Films, Inc., of which Harry Asher is president. Roy E. Heffner and George A. Ryan are understood to be associated with Asher in the new company.

To Build M-G-M Office

SEATTLE, Oct. 23.—Construction will begin immediately on a new exchange building for M-G-M here, just across street from M-G-M's present headquarters.

K-A-O 39-Week Net Profit Is $666,080

(*Continued from page* 1)

to $10.35 per share on the 64,304 shares of seven per cent cumulative preferred stock, comparing with $2.67 per share on the same stock for the same period in 1935.

The K-A-O report shows profit before provision for depreciation and income taxes of $1,371,558.34, depreciation of $549,937.71, and income tax provision of $155,540.

Estimated figures, subject to audit and adjustment at the end of the calendar year, indicate the K-A-O net profit for the 52 weeks ended Sept. 26, 1936 at $897,039.70 after all charges, equal to $13.95 per share on the seven per cent cumulative stock.

The 39-week profit before provision for depreciation and income tax of B. F. Keith, amounted to $1,065,828.30, depreciation was $427,960.74, and income tax provision $106,025.

The estimated 52-week net profit to Sept. 26, 1936, on B. F. Keith was given at $819,734.05 after all charges. No provision was made in any of the figures for the surtax on undistributed earnings.

"Broadcast" Heads Into $65,000 Week

(*Continued from page* 1)

until 6 A. M. tomorrow morning.

Accompanied by Jack McIrnerny, publicist for the Paramount, Weitman will leave on Nov. 5 for Chicago to catch the opening personal appearance of Mae West, who is scheduled for a personal appearance in New York Nov. 18.

"Deeds" in 25th Week

PORTLAND, Ore., Oct. 23.—"Dodsworth" has gone into its second week at the United Artists here, and "Mr. Deeds Goes to Town" has begun its 25th week at the Blue Mouse.

Wall Street

Paramount 1 pfd. Up on Board

	High	Low	Close	Net Change
Columbia	38½	37⅞	37⅞	— ⅜
Consolidated	4⅞	4¾	4¾	— ⅛
Consolidated, pfd.	18	17¾	17⅞	.....
Eastman	175	175	175	.....
Gen. T. Equip.	27	27	27	+ ⅛
Loew's, Inc.	56½	55⅝	55⅝	— ⅜
Paramount	15⅛	14⅞	15	.....
Paramount 1 pfd.	111⅜	109½	110¾	+1¼
Paramount 2 pfd.	14⅛	13⅞	14	.....
Pathe Film	8⅛	8	8	.....
RKO	7¾	7½	7½	+ ½
20th Century-Fox	31⅞	31⅝	31¾	— ¼
20th Century, pfd	39⅜	39¼	39¼	— ½
Universal, pfd.	102	102	102	.....
Warner Bros.	13¾	13½	13⅝	+ ⅛

Technicolor Gains 1½ Points

	High	Low	Close	Net Change
Grand National	3⅜	3¼	3¼	.....
Sonotone	2⅛	2⅛	2⅛	.....
Technicolor	24¼	22½	24¼	+1½
Trans-Lux	3⅞	3¾	3⅞	.....

RKO Bonds Off 3½ Points

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	99⅛	99	99	— ¼
Paramount Pict. 6s '55	98⅝	98¼	98¼	— ½
RKO 6s '41 pp	90	90	90	—3½
Warner Bros. 6s '39 wd	96⅜	96¼	96¼	.....

(Quotations at close of Oct. 23)

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 99 NEW YORK, MONDAY, OCTOBER 26, 1936 TEN CENTS

Weekly Gross Of 20th-Fox $1,150,000

Is 40% Above June and Gain Over Year Ago

HOLLYWOOD, Oct. 25.—Twentieth Century-Fox's gross from film sales and rentals amounts to approximately $1,150,000 weekly at the present time, an increase of 40 per cent over June and well ahead of the corresponding 1935 period, Joseph M. Schenck, chairman of the board, told the Pacific Coast edition of *The Wall Street Journal* this weekend. Schenck estimated that the company would show a net profit of $7,500,000, after all charges and taxes, for the year ending Dec. 26.

Schenck's earnings estimate compares with a net of $3,090,135 for the corresponding 12 months of the preceding year, which included about six months' operations prior to the merger of Twentieth Century with Fox Film Corp. He stated that increased operating efficiency at the studio since

(*Continued on page* 16)

Canada Copyright Problem Up Today

Efforts to work out an agreement with distribution companies to avoid confusion in the future licensing of Canadian theatres for the use of copyrighted music as a result of the new music rate restrictions in the Dominion will be made at a meeting between E. C. Mills of Ascap and Leslie Boosey of the British Performing Rights Society with the M.P.P.D.A. law committee today.

One of the proposals favored by Ascap involves the direct payment of the Canadian music tax by distributors in this country, a procedure which would avoid the Canadian regulations. Distributors, however, are opposed to this on the ground that it would

(*Continued on page* 16)

Roosevelt Telegram Honors Richardson

The *piece de resistance* of the testimonial banquet Saturday night at the Hotel Pennsylvania for F. H. Richardson, technological editor of *Motion Picture Herald,* honoring him on his 70th birthday, was the reading of a telegram addressed to Colvin Brown of Quigley Publishing Co., from the White House.

Signed by President Roosevelt, the

(*Continued on page* 15)

Union Cinema To Expand to 300 Theatres

Plans Consolidation of Subsidiary Units

LONDON, Oct. 17.—Details of the ambitious plans for a merger-extension by Union Cinema Circuit, already published briefly in MOTION PICTURE DAILY, were made public today. A total of 300 houses is anticipated in the near future.

There will be a consolidation of the Union Cinema Co., Ltd., and its subsidiaries, Oxford and Berkshire Cinemas and National Provincial Cinemas, in a new £6,000,000 company, which will make a public issue of £3,000,000 and also exchange shares on a large scale with shares of existing undertakings.

Union's issued capital is £314,891 in 200,000 seven per cent cumulative participating preference and 114,891 ordinary shares. Oxford and Berkshire capital is £350,000, split into 150,000

(*Continued on page* 16)

London Press Hits G. B. Report Again

By BRUCE ALLAN

LONDON, Oct. 25.—The press here yesterday leveled criticism at the Gaumont financial report, which was issued last week, hitting the increase in the bank debt, and noting the uncertainty attaching to whether the £200,000 which was placed in a special reserve will be used to write off production losses.

The *Mail* cited the absence of detailed accounts of G.B. Distributors. The *Financial Times* also hit at the

(*Continued on page* 16)

Hurley Moved Up

Hollywood, Oct. 25.—Harold Hurley, former associate producer, was named assistant managing director of production for Paramount under William LeBaron yesterday.

Film Programs Get Broadcast Time in K.C.

KANSAS CITY, Oct. 25.—Each week an hour and 15 minutes of gossip about Hollywood stars and films reaches Kansas City audiences over the radio, and there will be more shortly.

On Oct. 20, WLBF Kansas City, Kan., began its unsponsored quarter-hour of comment on film personalities every Tuesday and Thursday at 2:15 P. M.

W9XBY, which has had several picture commentators in the past, will go back on the air next week with a program of this type.

WHB has 15 minutes of Tommy Maxwell and "His Flashes from the Films" on Monday, Wednesday and Friday at 11 A. M., sponsored by a downtown department store beauty salon. In its second month, the chatter about film people comes largely

(*Continued on page* 16)

Universal Dissolves Its Producing Unit

Universal Prod., Inc., a subsidiary of Universal Pictures, has been dissolved in a first step toward the simplification of Universal's corporate setup, it was learned on Saturday. The company was a Delaware corporation and was dissolved there and certificates surrendering the company's

(*Continued on page* 16)

Radio News

Taking cognizance of the increasing community of interest between radio and motion pictures, *Motion Picture Daily* will launch a daily department of radio news in an early issue.

The policies which will govern this department will be identical with the general policies under which *Motion Picture Daily* functions. Strictly from a trade point of view and as developments impinge on motion pictures, the news of radio will be predicated on fact, not rumor or gossip. The department will be attuned faithfully to the objective of constructive and dependable news information.

Its department will be conducted by Jack Banner, for four years eastern editor of *Radio Guide* and well known to the radio industry in New York and elsewhere.

Nazis Switch Film's Origin To Get Dates

Call "Amphitryon," Made In Berlin, French

By CHARLES S. AARONSON

Facts which are cloaked with evidences of a deliberate attempt to circumvent the obstacles to general distribution in this country of any foreign language films which were produced in Germany or financed by German money, since the inception of the Nazi regime in that country, came to light over the weekend.

The specific instance of such practice lies in the booking at the 55th St. Playhouse here of the picture "Amphitryon," sub-titled "The Gods at Play," purported to be, and advertised as a French film, produced in France.

Careful and detailed investigation of the film's source, conducted by MOTION PICTURE DAILY, has disclosed that the film is not of French, but of German origin, that previous attempts to obtain release of the picture under its original production auspices met with failure and that its current exhibition is accompanied by a careful avoidance of reference to its German

(*Continued on page* 6)

Consolidated Stock Groups Seek Action

Several committees of Consolidated Film Industries' stockholders who dissented from the adoption of the company's plan of recapitalization at the adjourned special meeting of stockholders last Friday are being formed to consider the exercise of rights as a result of the action, it was stated on Saturday by Ivan R. Lashins, an accountant and spokesman for several dissenting shareholders.

Lashins said that the group he rep-

(*Continued on page* 3)

Attorneys Far Apart On a Plan for Roxy

Attorneys for the Roxy Theatre Protective Committee and Roxy Theatre Bondholders' Committee are still "far apart" on ideas to be incorporated in a reorganization plan, it was stated Saturday, following a preliminary meeting between Harold P. Seligson, representing the first committee, and Carlos Israels, counsel for the latter.

The protective group is anxious to

(*Continued on page* 16)

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Insiders' Outlook

By RED KANN

CURIOUS is the way it goes. The facts: Distributors have committed themselves to most of the trade practice concessions sought by the M. P. T. O. A.; so much is definite. The question: Why do they delay the official word on what they are prepared to give? The answer, perhaps, and not too unlikely: Evasion or stubbornness. Yet the longer they dally, the closer they shear themselves of strategy and the closer they bring fall, winter and spring trips to Washington and interminable hours on the witness stand before Congressional committees, fighting off new attempts to regulate the industry by legislation. Maybe the boys like journeys to Washington and the Chesapeake Bay oysters at Harvey's. . . .

▼

Anti-industry forces, maybe because they have nothing better to do which means nothing since they do it anyway, are preparing further onslaughts. Not only will Congress get a barrage of restrictive measures, but also state legislatures. The day following election the successful candidates will be known and the campaign to win them begun. The impression is afloat that the antis will find matters easier if the industry, on and by its own, has displayed no evidences of intention to tidy up by its own hands. A second impression, which is reasonable although it may yet be wrong, is that the thunder of the opposition will reduce to a sigh if the business can produce a concrete and constructive program of saner trade practice regulations by the time stump speaking is ready to start its 1937 season. . . .

▼

If your memory is sprightly, it may recall that, in the spirited fight put up by the organized industry against the Neely-Pettengill bill last year, not one, but several, ranking executives assured Congressional committees before which they appeared that the business could and would regulate itself. When they go into their return date this winter, as they will, they will be asked about the measure of their performance, a good, old question which distributors talk about every day in their routine affairs. The more direct the reply, the better the chances. Aside from all this, which is obvious stuff anyway, somebody ought to ask why they don't stop fooling. All right, then, we are asking. . . .

▼ ▼

The big town operators, a pretty good check demonstrates, deported themselves well in handling "Dodsworth" in which Mary Astor, who likes diaries, appears. If you must have it, this goes for New Orleans, Houston, Providence, Columbus, Cincinnati and Dayton, which is by way of picking out only a few. The unsavory opportunist tactics adopted by a number of shooting gallery experts on several in Miss Astor's Columbia series swung just as sharply in the other direction. Presumably—and we say presumably because the past and its record have a way about them—they will remain true to type when "Dodsworth" gets their way. You should regret that, but you also should not feel too unhappy about it. For the preponderance of evidence in this particular and trouble-laden situation makes it clear that the responsible industry knows what makes up the standards of good taste and is quickly willing to observe them. If you think that little enough, let us remind it was not always so. . . .

Legion of Decency Condemns 'Carnival'

The National Legion of Decency, in its list for the current week condemned "Carnival in Flanders," French production, which previously had been approved. The Legion listing said: "On second review, we find this picture definitely objectionable because of subtle indecent dialogue and incidents. Its entire tone is unwholesome and in addition most of it is boring."

Of the six new films reviewed, three were classed as unobjectionable for general patronage, one as unobjectionable for adults, one as objectionable in part, and the one condemned. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Hopalong Cassidy's Return," "Pigskin Parade," "Rose Bowl." Class A-2, Unobjectionable for Adults—"April Blossoms." Class B, Objectionable in Part—"Love Letters of a Star." Condemned—"Carnival in Flanders."

M-G-M Installs Own New Haven Checkers

NEW HAVEN, Oct. 25.—M-G-M is installing its own checkers at the local exchange, the third to go for the plan. The other two are New York and Boston.

William F. Rodgers, general sales manager of M-G-M, told MOTION PICTURE DAILY recently that there is no special significance attached to the employment of checkers. He said: "We have certain ideas we want to try out and since we cannot ask Federal Ross Checking Service to do it, we are putting in our own men in certain spots.

"We may be wrong in our ideas," he added, "but we want to see and convince ourselves. After we complete the experiment, we might replace Federal checkers, but for the time being we have no such thought in mind."

Rites for Julius Schwartz

CLEVELAND, Oct. 25.—Members of the Cleveland M. P. Exhibitors' Ass'n. attended in a body funeral services for Julius Schwartz, local exhibitor, who died suddenly on Wednesday. Schwartz, a life member of the association, came here from New York about 15 years ago. His widow and two-year-old son survive.

Harrison Funeral Today

Funeral services for Louis Harrison, retired actor and playwright, will be held today at the Campbell Funeral Church. Harrison died Friday at the Medical Arts Sanitorium after a brief illness. He was 70 years old. Interment will be in Greenwood Cemetery, Brooklyn.

Anne Caldwell Dead

BEVERLY HILLS, Oct. 25.—Anne Caldwell, librettist and lyric writer, died at her home here. Miss Caldwell's work figured in "Dixiana," "Flying Down to Rio" and "Babes in Toyland."

Alice Faye Is Ill

HOLLYWOOD, Oct. 25.—Alice Faye is in the Cedars of Lebanon Hospital with influenza.

Sunday Cases Spread In Virginia Courts

RICHMOND, Oct. 25.—Court fights in behalf of Sunday shows continue in several communities.

A case against Harry A. Wesserman is pending before Judge James R. Duncan in the Alexandria Police and Civil Court.

S. H. Nothington, manager of the Bluebird, and H. Rubin, owner of the Century, at Petersburg, appealed fines imposed in Police Court, and juries failed to agree when their trials were held in Hustings Court.

'Brigade' Press Book Out

A 64-page press book on "The Charge of the Light Brigade," which includes novel ideas in advertising, publicity and exploitation, has been completed by Warners' advertising department and is being distributed to exhibitors. In addition to the 64 pages of material a six-page advertising section is inserted. Material of special interest to students is included, as well as contests, puzzles, biographical feature strips of the picture's stars, five national tie-ups, radio campaign stunts and other material of general interest.

"Waltz" Jubilee Film

"Champagne Waltz" will be released simultaneously in all the capitals of the world, according to plans arranged by Neil F. Agnew and John Hicks, Jr. The release will be part of celebration honoring Adolph Zukor's 25th year with Paramount. The Silver Jubilee will begin Jan. 7 and the film will be released some time during the same month.

Cohn Suit Up Today

Hearing is scheduled today in N. Y. Supreme Court on a plagiarism suit filed by Sigbert Cohn against Paramount, Ben Hecht and Charles MacArthur on "The Scoundrel." The plaintiff seeks to enjoin further distribution of the picture in addition to asking for all the profits, alleging a play of his was plagiarized in the making of the film

Bruckner to Do Original

HOLLYWOOD, Oct. 25.—B. P. Shulberg has signed Ferdinand Bruckner, playwright, to write an original screen play for Sylvia Sidney, the picture to go into production early in January. He has also signed Marcus Goodrich to write an original. The addition of the two makes seven writers now on the Schulberg staff. The others are David Boehn, John Bright, Robert Tasker, Joseph Anthony and William Saroyan.

Shifts Opening Day

BOSTON, Oct. 25.—The Scollay Square will change its opening day to Thursday instead of Friday this week to show "Anthony Adverse" which has just ended its second week's run at the Paramount and Fenway. The Scollay Square will open at 9:30 A. M. to take care of the expected additional attendance.

Purely Personal

GEORGE O'BRIEN, who has been making personal appearances at the Rialto, Louisville, in connection with "Daniel Boone" and doing all right, arrives today accompanied by LEONARD GOLDSTEIN. The pair, plus BOB GOLDSTEIN, fly to the coast Tuesday.

•

FERNAND GRAVET, French film star, will arrive on the *Ile de France* tomorrow, en route to the coast, where he is cast in "The King and the Chorus Girl," to be produced by MERVYN LEROY, to whom GRAVET is under contract.

•

HAL B. WALLIS, Warner production executive, arrives here from the coast this morning to meet JACK L. WARNER, arriving on the *Ile de France* tomorrow.

•

BERNARD KRANZ and JACK ELLIS have been delegated by the M. P. Salesmen, Inc., to secure all available film stars for the organization's annual ball at the Astor Nov. 25.

•

FRED MEYERS of RKO is due in Chicago this morning, Rochester tomorrow and in New York on Wednesday. He is returning from a swing of the circuit's theatres.

•

CHARLES MCDONALD, RKO district manager, has one anent fleas and pictures. He says: "Did you hear the story about the two fleas that were married? No? Well, they are saving up to buy a dog."

•

MARGUERITE CHURCHILL arrived from the coast yesterday. She has been signed for the cast of BEN HECHT'S impending stage play.

•

DR. A. H. GIANNINI is planning to return to the coast this week and be back again by Easter.

•

STANLEY ADAMS and HOGIE CARMICHAEL arrived on the coast yesterday via American Airlines.

•

WILFRED LAWSON, under contract to Twentieth Century-Fox, left yesterday by plane for Hollywood.

•

ROBERT ROSSEN is due by plane this morning at the Warner Burbank studios.

•

ERNST and MRS. LUBITSCH will leave for the coast tomorrow, according to present plans.

•

H. M. GIANFIELD of the Paramount exchange in Salt Lake City on Saturday celebrated another birthday.

•

HAL ROACH, MARY PICKFORD and HAL WALLIS are due today on the Twentieth Century.

•

ANITA LOUISE and her mother left Saturday by plane for the coast.

•

MILT KUSELL will be a year older tomorrow.

•

. . . Denver

J. B. MELTON, who just returned from the state of Washington, is planning to leave for Florida to spend the winter. MELTON, owner of the victory and Colorado, has a large plantation in Florida.

BUZZ BRIGGS has put up a new upright sign at the State.

EDDIE ROHR, following an appendix operation at a local hospital, is back at his engineer's job at the Erpi office.

A. C. KNOX has returned from a two-weeks' business trip into the northern part of the Denver territory. He is district superintendent for Erpi.

JOE STONE, salesman for the local office of National Theatre Supply, is on a business trip to western Colorado.

RICK RICKETSON has returned from Utah where he looked things over for Fox.

TED OSTMAN, RCA national manager of the service division, was at the local office for some time.

•

. . . London

HERBERT MARSHALL in on the *Aquitania.*

PHILLIPS HOLMES here on *Normandie.*

HAROLD SCHUSTER, from the Kane unit, left for Hollywood.

MAXIE THORPE, Columbia sales manager, leaves for New York this week, on a vacation.

WILLIAM WYLER in on *Queen Mary,* which screened "Dodsworth" on the trip over.

•

. . . Omaha

HAZEL ANDERSON, M-G-M booker, is vacationing in Texas for two weeks.

SIDNEY EPSTEIN, whose uncle and father, SAM and LOUIS EPSTEIN, respectively, head Epstein Theatres here, was married to GERTRUDE ROBINSON of Fort Dodge, Iowa.

CAMILLE SHIRE, daughter of Treasurer CHARLES SHIRE of Lincoln Theatres Corp., has recovered from a nervous breakdown and has left an Omaha hospital.

BOB OLIVER, who is building a new theatre at Onawa, Iowa, reports the construction has progressed to above-the-ground stage.

DALE GOLDIE, operator of the American at Cherokee, Iowa, is completing a new home.

H. S. TAMMEN of the Moon and Dakota at Yankton, S. D., recently completed a new home.

ELMER SEDLIN, traveling RKO auditor, will be transferred to the west coast after his next trip here.

CHARLEY WILLIAMS, M.P.T.O. head in western Iowa and Nebraska, is still on the sick list.

MORT SINGER visited his brother, WILL, manager of the Brandeis, for one day.

CHARLEY SCHLAIFER, Tri-States ad man, plans to resume his radio program soon.

ORVILLE RENNIE, assistant at the Orpheum, who took HELEN COREY and the Three Notes, local radio act, to Chicago for a tryout last week, got them a CBS contract. RENNIE remains at the Orpheum, however.

Their Favorites

Hollywood, Oct. 25.—Favorite dance tunes of Hollywood players, according to Jan Garber, current maestro of the Cocoanut Grove: Joan Crawford — "Melancholy Baby"; Joe Penner—"The Sunny Side of the Street"; Barbara Stanwyck—"The Darktown Strutters Ball"; Claudette Colbert —"Cielito Linda."

Consolidated Stock Groups Seek Action

(*Continued from page 1*)

resents would probably form a protective committee and that another was being considered by Edward Gould, an attorney. Gould could not be reached for a statement on Saturday. Lashins declared that a possible procedure of his group might involve action for liquidating damages under the contract represented by the stock certificates.

"Under this procedure," Lashins said, "we would ask for the liquidation of our preferred stock at its book value of $35 per share, plus the accumulated dividend of $5. This compares with the $28 value placed on the new preferred to be issued under the plans."

The Consolidated board is scheduled to meet today or tomorrow to act on the initial dividend of $1 authorized for the preferred upon approval of the recapitalization plan. The dissenting stockholders were unsuccessful in obtaining either a court restrainer against the holding of the meeting last Friday or a two weeks adjournment of the meeting after it was called to order for a vote on the plan.

Warner Plane Stops Set for 24 Cities

Warners has set the schedule for its air tour as an exploitation stunt for "Gold Diggers of 1937." The plane, with Busby Berkeley and a collection of girls, will leave Hollywood Nov. 15 in an American Airlines ship, and will stop in 24 cities.

In the party will be Jeanne Madden, Fred Lawrence, Rosalind Marquis, Rose Tyrell and others.

The scheduled stops are: El Paso, Nov. 15; Fort Worth, Nov. 16; followed by stops at Dallas, Memphis, St. Louis, Chicago, Detroit, Cleveland, Pittsburgh, Washington, Philadelphia, Boston and New York, with arrival here scheduled for Nov. 27. On Nov. 30 the party will leave for Albany, Syracuse, Rochester, Buffalo, Columbus, Cincinnati, Louisville, Kansas City, Denver, Salt Lake City, San Francisco and Los Angeles.

Made German Phone Television — Baird

LONDON, Oct. 17.—J. L. Baird declared at the annual meeting of Baird Television, Ltd., that the company, through its German subsidiary, had supplied telephone television equipment to the German Post Office and could provide the same equipment in this country.

The first Baird set for home reception, he said, would provide a picture 12 by nine inches, and would retail at £89:5. Sales would be in the hands of Bush Radio, a Gaumont British subsidiary. Baird also promised an early demonstration of television on the film theatre screen.

Donat in Korda Pact

LONDON, Oct. 17.—Robert Donat, recovered from asthma, will start work in "Knight Without Armour," the Marlene Dietrich London Films special, immediately. Donat has signed to make three further pictures for Alexander Korda, at a reported salary of £30,000 per film.

British Publicist Attacks Quota Idea

LONDON, Oct. 17.—Guest speaker at a luncheon club get-together, Sir Charles Higham, the famous British publicist, launched an outspoken attack on the quota principle. If in any other industry, he said, buyers were told they must take a percentage of goods whether they liked them or not and whether they were good or bad, they would be up in arms. He suggested exhibitors should "collect a little backbone" and ask whether they were in a racket or in a legitimate business.

Sir Charles, who received uproarious applause for these remarks and also for his reference to the "Aunt Maries" of British production who had to have a say before a picture could be filmed, advocated a national publicity campaign for films on "Drink More Milk" lines.

May Urge Exhibitor Quota

LONDON, Oct. 17.—The Film Group of the Federation of British Industries is said to be considering, for submission to the Moyne Films Act Committee, a proposal that the British film quota shall be abolished as respects distributors, leaving the exhibitors' quota unchanged.

Production Nearing Peak at U. A. Studios

HOLLYWOOD, Oct. 25.—Production at United Artists will reach its peak within the next three months with seven features scheduled for release by February 1, according to George J. Schaefer, vice-president in charge of distribution.

Chief among the films scheduled for early release are: Goldwyn's "Come and Get It," Selznick International's "Garden of Allah" in Technicolor, Alexander Korda's "Rembrandt," Goldwyn's "Beloved Enemy," Walter Wanger's "You Only Can Live Once" and Selznick International's "A Star Is Born," also in Technicolor.

Planning "Personal History"

HOLLYWOOD, Oct. 25.—With "History Is Made at Night" about to go before the cameras, Walter Wanger is concentrating on preparations for production of Vincent Sheean's "Personal History," a story of a press correspondent's experiences.

Briskin Will Soon Have 10 on Stages

HOLLYWOOD, Oct. 25.—Sam Briskin will have 10 in work at Radio before Nov. 15. With the films already shooting, this will be near a production peak.

Now shooting are: "Coast Patrol," "They Wanted to Marry," "Quality Street," "Criminal Lawyer" and the untitled Lily Pons film.

Productions which start within the next three weeks are: "We The Jury," "Michael Strogoff," "Miss Customs Agent," "Convention in Cuba," "Rubber Barons," "Wings of Mercy" and "Easy Going."

Use House for Air Test

LONDON, Oct. 17.—Carroll Lewis, conducting "Amateur Hour" for the B.B.C., will use the stages of Gaumont British theatres in London and the provinces to test candidates.

"Desperado" Seattle Top With $7,200

SEATTLE, Oct. 25.—"The Gay Desperado" was the best box-office bet of the week with a take of $7,200 at the Liberty. This was $2,200 in the profit column. The picture was held over.

"Ladies in Love," on a dual with "Three Married Men," garnered $7,600, up by $1,600, at the Orpheum and the bill was moved to the Blue Mouse for an extended run.

"Road to Glory" was moved from the Fifth Avenue to the Music Box for another week after getting $7,200.

The weather was clear.

Total first run business was $38,850. Average is $36,500.

Estimated takings for the week endings Oct. 23:

"SWING TIME" (Radio)
BLUE MOUSE—(950), 25c-40c-55c, 7 days, 3rd week, extended run from Fifth Avenue. **Gross:** $3,800. (Average, $4,000)
"THE ROAD TO GLORY" (20th-Fox)
FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days. **Gross:** $7,200. (Average, $7,000)
"THE GAY DESPERADO" (U.A.)
LIBERTY—(2,800), 20c-30c-40c-55c, 8 days. **Gross:** $7,200. (Average, $5,000)
"GIVE ME YOUR HEART" (W.B.)
"BACK TO NATURE" (Para.)
MUSIC BOX—(950), 25c-40c-55c, 7 days, 2nd week, extended run from Paramount. **Gross:** $3,200. (Average, $4,000)
"LADIES IN LOVE" (20th-Fox)
"3 MARRIED MEN" (Para.)
ORPHEUM—(2,450), 25c-30c-40c, 7 days. **Gross:** $7,600. (Average, $6,000)
"THE PRESIDENT'S MYSTERY" (Republic)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Vaudeville and band. **Gross:** $4,500. (Average, $4,500)
"DIMPLES" (20th-Fox)
"EAST MEETS WEST" (G.B.)
PARAMOUNT — (3,050), 25c-30c-40c, 7 days. **Gross:** $5,350. (Average, $6,000)

Ricketson Shifts Men

DENVER, Oct. 25.—Rick Ricketson, manager of Fox Intermountain, has named Ray Davis, former city manager in North Platte, Neb., as city manager in Cheyenne, Wyo., succeeding Walter Smith, who has resigned to go to the coast. Donald Dungan, assistant at the Imperial, Alliance, Neb., will manage the Rourke, La Junta, succeeding Ed King, assigned to Durango, Col. Mike Zalensky will go from Durango to become city manager in North Platte.

Ohio Spot Tries Shows

NEW PHILADELPHIA, O., Oct. 25.—The Union, a Shea house, has inaugurated a combination stage show and picture policy on Fridays and Saturdays. The units are booked through the Gus Sun Agency, at Springfield. Straight films has been the policy of the house for several years.

House Has New Entrance

BOSTON, Oct. 25.—Increased business has necessitated the construction of an additional entrance to the South Station Theatre, the only local short subject and newsreel house. Heretofore the only entrance has been from the interior of the South Station.

House for Cambridge, Md.

CAMBRIDGE, Md., Oct. 25.—L. W. Goodman of Cumberland has made plans to build a theatre in this city and has started to dig for the foundations.

"Sissy" a $16,000 Draw, Providence

PROVIDENCE, Oct. 25.—Bringing in a neat $16,000 to Loew's State, "The Devil Is a Sissy" was far and away the best bet of the week. The gross was $4,000 over average.

The only other house to equal par was the Majestic, which caught an even $7,000 with "Give Me Your Heart" and "Yellowstone."

"East Meets West" and "Sitting on the Moon," at the Strand, were $300 under the usual $6,500 and the RKO Albee yanked "Follow Your Heart" and "Don't Turn 'Em Loose" after six days with the take around $3,000, which is $4,000 sub-par. Fay's, with "Missing Girls" and a revue, was $1,000 down from the average, $7,000.

The weather was fallish and cloudy most of the week. Opposition now has settled down to the usual football games and club socials.

Total first run business was $38,200. Average is $39,500.

Estimated takings for the week ending Oct. 8:

"THE DEVIL IS A SISSY" (M-G-M)
"THE LONGEST NIGHT" (M-G-M)
LOEW'S STATE—(3,400), 15c-40c, 7 days. **Gross:** $16,000. (Average, $12,000)
"EAST MEETS WEST" (G.B.)
"SITTING ON THE MOON" (Republic)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $6,200. (Average, $6,500)
"MISSING GIRLS" (Chesterfield)
FAY'S—(1,600), 15c-40c, 7 days. Stage: "Bye, Bye Baby" revue. **Gross:** $6,000. (Average, $7,000)
"GIVE ME YOUR HEART" (W.B.)
"YELLOWSTONE" (Univ.)
MAJESTIC — (2,400), 15c-40c, 7 days. **Gross:** $7,000. (Average, $7,000)
"FOLLOW YOUR HEART" (Republic)
"DON'T TURN 'EM LOOSE" (Radio)
RKO ALBEE—(2,300), 15c-40c, 6 days. **Gross:** $3,000. (Average, $7,000)

Milwaukee Grosses Go Into Bad Slump

MILWAUKEE, Oct. 25.—"Ladies in Love" and "Back to Nature," grossing $6,500 at Fox's Wisconsin, took high money in a rather sickly week. This was $1,500 below par.

All other business was off due to the combined Food and Radio Show in the Auditorium which attracted approximately 125,000 people for six days. Two vaudeville shows and numerous daily prizes were offered in connection with this attraction.

The weather for the most part was fair and cool.

Total first run business was $19,900. Average is $24,500.

Estimated takings:

Week Ending Oct. 14:

"A MIDSUMMER NIGHT'S DREAM" (W. B.)
WARNER—(2,400), 25c-35c-50c, 6 days. **Gross:** $4,000. (Average, $5,000)

Week Ending Oct. 15:

"WIVES NEVER KNOW" (Para.)
"MURDER WITH PICTURES" (Para.)
PALACE—(2,400), 25c-35c-50c, 7 days. **Gross:** $4,300. (Average, $5,000)
"SECRET AGENT" (G. B.)
RIVERSIDE—(2,300), 20c-25c-30c, 7 days. Stage: Centennial Follies with June Carr, Joe Rollo, Slap Happy, Monroe & Adams Sisters, Beatrice Hagen, Lowe, Hite & Stanley. **Gross:** $4,100. (Average, $5,000)
"LADIES IN LOVE" (20th-Fox)
"BACK TO NATURE" (20th-Fox)
WISCONSIN—(3,200), 25c-35c-50c, 7 days. **Gross:** $6,500. (Average, $8,000)

Week Ending Oct. 16:

"MY MAN GODFREY" (Univ.)
"A STAR FOR A NIGHT" (20th-Fox)
STRAND—(1,400), 25c-35c,50c, 7 days. **Gross:** $1,000. (Average, $1,500)

"Brute" and Lewis Indianapolis Hits

INDIANAPOLIS, Oct. 25.—Ted Lewis and his band on the stage with "The Magnificent Brute" on the screen did the business here last week, bringing the Lyric $13,700, which was $6,700 to the good. Lewis is a perennial favorite at the house and the management had to turn customers away Saturday and Sunday nights.

"A Midsummer Night's Dream" went $1,000 into the black at the Apollo for a gross of $5,000. It was roadshowed at B. F. Keith's here last winter. Federal Players, closing for the week in preparation for an elaborate presentation of "It Can't Happen Here," probably helped "A Midsummed Night's Dream."

General Motors' Parade of Progress showed during most of the week at the edge of the downtown area. It draw sightseers by the thousands and sliced something from first run business.

Total first run business was $26,900. Average is $21,000.

Estimated takings for the week ending Oct. 16:

"A MIDSUMMER NIGHT'S DREAM" (W. B.)
APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,000)
"WALKING ON AIR" (Radio)
"HOLLYWOOD BOULEVARD" (Para.)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $3,000. (Average, $4,000)
"THE DEVIL IS A SISSY" (M-G-M)
"THEY MET IN A TAXI" (Col.)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $5,200. (Average, $6,000)
"THE MAGNIFICENT BRUTE" (Univ.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: Ted Lewis and Band. **Gross:** $13,700. (Average, $7,000)

"Dodsworth" Sets New Portland Mark

PORTLAND, Oct. 25.—"Dodsworth," in its initial week at the United Artists, topped all previous weeks at this house for this year with a take of $9,500, over par by $4,500.

"Gorgeous Hussy" was moved to the Mayfair for a third downtown week, securing $4,500, over the usual here by $1,500.

"Ramona" was held for a second week at the Orpheum. It ran up to $6,200, over average by $1,200.

In its first week at the Paramount "Dimples" and "Seven Sinners" brought in $8,900, bettering the house average by $4,900.

Total first run business was $38,100. Average is $24,700.

Estimated takings for the week ending Oct. 17:

"OLD HUTCH" (M-G-M)
"THE CAPTAIN'S KID" (F. N.)
BROADWAY—(1,912), 30c-35c-40c, 7 days. **Gross:** $6,500. (Average, $5,000)
"MR. DEEDS GOES TO TOWN" (Col.)
"IT HAPPENED ONE NIGHT" (Col.)
BLUE MOUSE—(1,700), 30c-35c-40c, 7 days, 24th week. **Gross:** $2,500. (Average, $1,700)
"GORGEOUS HUSSY" (M-G-M)
MAYFAIR—(1,700), 30c-35c-40c, 7 days, 3rd D. T. week. **Gross:** $4,500. (Average, $3,000)
"RAMONA" (20th-Fox)
"BACK TO NATURE" (20th-Fox)
ORPHEUM—(1,700), 30c-35c-40c, 7 days, 2nd week. **Gross:** $6,200. (Average, $5,000)
"DIMPLES" (20th-Fox)
"SEVEN SINNERS" (G. B.)
PARAMOUNT—(3,008), 30c-35c-40c, 7 days. **Gross:** $8,900. (Average, $5,000)
"DODSWORTH" (U. A.)
UNITED ARTISTS—(945), 30c-35c-40c, 7 days. **Gross:** $9,500. (Average, $5,000)

"Cain, Mabel" Gets $16,500 In Pittsburgh

PITTSBURGH, Oct. 25.—Despite a succession of rainy days and some stiff competition, the Stanley led the field with "Cain and Mabel," bringing in close to $16,500, while "The Magnificent Brute," although it got off to a slow start, built steadily and came through with a first rate $6,800.

Only the Penn was a disappointment. "The Devil Is a Sissy" began excellently on opening day when the annual teachers' institute emptied the schools, and the weekend generally was fine, but it dropped after that to around $10,000, just fair. The Fulton came down the home stretch in great fashion with "My Man Godfrey," getting slightly better than $5,000 on the seventh and final week, while "Three Married Men" and "Isle of Fury" eased off the Warner, unable to better an ordinary $4,100.

Total first run grosses were $42,400. Average is $37,000.

Estimated takings for the week ending Oct. 22:

"MAGNIFICENT BRUTE" (Univ.)
ALVIN—(2,000), 25c-40c, 7 days. **Gross:** $6,800. (Average, $5,500)
"MY MAN GODFREY" (Univ.)
FULTON—(1,750), 25c-40c, 7 days, 7th week. **Gross:** $5,000. (Average, $4,500)
"THE DEVIL IS A SISSY" (M-G-M)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $10,000. (Average, $11,000)
"CAIN AND MABEL" (F.N.)
STANLEY—(3,600), 25c-50c, 7 days. **Gross:** $16,500. (Average, $11,500)
"THREE MARRIED MEN" (Para.)
"ISLE OF FURY" (W.B.)
WARNER—(2,000), 25c-40c, 7 days. **Gross:** $4,100. (Average, $4,500)

Neilan, Maynard Back

HOLLYWOOD, Oct. 25. — Marshall Neilan and Harry Maynard, who have been scouting St. Louis and Chicago for a "Tom Sawyer" for Selznick-International, have returned here. William H. Wright, who accompanied Neilan and Maynard, has gone on to New York to confer with Katherine Brown, the eastern talent head.

Tri-States Scales Up

OMAHA, Oct. 25.—Tri-States Theatres have increased last half of the week prices at the Bonham in Fairbury, Neb., from 20 to 25 cents for matinees and from 25 to 30 cents for evenings and admissions at the Empress in Hastings, Neb., and Majestic in Grand Island, Neb., from 20 to 25 cents.

Changes Opening Day

DENVER, Oct. 25.—Saturday football games at the University of Denver stadium here have led Harry Huffman to change the opening day of three of his first run houses to Thursday. Theatres affected by the change are the Denver, Broadway and Aladdin.

Toronto Dance Nov. 6

TORONTO, Oct. 25.—Once a year film exchange officials and exhibitors toss aside business worry and rivalry for the annual Motion Picture Ball. Lively preparations are under way for the next function which is dated for Nov. 6. About 800 are expected.

"Ladies" and Show $17,500 In St. Louis

ST. LOUIS, Oct. 25.—"Ladies in Love" on the screen and Paul Ash directing the stage show at the Ambassador proved the best draw of the week with a take of $17,500, topping the house average by $8,500.

Return of stage acts and high quality orchestral music has aided business of the Ambassador. From week to week its gross business has been growing.

At the St. Louis "My Man Godfrey" and a stage show was headed by Ross & Stone. The take was $7,500, compared with a house average of $7,000.

"Piccadilly Jim" and "Sworn Enemy," the double bill at Loew's, was the chief competitor of the Ambassador with $13,400 for the week, or $3,400 above average.

"The Texas Rangers" and "Wives Never Know" at the Fox were slightly under average with $13,500. The Missouri had an excellent week with "Hollywood Boulevard" and "My American Wife." The bill grossed $10,300 for the seven days, beating average by $1,300.

The first run houses and the neighborhoods and second runs as well got a great break when President Roosevelt delivered his address here in the morning instead of at night. Some 100,000 persons crowded into the vicinity of the Municipal Auditorium to hear the country's chief executive.

Total first run business was $67,400. Average is $55,000.

Estimated takings for the week ending Oct. 15:

"LADIES IN LOVE" (20th-Fox)
AMBASSADOR — (3,018), 25c-35c-55c, 7 days. Stage: Paul Ash directing specialty acts. **Gross:** $17,500. (Average, $9,000)
"THE TEXAS RANGERS" (Para.)
"WIVES NEVER KNOW" (Para.)
FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $13,500. (Average, $14,000)
"PICCADILLY JIM" (M-G-M)
"SWORN ENEMY" (M-G-M)
LOEW'S — (3,162), 25c-35c-55c, 7 days. **Gross:** $13,400. (Average, $10,000)
"HOLLYWOOD BOULEVARD" (Para.)
"MY AMERICAN WIFE" (Para.)
MISSOURI—(3,514), 25c-35c-55c, 7 days. **Gross:** $10,300. (Average, $9,000)
"GIRL OF THE OZARKS" (Radio)
"SECOND WIFE" (Para.)
ORPHEUM—(1,950), 25c-35c-55c, 7 days. **Gross:** $5,200. (Average, $6,000)
"MY MAN GODFREY (Univ.)
(2nd run)
ST. LOUIS — (4,000), 25c-40c, 7 days. Stage: Vaudeville and chorus. **Gross:** $7,500. (Average, $7,000)

Unit Leaves for Samoa

HOLLYWOOD, Oct. 25.—Lieut. Commander Lucien B. Green, U.S.N., has left with Richard Day, art director, and Percy Ikerd for Samoa, where Day and Ikerd will do the advance work for the Samuel Goldwyn production of "Hurricane." Commander Green will act as official representative of the Navy Dept. which has jurisdiction over the islands.

To Rename Repertory

When the Civic Repertory is reopened on Jan. 1 by the Brandt Bros., it will be known as the Peter Stuyvesant, William Brandt said yesterday. The theatre site at one time was the home of the first governor of New York. It is now being remodeled for picture purposes.

"Broadcast" Minneapolis $15,000 Hit

MINNEAPOLIS, Oct. 25.—"The Big Broadcast of 1937" which grossed $5,000 more than the average $10,000 at the Minnesota topped first runs for the week in the Twin Cities. The feature was moved to the State.

"Ramona," the only other show to better par, brought in $500 over a normal $5,500 at the Paramount. Otherwise it was a laggard week with snow flurries and colder weather combatting heavy grosses.

Total first run business in Minneapolis was $28,500. Average is $25,500. Total first run business in St. Paul was $13,500. Average is $14,500.

Estimated takings:

Minneapolis:

Week Ending Oct. 22:

"THE BIG BROADCAST OF 1937" (Para.)
MINNESOTA—(4,000), 25c-55c, 7 days. **Gross:** $15,000. (Average, $10,000)
"THE DEVIL IS A SISSY" (M-G-M)
STATE—(2,300), 25c-40c, 7 days. **Gross:** $5,000. (Average, $5,500)
"WIVES NEVER KNOW" (Para.)
LYRIC—(1,239), 20c-25c, 7 days. **Gross:** $1,200. (Average, $1,500)
"STAGE STRUCK" (W. B.)
ORPHEUM—(2,900), 25c-40c, 7 days. **Gross:** $5,000. (Average, $6,000)
"MY MAN GODFREY" (Univ.)
WORLD—(400), 25c-35c, 7 days, 3rd week. **Gross:** $2,300. (Average, $2,500)

St. Paul:

Week Ending Oct. 22:

"RAMONA" (M-G-M)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $6,000. (Average, $5,500)
"THE DEVIL IS A SISSY" (M-G-M)
ORPHEUM—(2,000), 25c-40c, 7 days. **Gross:** $3,500. (Average, $4,000)
"PEPPER" (20th-Fox)
"WEDDING PRESENT" (Para.)
RIVIERA—(1,000), 25c-40c, 7 days. **Gross:** $2,700. (Average, $3,500)
"MURDER WITH PICTURES" (Para.)
"THE FINAL HOUR" (Col.)
TOWER—(1,000), 15c-25c, 7 days. **Gross:** $1,300. (Average, $1,500)

'Swing High" New Title

HOLLYWOOD, Oct. 25. — "Swing" High, Swing Low" has been chosen by Paramount as the new title for "Morning, Noon and Night," starring Carole Lombard and Fred MacMurray.

RKO Houses Rate 100%

CINCINNATI, Oct. 25.—A 100 per cent rating was given the RKO houses here after inspection by representatives of the J. M. Maloney insurance offices in New York. The houses were credited with being the best maintained on the circuit, special recognition being given the Orpheum, which is the oldest of the local units. Joe Goetz, assistant division manager, is head of the local maintenance department.

Burroughs Gets Elliott

HOLLYWOOD, Oct. 25.—Clyde E. Elliott has signed with Burroughs-Tarzan to produce "Asia Roars." He will leave with cast and crew for Malacca on Dec. 10. The story is being written by Elliott with editorial supervision by Edgar Rice Burroughs. Because many of the locations will be far from civilization, Elliott has arranged with Mackay Radio to accept his short wave messages at the San Francisco station.

Bobby to Get 50%

Hollywood, Oct. 25.—Bobby Breen will be paid the unheard of figure of 50 per cent of the gross by the San Francisco Automobile Show for two appearances a day for eight days, starting Nov. 14.

"Godfrey" Is Washington's 2d Week Lead

WASHINGTON, Oct. 25.—Breaking par again on the second week, "My Man Godfrey," at RKO-Keith's, stayed out front with $11,200 to exceed the average first week by $600. It went into a third week.

"His Brother's Wife," at Loew's Capitol, with a stage show, took $21,600, to go over average by $700.

At Loew's Palace "Dodsworth" grossed $16,200, over par by $300.

A return engagement of "The Texas Rangers" at the Metropolitan was good for $5,700, to top the first run average by $1,400. A return engagement of "The General Died at Dawn" at Loew's Columbia took $4,300, or $700 over par.

"Craig's Wife," at the Earle, with a stage show, slipped to $17,100, or $1,300 under average. A revival of "Dinner at Eight" at the Belasco took $2,800, or $200 under average for a first run.

Opposition: Ina Claire and Osgood Perkins in "End of Summer" at the National and "Too Hot for Paris" at the Gayety (burlesque).

Total first run business was $78,900. Average is $76,700.

Estimated takings, exclusive of tax:

Week Ending Oct. 12:

"DINNER AT EIGHT" (M-G-M)
BELASCO—(1,140), 25c-65c, 7 days (revival). **Gross:** $2,800. (Average, first run, $3,000)

Week Ending Oct. 13:

"MY MAN GODFREY" (Univ.)
RKO-KEITH'S—(1,836), 25c-55c, 7 days, 2nd week. **Gross:** $11,200. (Average, first week, $10,600)

Week Ending Oct. 15:

"CRAIG'S WIFE" (Col.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Red Nichols and His Pennies, Three Songopators, Frances Stevens, Shea & Raymond. **Gross:** $17,100. (Average, $18,400)
"HIS BROTHER'S WIFE" (M-G-M)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Phil Lampkin's "Varieties," with Pritchard & Lord, Nell Kelly, Frank Libuse, Elida Dancers. **Gross:** $21,600. (Average, $20,900)
"THE GENERAL DIED AT DAWN" (Para.)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement). **Gross:** $4,300. (Average, first run, $3,600)
"DODSWORTH" (U.A.)
LOEW'S PALACE—(2,370), 35c-55c, 7 days. **Gross:** $16,200. (Average, $15,900)
"THE TEXAS RANGERS" (Para.)
METROPOLITAN — (1,591), 25c-40c, 7 days (return engagement). **Gross:** $5,700. (Average, first run, $4,300)

Plan 2 Southern Houses

NEW ORLEANS, Oct. 25.—Southern Amusement Co. of Lake Charles, La., will build a new house at Abbeyville, La., it is learned here. At the same time, the Saengers are reported to have purchased a site at Baton Rouge for another house planned shortly in that city.

"Libeled" Is Denver Wow; Gets $11,500

DENVER, Oct. 25.—"Libeled Lady," on a dual with "Don't Turn 'em Loose," packed the Orpheum all week. It was necessary to stop selling tickets a number of times. As a result, the take went up to $11,500, over par by $5,500. The bill was held over.

"The Big Broadcast of 1937" ran the Denham gross 100 per cent over par to $9,000. The picture was held.

"Dodsworth" played to several standouts at the Denver and took $7,000.

Average is $28,000.

Estimated takings for the week ending Oct. 22:

"LADIES IN LOVE" (20th-Fox)
ALADDIN—(1,500), 25c-40c-50c, 2 days, following a week at the Denver. **Gross:** $400.
"SEVEN SINNERS" (G.B.)
ALADDIN—(1,500), 25c-40c-50c, 5 days. **Gross:** $1,600. (Average, for week, $3,000)
"A MIDSUMMER NIGHT'S DREAM" (W.B.)
BROADWAY—(1,500), 25c-40c, 7 days, following a week at the Aladdin. **Gross:** $1,500. (Average, $2,000)
"IT'S LOVE AGAIN" (G.B.)
"GUNS AND GUITARS" (Republic)
CENTER — (1,500), 15c-25c-35c, 7 days. Stage show. **Gross:** $3,500. (Average, $2,000)
"BIG BROADCAST OF 1937" (Para.)
DENHAM—(1,500), 25c-35c-40c, 7 days. **Gross:** $9,000. (Average, $4,500)
"DODSWORTH" (U.A.)
DENVER—(2,500), 25c-35c-50c, 7 days. Stage band. **Gross:** $7,000. (Average, $7,500)
"LIBELED LADY" (M-G-M)
"DON'T TURN 'EM LOOSE" (Radio)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $11,500. (Average, $6,000)
"THE GIRL ON THE FRONT PAGE" (Univ.)
"YELLOWSTONE" (Univ.)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $3,000. (Average, $3,500)

"Libeled Lady" Dual Best New Haven Bet

NEW HAVEN, Oct. 25.—"Libeled Lady" and "15 Maiden Lane" were far in the lead at the Poli, with a $10,000 take, $3,000 over par. The holdover of "Sing, Baby, Sing" at the College was slightly over the $2,800 average, at $3,000.

The Paramount took $4,300 on the holdover of "The Big Broadcast of 1937," which is $500 under the line.

A rainy Saturday helped the weekend business. The Arena Food Show, a packed Kreisler concert, and excellent Shubert houses on legitimate shows, competed for the business.

Total first run business was $21,500. Average is $19,300.

Estimated takings for the week ending Oct. 23:

"SING, BABY, SING" (20th-Fox)
"BLACKMAILER" (Col.)
COLLEGE—(1,499), 35c-50c, 7 days, 2nd week. **Gross:** $3,000. (Average, $2,800)
"THE BIG BROADCAST OF 1937" (Para.)
PARAMOUNT—(2,348), 35c-50c, 7 days, 2nd week. **Gross:** $4,300. (Average, $4,800)
"LIBELED LADY" (M-G-M)
"15 MAIDEN LANE" (20th-Fox)
POLI—(3,040), 35c-50c, 7 days. **Gross:** $10,000. (Average, $7,000)
"A MIDSUMMER NIGHT'S DREAM" (W.B.)
"THE GIRL ON THE FRONT PAGE" (Univ.)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $4,200. (Average, $4,700)

Nazis Switch Film's Origin To Get Dates

(*Continued from page* 1)

origin in either advertising or credit frames on the screen.

The film was reviewed by MOTION PICTURE DAILY last Friday following a preview at the theatre on Thursday. A credit sheet handed to reviewers stated specifically that the film was produced by L'Alliance Cinematographique Europeenne in Paris. The screen stated distribution in this country is being handled by Globe Pictures Corp.

Martin J. Lewis, managing director of the 55th St. Playhouse, of which Herman G. Weinberg is listed as publicity director, and who holds a like post with Metropolis Pictures Corp., declared that to the best of his knowledge the film was produced by L'Alliance Cinematographique Europeenne, which he believed to be a wholly-owned French company, having no connection whatever with any German company, or any German financing.

Lewis Mislead

In support of his contention of the exclusively French origin of the picture, Lewis showed the writer a letter, signed by Dave Brill of Globe Pictures of 630 9th Ave., in which Lewis was "assured" that the film was entirely French both "artistically and economically."

However, on Saturday Lewis announced that the opening of the picture had been postponed, but not cancelled, "until I have proved my case." Meanwhile he is continuing the current attraction at the theatre. The postponement followed the declaration by the Joint Boycott Council of the American Jewish Congress and the Jewish Labor Committee that the house would be picketed beginning Saturday morning.

Further investigation here disclosed that A.C.E. is not a wholly-owned French company, and an advertisement of A.C.E. in *La Cinematographie Francaise*, French trade paper, in the issue of Sept. 26, 1936, noted the release of a new picture, "La Neuvieme Symphonie," which was described in the advertisement as "a production of UFA," leading German producing company.

Paris Substantiates

A.C.E.'s connection with UFA was further substantiated on receipt of the answer to a cabled inquiry addressed to Pierre Autre, representative in Paris of MOTION PICTURE DAILY.

The answer read as follows:

ALLIANCE CINEMATOGRAPHIQUE EUROPEENNE IS THE FRENCH DISTRIBUTING COMPANY FOR GERMAN UFA FILMS STOP PRACTICALLY A SUBSIDIARY OF UFA WITH W. SCHMIDT AS MANAGER OF ALL FRENCH BRANCHES STOP EXCHANGES IN PARIS, BRUSSELS, ALL MAIN FRENCH TOWNS AND NORTH AFRICA STOP MAIN GERMAN UFA PICTURES GENERALLY PRODUCED IN BERLIN STUDIOS IN BOTH FRENCH AND GERMAN SPEAKING VERSIONS STOP SO HAS BEEN "AMPHITRYON," STARRING HENRI GARAT, MADE IN BERLIN, FRENCH TITLE, "LES DIEUX S'AMUSENT" ("THE GODS AMUSE THEMSELVES").

The cabled reply not only established the connection of A.C.E. with UFA of Germany, but at the same time proved that the film, "Amphitryon" is the same as that otherwise titled in France.

The inquiry here led to another informant, who declared that he was at the UFA studio at Neu Babelsberg, near Berlin, in 1934 while the film was being made there, and that he had occupied quarters adjacent to those of Garat, French player who is starred.

The next step led to Dr. Robert Marcus, secretary of the Joint Boycott Council.

Dr. Marcus indicated that the matter has been taken up with the French consulate in New York.

In Dr. Marcus' office the writer examined a copy of *La Cinematographie Francaise* for Aug. 10, 1935, in which a page advertisement was carried on the film under its French title. The film was designated in that advertisement as "Une production G. Stapenhorst de la UFA," which translates as: "A G. Stapenhorst production of UFA."

Dr. Marcus further declared that A.C.E. is actually a French distributing arm of UFA in Germany, and that it produces four or five pictures a year in France "as a cover." He said that the film had been offered to several American distributors of foreign product by UFA last year, and that the American firms refused to take the film. Dr. Marcus declared he understood that Brill is acting for "a Mr. Rosner" of Hollywood, who purchased the American distribution rights to the picture after the failure of UFA to obtain distribution for it here.

The film, said Dr. Marcus, has been advertised in the French newspapers in New York as entirely a French film, and produced a copy of such an advertisement.

Questioned concerning the gentlemen's agreement which has been entered into among the operators of the Cameo, Filmarte and Cinema de Paris, which specialize in foreign films, not to exhibit German-made or German-financed films, Lewis said he had not been approached, but that he "would be glad to enter such an agreement." It was indicated, however, from one of those included in the understanding, that Lewis had been aware of the verbal agreement.

Out Hollywood Way

HOLLYWOOD, Oct. 25.—BUDD SCHULBERG back in the Selznick International story department after an appendicitis operation . . . HARRY CROCKER was married to ELIZABETH JENNS, Selznick International player, in Wales on Oct. 17 and she will sail shortly for Hollywood to make her American film debut.

BUDDY ROGERS to make a film in England as soon as he finishes "College Holiday" at Columbia . . . WINI SHAW bruised in a ringside scuffle while watching fights at the Hollywood Legion Stadium . . . EDDIE GRIBBON celebrating his 25th anniversary in pictures on the set of "San Quentin" at Warners . . . DICK FORAN planning a vacation in New York, his first in two years . . . LILLIAN BURNS and NED DOBSON of Republic judging a talent parade for the Junior Chamber of Commerce.

ANN NAGEL (MRS. ROSS ALEXANDER) in the hospital for an appendicitis operation . . . KURT NEUMANN and EDWARD GROSS will go salmon fishing in Oregon as soon as SOL LESSER'S "Rainbow on the River" is finished . . . BETTY FURNESS back from New York . . . and WALDEMAR YOUNG back from his tour through Europe.

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Casting—CHARLES FRY and JOHN BUTLER in "Justice After Dark," Warners . . . MAUDE EBURNE in "Reunion," Twentieth Century-Fox . . . YAKIMA CANUTT in "Roaring Lead," Republic . . . FRANKLIN PANGBORN in "The Chinese Orange Mystery" and JONATHAN HALE in "Happy Go Lucky," same studio . . . VICTOR KILLIAN borrowed by Twentieth Century-Fox from Columbia for "Banjo on My Knee."

SAM FLINT in "Two Minutes to Play," Victory . . . At Warners: REGINALD SHEFFIELD in "Another Dawn," STANLEY FIELDS in "Justice After Dark," JAMES ROBBINS and MAX WAGNER in "San Quentin." E. E. CLIVE in "Ready, Willing and Able."

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Writers—LIONEL HOUSER signed by DOUGLAS MACLEAN for additional dialogue on "Great Guy," the JAMES CAGNEY film for Grand National . . . KAY VAN RIPER adapting "Skidding" at M-G-M . . . W. SCOTT DARLING and RICHARD MACAULEY on the screenplay for "When's Your Birthday?" at Radio.

WILLIAM COUNSELMAN, back from two weeks in New York, to find his option lifted at Twentieth Century-Fox. He is writing the screenplay of "Six Girls and Death". . . NIVEN BUSCH with RICHARD COLLINS writing "Barriers Burned Away," same studio . . . ROBERT PIROSH and GEORGE SEATON are given new contacts at M-G-M.

✚

Term Contracts—HERBERT MARSHALL signed for five years by Columbia which will share him with Radio where he already is under contract . . . DONALD CRISP on long term at Warners and assigned to "The Prince and the Pauper". . . PHIL HUSTON signed to a new term agreement at Radio . . . ARTHUR RANKIN on long term at Twentieth Century-Fox . .

✚

Director—BUSBY BERKELEY assigned to "The Marriage Clause" co-starring OLIVIA DE HAVILLAND and ROBERT MONTGOMERY at Warners.

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Title Changes—Radio has set "Wanted, Jane Turner" as the final title for "General Delivery". . . Republic has changed "Between Two Lives" to 'Beware of Ladies". . . SAMUEL GOLDWYN has changed the title of the MERLE OBERON film, "Love Under Fire" to "Beloved Enemy."

Warners Buy 3 Plays

LONDON, Oct. 25.—Gilbert Miller and Warners have closed a deal for the sale of "Tovarich," "Promise" and "The Amazing Dr. Clitterhouse."

"Broadcast" Frisco's Hit With $19,000

SAN FRANCISCO, Oct. 25.—"The Big Broadcast of 1937" on a dual with "15 Maiden Lane," was outstanding in a week of dull business here. It ran $4,000 over normal for a gross of $19,000 at the Fox.

"Craig's Wife" and "Two in a Crowd" pulled $10,500 at the Orpheum. This was $3,000 to the good.

Holdovers were numerous. "The Gorgeous Hussy" and "Three Married Men," in a third week at the Paramount, held up to $13,500. "Dodsworth," in its second week at the United Artists, took $6,500. "Ladies in Love" and "Murder with Pictures," in a second week at the Warfield, were good for $13,000.

Total first run business was $87,000. Average is $81,500.

Estimated takings:

Week Ending Oct. 20:

"PRESIDENT'S MYSTERY" (Republic)
"OH, SUSANNA!" (Republic)
EMBASSY — (1,400), 10c-30c-35c-40c, 7 days. **Gross:** $3,500. (Average, $4,000)

"WALKING ON AIR" (Radio)
GOLDEN GATE—(2,850), 10c-30c-35c-40c, 7 days. Stage, vaudeville. **Gross:** $13,500. (Average, $16,000)

Week Ending Oct. 21:

"CRAIG'S WIFE" (Col.)
"TWO IN A CROWD" (Univ.)
ORPHEUM — (2,440), 15c-30c-35c-40c, 7 days. **Gross:** $10,500. (Average, $7,500)

"GORGEOUS HUSSY" (M-G-M)
"THREE MARRIED MEN" (Para.)
PARAMOUNT—(2,740), 15c-30c-35c-40c-55c-75c, 7 days, 3rd week. **Gross:** $13,500. (Average, $13,000)

"DODSWORTH" (U. A.)
UNITED ARTISTS—(1,200), 15c-30c-35c, 40c,-55c, 7 days, 2nd week. **Gross:** $6,500. (Average, $6,000)

Week Ending Oct. 22:

"BIG BROADCAST OF 1937" (Para.)
"15 MAIDEN LANE" (20th-Fox)
FOX—(5,000), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $19,000. (Average, $15,000)

"CAIN AND MABEL" (W. B.)
"SWORN ENEMY" (M-G-M)
ST. FRANCIS—(1,470), 15c-30c-35c-40c, 7 days. **Gross:** $6,800. (Average, $6,000)

"LADIES IN LOVE" (20th-Fox)
"MURDER WITH PICTURES" (Para.)
WARFIELD—(2,680), 15c-30c-35c-40c-55c-75c, 8 days, 2nd week. **Gross:** $13,000. (Average, $13,000)

Week Ending Oct. 23:

"I DESIRE YOU" (Casino)
CLAY—(400), 15c-35c, 7 days. **Gross:** $700. (Average, $1,000)

American Theatres Secures First Site

Walter Reade, who recently formed American Community Theatres, has purchased the first site in the proposed plan to build 100 new theatres in small communities. The site is at Toms River, N. J.

Thomas W. Lamb, associated in the new enterprise, is now preparing specifications for the theatre which is expected to seat around 600. Work will be started about Jan. 1.

Negotiations are reported under way for at least two other sites.

NSS to Build in N. O.

NEW ORLEANS, Oct. 25.—National Screen Service has leased the corner of LaSalle St. and Cleveland Ave. from Arthur L. Jung and plans to erect a two-story steel, brick and concrete building.



GREAT PICTURES WHEN YOU NEED THEM MOST!

Most seasons start with a rush. Company after company releases its biggest features in August and September . . . This year UNITED ARTISTS continues to aid exhibitors with the greatest succession of hits scheduled for release during the next three months. This is the most valuable playing time of the year! . . . It is only logical that you should capitalize the strongest playing time of the year with the biggest attractions produced!

Every Day is a Holiday with these U.A. Hits! . . .



UNITED ARTISTS RELEASES

NOV. 6 . . . .

SAMUEL GOLDWYN presents EDNA FERBER'S

"COME AND GET IT!"

with

EDWARD ARNOLD

JOEL McCREA • FRANCES FARMER

Directed by

HOWARD HAWKS and WILLIAM WYLER

NOV. 20 . . . .

SELZNICK INTERNATIONAL presents

MARLENE DIETRICH and CHARLES BOYER

in

"The GARDEN OF ALLAH"

a DAVID O. SELZNICK Production

in TECHNICOLOR

Directed by RICHARD BOLESLAWSKI

DEC. 4 . . . .

ALEXANDER KORDA presents

CHARLES LAUGHTON *as* "REMBRANDT"

with

ELSA LANCHESTER • GERTRUDE LAWRENCE • EDWARD CHAPMAN

A London Film Production • • • Directed by ALEXANDER KORDA

Great Producers!

Foremost Directors!

Released thru



THE NEXT THREE MONTHS!

DEC. 25 . . . .

SAMUEL GOLDWYN *presents*

MERLE OBERON *and* BRIAN AHERNE

in

"BELOVED ENEMY"

Directed by H. C. POTTER

JAN. 1 . . . .

WALTER WANGER *presents*

SYLVIA SIDNEY *and* HENRY FONDA

in

"YOU ONLY LIVE ONCE"

Directed by FRITZ LANG

JAN. 15 . . . .

WALTER WANGER *presents*

CHARLES BOYER *and* JEAN ARTHUR

in

"HISTORY IS MADE AT NIGHT"

Directed by FRANK BORZAGE

FEB. 1 . . . .

SELZNICK INTERNATIONAL *presents*

JANET GAYNOR *and* FREDRIC MARCH

in **"A STAR IS BORN"**

with ADOLPHE MENJOU *and* MAY ROBSON

Filmed entirely in TECHNICOLOR

Produced by DAVID O. SELZNICK • *Directed by* WILLIAM A. WELLMAN

Outstanding Stars!

Important Stories!

TED ARTISTS



NOV. 6 — "COME AND GET IT"

NOV. 20 — "THE GARDEN OF ALLAH"

DEC. 4 — "REMBRANDT"

DEC. 25 — "BELOVED ENEMY"

JAN. 1 — "YOU ONLY LIVE ONCE"

JAN. 15 — "HISTORY IS MADE AT NIGHT"

FEB. 1 — "A STAR IS BORN"

If you have already bought these productions —date them immediately for your best playing time!

If you haven't bought them — we suggest you move fast and sign up for the finest releases that the industry has to offer!

Every Day is a Holiday with these U.A. Hits! . . .

PRINTED IN U.S.A.

Morvay Quits Theatre Unit In Budapest

By ENDRE HEVESI

BUDAPEST, Oct. 14.—Paul Morvay managing vice-president of the Hungarian Exhibitors' Union, whose election a year ago was hailed as a great triumph for the cause of the small, independent exhibitors, has resigned. Morvay, owner of a third run house, at the time of his election was considered the spearhead of the neighborhood theatre fight against the domination of the Gero circuit, largest in the country.

The board of the Union had sympathized with Gero prior to the election of Morvay, and when he assumed office it was anticipated by the independents that he would act in their interests entirely.

A few months ago the small exhibitors determined to form a cooperative booking society in order to obtain product at a lower price. The plan, however, was dropped because of lack of funds to finance it. Then Gero announced he would be willing to supply the necessary money, but on the condition that he decide, with the assistance of a committee, which films the members of such a cooperative group could book.

Morvay supported the proposal, but the majority of the exhibitors protested vigorously, declaring such an arrangement would give Gero even greater power than he now has. The result was a bitter attack against Morvay. Offended, Morvay resigned, and the cooperative buying plan was finally dropped.

* * *

A Hungarian film, "200 Pengoes Salary," was the outstanding picture of September at the box-office. It ran simultaneously in three first run houses, grossed very well and started its second week equally well. Among the American films, "Prisoner of Shark Island," at the Radius did average business; "The Last of the Pagans" was weak; "A Night at the Opera" did exceptionally good business, with six weeks first run at the Metro and six more as a second run; "Wife vs. Secretary" went over average in four weeks at the Forum; "Whom the Gods Destroy" and "Tale of Two Cities" were fair, and "Little Lord Fauntleroy" was weak.

* * *

Henry St. Blancat, French producer, has started production work at the Filmiroda studio on "En Derive" in French and Hungarian versions. It will be the first French film made here in four years, and the trade is hopeful of attracting other French production capital.

* * *

Unitas Distributing Co., owned by Gero and handling U.A. product, has made much in their comparatively sparse advertising on Charlie Chaplin's "Modern Times" of the fact that it will be shown without any cuts by the censor board. Rumors had been current that the censor activity would ruin virtually the entertainment value of the film, which happened in Vienna, causing the picture to slip at the box-office.

Uruguay Production Likely; Montevideo Ponders Studio

By PAUL BODO

MONTEVIDEO, Uruguay, Oct. 14.—(*Via Air Mail*)—A budding production industry for this country looms in the visit here of Jorge Mendez Delfino, owner of a large studio in Buenos Aires, and Amador Feliu, technical manager, to study local conditions with a view to building a studio and laboratories, completely equipped, here.

Local authorities have gone more than half way to meet Delfino's proposal in the matter of franchises, since his would be the first production studio in the country. It is claimed that weather conditions here are superior to those in Argentina, resembling the climate of southern California, and production costs are expected to be lower than in other production centers.

* * *

Teatro Albeniz, former legitimate house, has been transformed into a second run film house, operated independently. The lease on the house has been bought by the Glucksman circuit, which plans to replace the theatre with a modern house to be called Radio City, to seat 1,000, and using American equipment. The house is only a block away from the new Cine Metro.

* * *

Juan V. Porta and Francisco Hermann, representatives for Republic have opened a new office here. They are handicapped by the fact that all circuits virtually have completed their release schedules. The two also are agents for Screeno, and plan to introduce the box-office stimulant into local houses.

Interest Is High In Fanck Japanese Film

By TETSUYA MORI

TOKYO, Oct. 4.—Industry interest here is focused on the film, "Die Neue Erde," in production by Dr. Arnold Fanck, the first feature made in this country which is designed primarily for export. N. Kawakita, head of the Towa Shoji Co., will take the completed film to Europe to negotiate western distribution.

It is understood that approximately 500,000 yen will have been spent on the picture before it is finished, an unusually high negative cost in this country.

Reports are current here linking Fanck with Joseph von Sternberg, here on a visit, who spent some time with Fanck. It is believed that the two may have in mind the production of another picture in Japan designed for the foreign market, but perhaps largely dependent on the reception accorded the first film.

It has been pointed out that the cost of production in Japan is considerably lower than in the United Sttates or the leading European countries.

* * *

Exclusive of special showings, "It Happened One Night" has played in 396 theatres and halls since its release in Japan, and the figure is expected to reach 450 by the end of the year. The original prints have become so worn that new ones have been imported. The film is booked for all the remaining weeks of the year.

Plan No Increases In Holland Prices

By PHILIP DE SCHAAP

AMSTERDAM, Oct. 14.—The Dutch M. P. Federation has specifically stated that there will be no increase in admission prices in Holland as a result of the devaluation of the guilder, as had been expected.

It is not expected that the Dutch theatre owners will be forced to pay higher film rentals in view of the financial revision. In any case, the Federation has declared that it is impossible for theatre operators to pay any higher rentals. It is equally difficult, the organization has insisted, for the theatres to charge the patron a higher price, pointing out that similar efforts met with failure in Belgium and England, when currencies in those countries were devalued.

It is also apparent that distributors in foreign countries where the currency has depreciated will receive less for their pictures than in the past, since the Dutch theatre owners cannot pay more in guilders.

* * *

Loet C. Barnstijn, producer, and distributor here for United Artists, Columbia and the Disney cartoons, has added a short subject department to his studio at Wassenaar, near the Hague, as public interest in short subjects mounts steadily. Barnstijn has purchased all the equipment of the N. V. Omnium Film Corp., which formerly specialized in shorts.

Portable Unit Will Show Spanish Films

DENVER, Oct. 25.—Spanish films will be shown in towns in Colorado, New Mexico and Wyoming beginning Nov. 1 by a portable cicuit which has been organized by Ramon Ponce, Spanish comedian. He will present two shows each night, covering 24 towns in these three states.

Besides Denver, Ponce will operate in Fort Collins, Walsenburg, Fort Lupton, Alamosa and San Luis, all in Colorado; Las Vegas, Sante Fe, Costillia, Cuesta, Taos, Santo Rosa, Tucumcari, Roswell, Las Lunas, Belen, and Alamogordo, all in New Mexico; and in Columbine, Torrington, Laramie and Cheyenne, Wyo.

Build Montreal House

MONTREAL, Oct. 25.—United Amusements, Ltd., a subsidiary of Famous Players Canadian Corp., operating 21 theatres in Montreal and nearby centers, is constructing a new house on Decarie Boulevard to serve a busy suburban district.

Shows Australian Films

TORONTO, Oct. 25.—In a bid for a place in the Canadian theatre field, L. R. MacGregor, Australian Trade Commissioner to Canada, sponsored the showing of a group of Australian-made films before an invited audience in the Toronto studio of Booth Canadian Films, Ltd. Officials of the Canadian and Ontario Governments were among the guests.

Metro Opens First Run In Rio Janeiro

By A. WEISSMANN

RIO DE JANEIRO, Oct. 12.—One of the most sensational social events of the Rio season was the opening of M-G-M's new Metro Theatre, called the finest in the city, and devoted exclusively to films. The house is air conditioned. The opening was broadcast on a national hookup.

Among those attending were: William and Mrs. Melniker, who came from New York; A. Judel of M-G-M; Al and Mrs. Szeler, Universal; Nat and Mrs. Liebeskind, RKO; S. Goldstein, Columbia; J. C. Bavetta and A. Rosenvald, Twentieth Century-Fox; U. Sorrentino, UFA; E. Baez, U. A.; L. Price, Warners; the daughter of the President of Brazil, and others.

Films Show Marked Gains in Colombia

WASHINGTON, Oct. 25.—The popularity of films in Colombia has increased during the current year, according to a report to the U. S. Dept. of Commerce from its Bogota office.

Box-office returns during the first eight months were considerably in excess of the average monthly receipts in 1935. In view of the fact that the number of theatres in operation in Colombia is constantly increasing, it seems likely that this improvement will continue, the report continues.

Capital is being attracted more than ever to theatre construction in Colombia, and in Bogota at least five entities are interested in investing considerable amounts in construction.

Empire Is Celebrating

TORONTO, Oct. 25.—A. W. Perry, general manager of Empire Films, Ltd., Canadian distributor of Gaumont, Republic, Educational and other product, is hanging out the bunting for the fourth anniversary of the founding of the company in Toronto under the presidency of Oscar R. Hanson. Empire has had wide and rapid expansion and operates six branch offices from coast to coast in the Dominion.

Vance Goes to Princess

MONTREAL, Oct. 25.—The Princess has a new manager, Harold Vance, who has been transferred from Quebec. The Princess recently came under the direction of Famous Players Canadian Corp. It has been the Montreal home of British pictures for many years.

Laura Elston Resigns

TORONTO, Oct. 25.—Laura Elston has resigned as publicity manager of Warners in Canada after serving in that post here for the past four years. She will resume her previous work as a writer.

Republic Student Cast

HOLLYWOOD, Otc. 25. — Christine Maple, one of the members of the Republic talent school, has been cast in the feminine lead of "Old Corral," next Gene Autrey picture.

Short Subjects

"Servant of the People"
(*M-G-M*)

HOLLYWOOD, Oct. 25.—This deals with the writing and adoption of the United States Constitution, and is a timely instructive film that can be given exploitation. It shows the colonists, quarreling amongst themselves after the Revolution, and on the brink of disaster until the adoption of the Constitution of 1787. Benjamin Franklin, 81 years old at the time, is pictured as the peace-maker at the Constitutional Convention, the man whose subtle diplomacy settled the differences between delegates and smoothed the way for the drawing of the instrument. Schools, women's clubs and other organizations will doubtless endorse the picture and insure attention for all exhibitors screening it. Production Code Seal No. 2,148. Running time, 20 mins. "G."

"Going Places No. 29"
(*Universal*)

A climb up Mount Olympus in Washington and the Indian salmon fishing around the swirling rapids of the Celilo Falls in Oregon. Both parts are well photographed and well presented. Lowell Thomas delivers a top-notch narrative. Pleasantly entertaining. Production Code Seal No. 01,167. Running time, 9 mins. "G."

"Two Too Young"
(*Roach-M-G-M*)

Spanky and "Alfalfa" of the Our Gang troupe, plot to get firecrackers in the possession of two other members of their class. A trading deal fails, they pose as G-men and succeed. However, recess is over before they can shoot them off and they return to the class. When "Alfalfa" is reciting "The Charge of the Light Brigade" his intended victim sets them off in his pocket and the end has him extinguishing his trouser seat in a tub of water with the class looking on. For the children. Production Code Seal No. 2,654. Running time, 10 mins. "G."

"The Public Pays"
(*M-G-M*)

HOLLYWOOD, Oct. 25.—This latest in the "Crime Does Not Pay" series deals with milk racketeering. Showing how racketeers establish themselves in a community, the picture gives the inside on how they browbeat honest merchants into paying tribute which later is tagged on to retail milk prices. When one dealer holds out, the police are able to break the ring and send the criminals to prison. Jack Chertok has given the production feature mounting, and Errol Taggart's direction keeps the action moving rapidly. The story and screen play are by John C. Higgins. Production Code Seal No. 2,739. Running time, 20 mins. "G."

"Merry Mutineers"
(*Mintz-Columbia*)

Scrappy is sailing his toy pirate boat on a pond. He meets another boy, representing the navy and their craft conflict. A battle starts and attention is directed to the personnel of the boats. They consist of Charles Laughton, the whip-cracking Bligh; W. C. Fields, the Marx brethren, Crosby, Durante, Bowes, George Arliss, Laurel and Hardy, Joe E. Brown and Wallace Beery. This varied fighting combination makes a hilarious few minutes of comic cartoon action. Production Code Seal No. 2,255. Running time, 7 mins. "G."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"A Woman Rebels"
(*Radio*)

HOLLYWOOD, Oct. 25.—Katharine Hepburn presents a finely drawn portrait of a woman who rebels against Victorian restrictions, and, after carving a career for herself, reverts to a mother's instinct for sacrifice and a craving for love.

"A Woman Rebels" is the story of a girl who resents her father's domination of every move, who becomes involved with a young man the night of her sister's wedding, but finds a way out of her difficulties when her sister is fatally injured as news is brought of her husband's death on a naval ship. She brings up her own child as her sister's.

Love enters her life in a tender, restrained way as Herbert Marshall, a diplomat, pays court from time to time for 20 years as the child is growing.

Miss Hepburn becomes the successful editor of a woman's magazine, but finds success means nothing when her daughter falls in love with her half-brother.

The drama speeds up and becomes poignant in the closing sequences. The daughter flaunts her mother when she forbids her romance. Miss Hepburn, because of a visit to the boy's father, becomes involved in a divorce scandal.

Marshall steps in and clears the situation by telling the daughter who her mother is and takes the latter in his arms.

Miss Hepburn dominates the picture. Her characterization is so finely shaded that she retains sympathy throughout and in the closing sequences her work is gripping.

The story, in spite of its Victorian costuming and settings, has young girl as well as adult woman appeal. Youth is always rebelling. Each generation thinks its predecessor is old-fashioned until life's rough edges add perspective.

Some lovely outdoor scenes are introduced.

Fine taste and discretion has been used in presenting some of the more delicate phases of the story. There is a note of restraint throughout, but it is effective. Mark Sandrich deserves credit for his direction and Pandro Berman for his supervision. The photography is by Robert de Grasse and the story by Bayard Veiller and Ernest Vajda.

Production Code Seal No. 2,406. Running time, 93 minutes. "G."

"Fugitive in the Sky"
(*Warners*)

HOLLYWOOD, Oct. 25.—Seemingly written and produced with tongue-in-cheek, this film is average entertainment which has alternate moments of suspense and comedy. The story is concerned with a transcontinental flight, the ficticious hazards of which are provided as usual by the passenger list, which includes a desperate public enemy, a G-man, reporter and bond thieves, all traveling disguised, with a dust storm providing an elemental handicap.

When one bond thief stabs another, Howard Phillips, a gangster, commands the plane to prevent its landing amid police who were radioed for by the pilots. All are at Phillips' mercy and go through the usual adventures until Warren Hull, a reporter, overcomes him, winning Jean Muir, the stewardess, to the bargain.

The story and screen play are the original work of George Bricker and the direction of Nick Grinde gets the most from the script. Individual cast performances, while not outstanding, are good, and Gordon Oliver, Winifred Shaw, Joe Cunningham and Carlyle Moore, Jr., do the best work. The picture will satisfy as a secondary feature in most localities.

Production Code Seal No. 2,505. Running time, 59 minutes. "G."

"No Place Like Rome"
(*M-G-M*)

HOLLYWOOD, Oct. 25.—This is a satirical musical, lavishly produced by Jack Chertok, and amusing enough to warrant marquee attention from most exhibitors. Frank Albertson and Suzanne Kaaren head the cast, and the story deals with a law passed by the ancient Roman Senate compelling all bachelors to marry. Albertson opposes the law, pickets the lawmakers, and declares youths who rush to the altar unfair. When thrown to the lions, Albertson is saved by Miss Kaaren, a slave, who is freed by her master in time to marry him.

The story and music by Val Burton, Will Jason and Stanley Rauh is well directed by Reginald Le Borg. Production Code Seal No. 2,396. Running time, 21 mins. "G."

Short Subjects

"Hold 'Em Cowboy"
(*Columbia*)

Opening with finely composed scenes of cow country and cowpunchers at work, this short goes on to cover a rodeo and the spectacular excitement and spills to be found at these exhibitions. There are roundups of buffalo, bulldogging steers, roping calves and the w.k. bronco busting. Builds up to some thrilling moments. Production Code Seal No. 01,191. Running time, 10 mins. "G."

"To Spring"
(*Harmon-Ising-M-G-M*)

HOLLYWOOD, Oct. 25.—Color is the main attraction to this one, with music running a bad second and story almost entirely absent. However, color tones have been blended beautifully, and in combinations novel enough to hold attention throughout. Production Code Seal No. 2,723. Running time, 9 mins. "G."

"Sports On Ice"
(*M-G-M*)

HOLLYWOOD, Oct. 25.—This is a companion reel to "Olympic Ski Champions," and features the bobsled races and the figure skating. Shots of the two-man and four-man bobsled races are by far the most thrilling and have been photographed from all strategic points along the course. The reel also includes scenes in the hockey game between Canada and England, and the 10,000-meter speed skating race. Production Code Seal No. 2,710. Running time, 10 mins. "G."

"Krazy's Newsreel"
(*Mintz-Columbia*)

A well known newsreel is the butt of this cartoon. And it is done with such good natured satire that it should bring plenty of laughs. It burlesques a peace conference, the latest fashions, floods, golf and a wrestling match with a whirlwind finish. Clever material. Production Code Seal No. 2,733. Running time, 7 mins. "G."

"Hollywood Extra"
(*M-G-M*)

For the general run of audiences this short should be of much interest. It tells of the hardworking extra girl and her struggle to get work and how she taxes her ingenuity to keep her contacts alive. Finally, however, after she practiced perfecting her speech she is engaged by the studio because of her beautiful legs. It is well produced and very informative as well as entertaining. Carey Wilson does all the talking. Production Code Seal No. 2,335. Running time, 11 mins. "G."

"Screen Snapshots No. 1"
(*Columbia*)

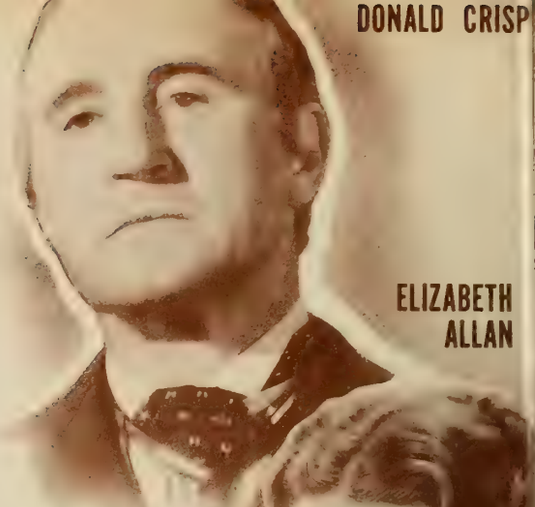
The screen reporter takes the audience to Ken Maynard's ranch, to the star's homes, on a deep-sea fishing trip and finally to the always popular tennis matches at the West Side Tennis Club in Hollywood. There are 42 of the stars appearing. Should be of interest to most all audiences. Production Code Seal No. 2,497. Running time, 10 mins. "G."



LOVE DOES THINGS TO A WOMAN

Love makes them tender, warm, reckless . . . and sometimes bitter, and brave, and noble! . . . See what love did to one woman who dared to do what millions of others would like to do!

Katharine
HEPBURN
Herbert
MARSHALL





A Woman Rebels

with

ELIZABETH ALLAN
DONALD CRISP
Doris Dudley David Manners









Directed by Mark Sandrich
Pandro S. Berman Production
RKO-RADIO PICTURE

Business at a High Level in Ohio Area

COLUMBUS, O., Oct. 25.—Business in the Fourth Federal Reserve district was substantially at the highest level of the recovery movement during the latter part of August and first half of September, according to the monthly report just released by the Federal Reserve Bank. Employment gains were in evidence in all industrial centers of the district, and payrolls expanded materially, the report said. In some industries shortages of highly skilled labor were reported.

Retail trade made more than seasonal gains in dollar volume over a year ago. In the first eight months of this year, sales were 11.7 per cent ahead of the corresponding period of 1935. Estimated farm income so far this year has exceeded any similar period since 1930. Commercial failures were reported the smallest in number for the past 15 years. The Fourth Federal Reserve district comprises Ohio, western Pennsylvania, including Pittsburgh, and a part of western Kentucky.

Paramount Holds Horton

HOLLYWOOD, Oct. 25.—Paramount has signed Edward Everett Horton to a new three-picture contract. The actor is currently making "One Man's Bonus" and will do three in addition. He also has been signed by Mervyn LeRoy for "The King and the Chorus Girl," which is scheduled to go into production Nov. 15.

Scott Kolk Gets "U" Contract

HOLLYWOOD, Oct. 25.—Scott Kolk, who had a part in "All Quiet on the Western Front," has been signed by Universal. He will probably be cast in "The Road Back," the second Remarque novel to be filmed.

New Pact for Andrea Leeds

HOLLYWOOD, Oct. 25. — Andrea Leeds, who has an important role in "Come and Get It," has been signed to a new long term contract by Samuel Goldwyn. Her next role will be in "The Woman's Touch."

Ben Markson Re-signed

HOLLYWOOD, Oct. 25.—Ben Markson, writer, has been signed to a new five-year contract at Twentieth Century-Fox. The studio has also taken up an option on Sam Hellman.

Mordiaunt Sharp, another contract writer, has been assigned to write the screen play of "Wee Willie Winkie."

Name Costume Director

HOLLYWOOD, Oct. 25.—Edward Lambert has been named by Selznick International as head of the costume department. He will work under Edward Flynn, production director. Helen Wilson, formerly with RKO, will do the buying.

Roach Signs Sedgwick

HOLLYWOOD, Oct. 25.—Hal Roach has signed Ed Sedgwick to a new term contract. As his next assignment, Sedgwick will direct "Pick a Star." The cast will include Jack Haley, Patsy Kelly and Lydia Roberti.

Kahgan in Music Job

HOLLYWOOD, Oct. 25.—Boris Morros, head of Paramount's music department, has appointed Phil Kahgan as manager of the studio recording orchestra. He succeeds Harry Casey, who died recently.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Tarzan Escapes"

(M-G-M)

HOLLYWOOD, Oct. 25.—With comedy and animals for the kids and an interesting story for the adults, this should result in good returns generally. The plot continues where the previews M-G-M "Tarzan" finished.

Benita Hume and William Henry enter the jungle guided by John Buckley to find Maureen O'Sullivan, who lives there with "Tarzan" Weismuller, their purpose being to bring Miss O'Sullivan back to London to inherit an estate. Miss O'Sullivan, promising to return, starts out, but Buckler sells out the party, his object being to capture "Tarzan" alive and dispose of the others to cannibalistic natives. His plans go wrong when the cannibals refuse to carry out their part of the bargain and the expedition is dramatically saved by Weismuller, who sends Buckler to his doom at the finish.

The screenplay by Cyril Hume and the direction of Richard Thorpe make the exaggerated incidents believable and, despite the obvious hokum, there should be no audience complaints. Herbert Mundin in a comedy role amuses until he is unnecessarily killed by Buckler. Sam Zimbalist's production is good and the photography by Leonard Smith is effective.

Production Code Seal No. 1,563. Running time, 90 minutes. "G."

Overseas Previews

"The Man in the Mirror"

(Twickenham-British)

LONDON, Oct. 16.—There are no "buts" about this entirely entertaining picture. It is the best comedy made by the Julius Hagen concern and one of the funniest productions, of any nationality, in which Edward Everett Horton has been seen. On the acting side there is another American value in Genevieve Tobin, and the English players are worthy of their company, with Ursula Jeans putting up a brilliant study of a flirtatious wife.

The theme, from a novel by William Garret, is out of the rut. That there are two men in every man, a mouse and a lion, a "prune" and a dashing lover, is the idea and it is put over by making the second and more dashing individual materialize from the mirrored reflection of the more timid one. There follows the amusing situation that the usual shy and furtive Horton is pursued by this robust and virile counterpart, who steals his office and his wife, puts in some sidelines in intrigue and high-speed business and altogether makes things very hectic for the afraid-of-life one. Any offense the prurient might find in it is removed by the final revelation of the identity of the two men and their merging into one.

The incident is as good as the idea, and the acting as good as the incident. Satire, allegory and farce—however labelled—it is a laugh-getter and a credit to Maurice Elvey, who directed for Hagen's "J.H." unit.

Running time, 75 minutes. "A."

"Everybody Dance"

(Gaumont British)

LONDON, Oct. 15.—Cicely Courtneidge and Ernest Truex are the names in this farce-romance with musical trimmings. Also in the cast are Charles Reisner, Billie de la Volta and Helen Haye, among others. Reisner directed.

With very fair story values based on the predicament of a night club queen who pretends to be a feminine farmer when she is bequeathed a bereaved niece and nephew from America, it limps considerably in development and some of the humor is very forced and very British, but Miss Courtneidge is an attractive and unusual personality and there is burlesque value in her adventures in a strange rural environment.

Running time, 75 minutes. "G." ALLAN.

Buck Jones Starts Soon

HOLLYWOOD, Oct. 25.—Buck Jones is preparing his next film, "Sand Flow," for a start by the end of the week. Les Selander will direct.

Senft Moves to Barry

PITTSBURGH, Oct. 25.—Robert Senft, former assistant manager of the Penn, has joined Mannie Greenwald's staff at the independently-owned Barry.

Roosevelt Telegram Honors Richardson

(Continued from page 1)

telegram read, "It gives me pleasure to join with the members of the American Projection Society in doing honor to F. H. Richardson on his seventieth birthday. Please extend to Mr. Richardson my hearty felicitations."

More than 300 attended the projection group's celebration for the veteran of projection, which was held at midnight to permit working operators to attend.

Lester B. Isaacs was toastmaster, introducing the numerous speakers, headed by W. W. Byrne, president of the American Projection Society. Entertainment under the guiding hand of Jay C. Flippen as master of ceremonies was a feature of the affair, with dancing going on into the small hours.

"Richardson Week" Planned

Among the speakers were: Herbert Griffin and P. A. McGuire, International Projector; A. S. Dickinson, M. P. P. D. A.; Colvin Brown, Quigley Publishing Co.; John May of Schine circuit; M. D. O'Brien, Loew's; Walter Greene and Will C. Smith, National Theatre Supply; William Reed, oldest projectionist; Joseph Basson, president of Local 306; Charles Burton, Glen Humphries, secretary of the I. A. T. S. E.; George Skouras; James Brennan and Richard Walsh, vice-presidents of the I. A., and Louis Krause, representing George Browne, I.A. president.

This week, designated as Richardson Week, will be featured by a series of luncheons to the guest of honor, in conjunction with an exhibit of old projection equipment at the Hotel Pennsylvania.

Karen de Wolf at Work

HOLLYWOOD, Oct. 25. — Karen de Wolf, writer recently signed by Universal, has been assigned to work with Austin Parker on the screen play of "Be It Ever So Humble."

Wall Street

Small Gains Feature Board

	High	Low	Close	Net Change
Columbia	37¾	37¾	37¾	— ⅛
Consolidated Film	5⅛	4¾	5⅛	+ ⅜
Consolidated, pfd.	19⅜	18⅛	19	+1⅛
General Theatre Equipment	27¼	27⅛	27¼	+ ¼
Loew's, Inc.	56⅛	55¾	55¾	+ ⅛
Paramount	15	14⅞	14⅞	— ⅛
Paramount 2 pfd.	14⅛	13⅞	13⅞	— ⅛
Pathe Film	8	8	8	.....
RKO	7⅜	7½	7½	.....
20th Century-Fox.	32¼	32	32	+ ¼
20th Century, pfd.	40	40	40	+ ¾
Universal, pfd.	102	102	102	.....
Warner Bros.	13¾	13¾	13¾	+ ⅛

Little Curb Activity

	High	Low	Close	Net Change
Grand National	3¼	3¼	3¼	.....
Sonotone	2⅛	2⅛	2⅛	+ ⅛
Technicolor	24⅜	24	24	— ¼

Bonds Hold Levels

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf.	97	97	97	.....
Loew's 6s '41 ww deb rights	99	99	99	.....
Paramount Pictures 6s '55	98¼	98¼	98¼	+ ¼

(Quotations at close of Oct. 24.)

Film Programs Get Broadcast Time in K.C.

(*Continued from page* 1)

from the Emo Movie Service, Atlantic City. The program offers to answer any question about stars, and on Oct. 21 began offering to get pictures of stars for those who wanted them—at 12 cents (in stamps) each.

KCMO has "Hollywood Highlights," 15 minutes of talk about stars and new pictures, Sunday afternoon at 2:30. Most of it is studio publicity material. On the air since May, it has had no sponsor for two or three months, but was at the start—by a beauty shop.

KMBC, Kansas City's No. 1 station, carried a film comment program several times a week for about two years, but recently dropped it for lack of sponsorship. The "Gossip Club," of which persons become members by writing in queries about stars, originally carried talk of both movies and radio. The club was swamped by inquiries on radio stars, and a sponsor (a radio company) was secured for this, but not the film, part of the program.

WDAF, the Kansas City *Star's* station, has nothing of this sort now but probably will have in the near future.

John McManus, manager of Loew's Midland, conducted a 15-minute film comment program on W9XBY once a week, starting in February, 1935, and running about six months, and from October, 1935, to June, this year. In each instance, he interrupted the programs for vacation. He garnered most of his material from trade journals, and did the job without remuneration except for the plug on his own pictures and stars.

A regular feature of W9XBY, from 9:30 to 10:00 A. M. daily except Sunday, and then from 10 to 10:30, is the Loew's organ recital, a sustainer on which the station plugs the theatre and its current attraction.

A recent survey of listener interest showed KMBC first, WDAF second, and W9XBY, a much younger station than the other two, a close third.

Ted Malone in New York

KANSAS CITY, Oct. 25.—Ted Malone, former program director for KMBC here, is now in New York appearing daily at 11:15 over the Columbia network. Booked as "Ted Malone," he reads poetry, mostly from listeners who write him.

Community Sing Starts

KANSAS CITY, Oct. 25.—The KCMO Community Sing has started in the Little Theatre room of the new Municipal Auditorium. The Sing runs from 8:30 to 9:30 every Sunday evening, and is broadcast the last half-hour of the period. Eddie Krause is master of ceremonies. On the opening night only 25 of the Little Theatre's 750 seats were vacant.

Washington Station Moves

WASHINGTON, Oct. 25.—Station WJSV celebrated its fourth anniversary and at the same time moved from Alexandria, Va., to Washington. Special programs were presented from 11:15 o'clock to midnight, with Manager A. D. Willard, Jr., acting as master of ceremonies.

While no equipment was moved physically the "moving" consisted of using for the first time the Federal Communications Commission reallocation of WJSV from Virginia to the District of Columbia.

Niesen on Cobb Program

HOLLYWOOD, Oct. 25.—Gertrude Niesen has been set as guest star on Irving Cobb's NBC show, "Paducah Plantation" to follow Ruth Chatterton who appears Saturday.

Guest performers in the future will have something definite to do according to NBC officials and not merely appear for introductions.

Ann Jamieson Assigned

HOLLYWOOD, Oct. 25.—Ann Jamieson, soprano under contract to NBC, will appear on the Fred Astaire Packard hour for an indefinite period.

Sponsor Game Broadcasts

KANSAS CITY, Oct. 25.—Tidewater Oil is sponsoring a play-by-play description of the outstanding football game each Saturday over KCMO. National or important local games are reported by Walt Wilcox. The plays come in by leased wire and are relayed by Wilcox in the studio.

Not Recognized

Omaha, Oct. 25.—Ted Healy and his manager, Jack Marcus, decided to attend a local theatre during a stop here, but were rebuffed by the ushers because it was too late to sell admissions.

"A fellow could play here 30 years and nobody would ever recognize him," said Healy. "I like that."

"Sure I told them I was Ted Healy," he continued, "and they wanted to see my identifications. The guy calls the manager and the entire floor staff. The manager knew me."

Healy and Marcus were motoring to New York.

Canada Copyright Problem Up Today

(*Continued from page* 1)

establish a precedent which would be demanded by exhibitors elsewhere.

Boosey, who came here from London a week ago to aid in the attempts at a solution of the Canadian music tax situation, has engaged in preliminary conferences with Canadian officials and will return to Ottawa after today's meeting to continue negotiations involving a compromise in the rate restrictions. He plans to return to England Nov. 4. Ascap and the society which Boosey heads are equal owners of the Canadian Performing Rights Society, the music licensing agency for the Dominion.

Kalmus-Eastman in Deal

ROCHESTER, Oct. 25.—Dr. Herbert T. Kalmus, Technicolor head, has closed what he describes as a "sizeable contract" for processing film here at the Eastman Kodak plant.

Weekly Gross Of 20th-Fox $1,150,000

(*Continued from page* 1)

the merger has brought about a reduction in overhead charges to 28 per cent of gross, as compared with a former charge of 33 per cent of gross.

The estimated 1936 earnings would be equivalent to about $4.50 a share on the average number of outstanding common shares during the year, after dividends on the preferred. The estimate is said to be based on net operating income of $8,000,000, exclusive of a $1,000,000 dividend on the company's 42 per cent interest in National Theatres Corp. With an allowance of $1,500,000 for taxes, including provision for Federal surtax on undistributed profits, and minor adjustments, net profit would become $7,500,000.

The company's total dividend disbursements for 1936 are expected to amount to $4,500,000 by the end of the year, which would leave about $3,000,000 for surplus.

Attorneys Far Apart On a Plan for Roxy

(*Continued from page* 1)

get some one to underwrite the reorganization, a plan regarded as remote by Israels and his interests. Efforts have been made by the bondholders' committee to introduce new money to replace the first mortgage securities, but to no successful end. The protective group also objects to giving the RFC loan preference over first mortgage holders in the reorganization.

Both lawyers expressed the view to MOTION PICTURE DAILY that if they could not get together between now and Nov. 13, the matter will be fought out before Federal Judge Francis G. Caffey. This indicates that the protective group also will file a rehabilitation plan.

Meanwhile, appraisers are working on a 10½-year rental estimate for the Roxy lobby lease, terms of which will be included in the bondholders' plan. In the event an agreement is not completed in three weeks, another adjournment will be sought by Israels, who already has been granted two.

Leserman Signs RKO

Carl Leserman, Grand National vice-president in charge of distribution, has completed negotiations with John J. O'Connor for playing G. N. product in RKO houses in Greater New York and adjacent territory. Deals pending for the company's product in RKO houses throughout the country. They are expected to be closed in a few days.

Conn. Meeting Tomorrow

NEW HAVEN, Oct. 25.—The independent M. P. T. O. of Connecticut expects a record crowd from all over the state for its special luncheon-meeting at the Hotel Garde on Tuesday. Sidney E. Samuelson of Allied will be guest speaker, and Harry L. Lavietes will preside. A vote on the proposed Allied affiliation of the group will be taken.

Union Cinema To Expand to 300 Theatres

(*Continued from page* 1)

preference and 800,000 ordinaries of five shillings value. National Provincial has £750,000 capital in 500,000 preference and 1,000,000 five-shilling ordinaries.

Owning 170 theatres in the provinces, Union has option's or sites for 12 super theatres in the London area and C. F. Bernherd, managing director, states the circuit will have 300 houses within a short time.

Universal Dissolves Its Producing Unit

(*Continued from page* 1)

authority to do business in New York and California have been filed in each of the latter states.

Other Universal subsidiaries will be dissolved from time to time in the near future, culminating in about 30 days in the dissolution of Universal Pictures, which will leave Universal Corp. or a successor company as the parent body for operations. Universal Corp. at present is a holding company for controlling interests.

Universal's corporate revamping is similar to that under way in Loew's, Paramount, Twentieth Century-Fox, Warners and RKO. It is designed to effect economies as a result of the new Federal corporate dividend tax.

Rogers Here for Meeting

Charles R. Rogers, executive vice-president in charge of Universal production, arrived from the coast yesterday for a two-week stay. In addition to home office conferences on production plans, Rogers will look over the new Broadway plays, interview new talent discovered by the company's eastern scouts and will look over books and plays on which options have been taken here.

Next week, Rogers will confer with Herbert Wilcox, a Universal director and executive producer of General Film Distributors, Ltd., which distributes for Universal in Great Britain. Wilcox is due here Nov. 2 on the *Queen Mary*. Plans for the interchange of talent between the Universal studio and General Film's Pinewood studio will be set by the two production chiefs. Anna Neagle, General Film star, will arrive with Wilcox.

Rogers was accompanied east by his secretary, William Pierce.

London Press Hits G. B. Report Again

(*Continued from page* 1)

failure of the company to list figures for that and other subsidiaries of G.B. The paper declared that the bank loan cannot be handled by the issue of new capital because the City (financial district) understands a promise was given to Twentieth Century-Fox that no issue would be offered without their consent.

Sam Phillips has resigned as sales manager of Gaumont British Distributors.

VOTE FOR LAUGHS!

EVERY SHOWMAN'S CANDIDATE

He'll give you more fun on the inside, more funds in the box-office!

See

BUSTER KEATON

in

"THE CHEMIST"

An explosion of mirth that proves he's for the people!

VOTE FOR LAUGHS . . . . and CARRY THE WHOLE TICKET!

BERT LAHR in "WHOSE BABY ARE YOU?"

JEFFERSON MACHAMER in "GAGS AND GALS"

BUSTER WEST and TOM PATRICOLA in "PARKED IN PAREE"

NIELA GOODELLE in "THERE GOES THE BRIDE" a Musical Comedy

PATROONEY, Jr. and HERMAN TIMBERG Jr. in "RAH, RAH RHYTHM"

"KRAZI-INVENTIONS" by Juliet Lowell a Treasure Chest Production

"KIKO FOILS THE FOX" "PUDDY THE PUP IN SUNKEN TREASURES" Terry-Toons

THE CABIN KIDS and TOTO THE CLOWN in "PINK LEMONADE" A Song and Comedy Hit

Presented by
E. W. HAMMONS

Educational Pictures
"THE SPICE OF THE PROGRAM"

Distributed in U. S. A. by 20th Century-Fox Film Corporation



Leica photo by Ivan Dmitri on Du Pont Superior Panchromatic using a Summar Lens f 4.5 at 1/200 second.

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The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 100 NEW YORK, TUESDAY, OCTOBER 27, 1936 TEN CENTS

Ascap to Ask Concessions By Canadians

Joint British - American Move Agreed Upon

Canadian exhibitors will be asked by Ascap and the British Performing Rights Society to petition the Canadian Government to relax its new regulations limiting the rates which may be charged for the public performance of music for profit in the Dominion, it was stated yesterday following a meeting of the M.P.P.D.A. legal committee with E. C. Mills, general manager of Ascap, and Leslie Boosey, head of the British music licensing organization. The two music societies are equal owners of the Canadian Performing Rights Society.

If the Canadian regulations are not relaxed, the music licensing organization for the Dominion will cease to function there except as a policing agency for copyright owners, with the prospect that musical pictures could not be licensed for exhibition in Canada, it was said.

Mills and Boosey will leave for Toronto toward the end of the week to confer there with leading Canadian exhibitors on the move to obtain their support in having the music tax regulations modified. The step is understood to be a last resort of the music licensing agencies and results

(*Continued on page* 11)

Universal in Best Shape—Normanly

HOLLYWOOD, Oct. 26.—That Universal is in the healthiest condition the studio has ever enjoyed was the theme of a statement issued to William Koenig, general manager of production, by J. P. Normanly, comptroller, upon his arrival here today.

Normanly pointed out that sales for

(*Continued on page* 10)

High Court Refuses To Hear Aleograph

WASHINGTON, Oct. 26.—Rehearing of the infringement quarrel between the Aleograph Co. and Erpi and Western Electric, in the course of which Erpi secured from the Texas courts an injunction to restrain the Aleograph Co. from bringing further infringement suits, was refused today by the U. S. Supreme Court.

The quarrel, over synchronization of projecting apparatus, is one of long

(*Continued on page* 11)

Coast Production Down to 41 Films

HOLLYWOOD, Oct. 26.—With 11 pictures finishing and only five new ones starting, studio activity registered a decided slump last week. Forty-one features and one short subject were shooting as compared to 47 features and four shorts for the preceding week.

Cutting room activity hit a new high with 61 features and 12 shorts. Twenty-three films will start within the next two weeks, according to production schedules.

The five new films to go before cameras were: "Women of Glamour," Columbia; "Coast Patrol," Radio; "Roaring Lead," Republic; "Men in Exile," Warners, and "Wild Horse Round-up," Ambassador.

Warners held the heaviest production with eight pictures shooting.

Columbia had four features in work,

(*Continued on page* 11)

Roach Has Plans for Six Musicals Yearly

Six big musicals a year "at three times the cost" of his present features will be produced by Hal Roach, it was stated by the producer yesterday on his arrival from the coast for a two-week search here for talent and material. The feature program will supplement 12 Our Gang shorts.

"We are completely changing over our style, he declared, and all of our

(*Continued on page* 11)

Wallis Here to Talk Selling, Production

Hal Wallis, production manager of Warners, arrived from the coast yesterday for sales and production conferences. During his 10-day stay in town he will go over sales angles with Gradwell L. Sears, general sales manager. With the arrival today of Jack L. Warner on the *Ile de France*, Wallis will discuss studio matters

(*Continued on page* 11)

729 Rains Milk

Somebody tried to use the breezes swirling about 729 7th Ave. yesterday to keep two bottles of milk cool on a window sill.

Somebody else—in fact several other somebodies—hurrying hither and yon in the rain were lucky.

It was quite a crash.

Criterion to Drop Marquee Star Rating

Harry Charnas, managing director of the Criterion on Broadway, declared yesterday that the theatre will drop the use of the *Daily News* star-rating on the marquee, currently utilized in connection with "Follow Your Heart." The running of star-ratings in advertising or on marquees has not been practiced by Broadway houses since the agreement to eliminate them initiated by the M. P. P. D. A. more than a year ago.

Charnas said he had received no complaints on the use of the star-rating on the marquee, and had not been approached relative to its discontinuance, but that he would be glad to drop the practice if it was not generally done.

Deny Chicago Groups Buying Skouras Firm

CHICAGO, Oct. 26.—Neither B. & K. nor Great States has any interest in the bidding for the assets of Skouras Bros. Enterprises in St. Louis, John Balaban stated today.

Last Thursday Arthur Greene, representing the Merchants' & Manufacturers' Finance Co. of Chicago, obtained permission from Referee Hope for additional time to submit a bid for the company's 52 per cent interest in the St. Louis Amusement Co., in addition to the West End Lyric.

With the Chicago attorney appear-

(*Continued on page* 8)

Radio News Dep't Makes Debut

***Motion Picture Daily* inaugurates its daily department of radio news with this issue. The first column, conducted by Jack Banner, appears on Page 2.**

This is in keeping with a recognition of the increasing community of interest between radio and motion pictures. Strictly from a trade point of view and as developments impinge on motion pictures, the news of radio will be based on fact, not idle rumor or elevator gossip. The department will be attuned faithfully to the objective of constructive and dependable news information under a policy identical with the general policies under which *Motion Picture Daily* functions.

Banner was for four years eastern editor of *Radio Guide*. He is well known throughout the radio industry in New York and elsewhere.

Air Shows Aim At Restoring Stage to Road

Federal Theatre Project Plans a New Series

The Radio Division of the Federal Theatre Project in New York, under the supervision of Leslie E. Roberts, is preparing a new series of radio broadcasts, which is designed eventually to be extended to the establishment of stage units to play various cities over the country on a roadshow basis.

The first of the broadcasts, which will run for one hour each once a week, is expected to go on the air over an NBC network sometime next month. NBC is cooperating with the Federal Theatre Project in the development of the series, which is said to be the most ambitious and elaborate yet attempted by the project.

At present eight other programs are being broadcast by the radio division, ranging from 15 minutes to one hour, and going out over various stations.

The new series will feature actors, singers and musicians, at present unemployed. Only professional talent will be utilized, no amateurs being employed, it was emphasized by officials of the Federal Theatre Project in New York yesterday. Fred Niblo, former film director, will act as master of ceremonies for the series, and among the performers will be Audrey Maple and Lee Timmon, singers.

The radio series will be titled, "The Goodwill Ambassador of the American Theatre," and is designed to aid the professional talent, some with considerable experience, to return to the stage. It is also expected to be of value in helping to restore the "road," in the legitimate theatre, which is described by officials as having practically disappeared in recent years.

The exact form in which the stage

(*Continued on page* 2)

Consolidated's Net In 3 Mos. $290,282

Consolidated Film Industries, Inc., and subsidiaries report a net of $290,282, after depreciation and Federal income taxes, for the quarter ending Sept. 30. This is equivalent, after dividend requirements on the preferred, to 17 cents a share on the common.

No provision was made for Federal surtax on undivided profits. For the preceding quarter the net was $185,024, and for nine months ending Sept. 30 the net was $776,290. This figure

(*Continued on page* 11)

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Deny Astaire-Packard Split, But Butterworth May Go In

From Hollywood yesterday came an official denial that Fred Astaire was seeking to break his contract with Packard Motor Co., sponsors of the radio program on which he is featured. The denial came from the coast office of Young and Rubicam, the agency handling the program, and from RKO, to whom Astaire is under contract, and was in response to a wire sent by MOTION PICTURE DAILY, which sought official expression on the rapidly spreading rumors in New York radio circles that Astaire was seeking an "out" from his radio contract.

It was intimated, however, that an important change in the program might be affected in the near future. This change, it was stressed, will not be in the nature of a slice in air time, as has been printed elsewhere.

Rumblings of discord on the program have been rife locally for several days. Various reasons have been advanced hereabouts for the alleged Astaire dissatisfaction. Melting them all, they boil down to the following:

1.—That Charles Butterworth is as good at walking away with scenes in radio as he is in pictures.

2.—That Astaire has come to the belated conclusion that as a dancer, he has very little to offer in the way of entertainment over the air.

The Packard program is now in its sixth week, with seven to go. However, there are optional renewals covering a year. The consensus of opinion along Radio Row is that the options will not be taken up, and that a new star, probably Butterworth, will head the program seven weeks hence.

Stage Ponders Radio

Plans for launching a weekly radio hour to gain new interest for the stage were discussed yesterday at a meeting of the council of Actors Equity Ass'n.

Under the plans, which are virtually complete now, the programs will be sponsored jointly by Equity and the League of N. Y. Theatres. Stage stars appearing on the programs will contribute their time without compensation and the producing managers' organization will pay the broadcasting charges. Institutional talks on the theatre, music and scenes from current plays will be included in the program which will be broadcast over the NBC network.

Waring-Warners in Split

For the first time in three years Fred Waring will not introduce the "Gold Digger" tunes over the air. Waring was all set to give the score from the Warner picture its initial broadcast on Nov. 6, but when Warners advised him that he would have to share honors with Raymond Paige, who is to offer his arrangements of the tunes that same evening on his "Hollywood Hotel" program, Waring balked. He insisted that he be accorded the privilege of doing the score first, as in the past, with Warners equally insistent that laurels be divided. Accordingly Waring has withdrawn from the setup and Paige will offer the tunes exclusively.

Dramatizing Dempsey Fights

Jean Grombach, independent radio producer, has closed with Jack Dempsey for an electrically transcribed program featuring dramatizations of the Manassa Mauler's most famous brawls. There will be 13 transcriptions, beginning with Dempsey's K. O. of Jess Willard and ending with the long count fight against Gene Tunney. Kel Keech, network announcer and m. c., will do the narrations, and Gloria Grafton will vocalize. Royal Crown Cola, a soft drink, is sponsoring.

Republicans Top Democrats

The Republican radio bill for the 1926 campaign will be twice that of the Democrats' bill, judging from the figures that are available at the moment. Up to Oct. 17 the Republicans spent $265,000 with National Broadcasting, while for a similar period over the same outlet the Democrats spent but $165,000. While neither CBS or Mutual has said anything about the amount of money netted since the campaign opened, it is believed that the same two-to-one ratio will apply there. All told the total expenditure for political broadcasts throughout the nation will be about $2,000,000.

Harlow Joining Procession

Jean Harlow, who arrives in New York sometime next week, will make at least three radio appearances during her stay in Gotham. While no deals have been closed as yet, it is believed her first guest shot will be on Rudy Vallee's program.

May Team Durbin-Breen

Deanna Durbin, Eddie Cantor's 13-year-old singing discovery, has been signed for a picture by Universal. The studio is now trying to induce Sol Lesser to loan Bobby Breen for a co-starring role.

Sign Munson on Quiet

Ona Munson of the stage and screen is now a regular member of the "Cavalcade of America" cast, but no one outside the studio knows anything about it. It is the policy on this program not to give billing to any member of the cast.

Sam Hearn in Oakie Film

Sam Hearn, currently in the "Big Broadcast of 1937," has been assigned a role in the new Jack Oakie film and will leave for the coast when his "Showboat" radio contract is completed.

Loore, Cherniavsky, et al

Short Shots:—Peter Lorre, the horror actor, is slated for a guest shot on the Vallee program when he arrives in New York next month . . . Josef Cherniavsky, maestro on the new "Musical Cameraman" program, was Universal's musical director during the silent era . . . Glenn Morris, Olympic decathlon champ, is now a special eventer at NBC, specializing in sports broadcasts . . . "Melody Matinee" sponsored by Smith Bros. returns to NBC on Nov. 15 . . . Anabelle Kiger, midwest radio lass, will be known on the screen as Roberta Vale. She's a Fox-20th Century captive . . . George Comptois of the Federal ad agency now out of town on new radio business solicitations . . . Joe Hill, of the same agency, is a weekly sky rider between New York and Chicago, supervising the Red Grange and Sinclair Minstrels program from the Loop City on Mondays, and returning to New York for the Tuesday and Thursday Knox Gelatin shows . . . Ruth Chatterton guest stars on Irvin Cobb's program Oct. 31, with Gertrude Niesen penciled in for the following week.

Game Broadcasts Hurt

LINCOLN, NEB., Oct. 26.—Saturday afternoon theatre attendance in Nebraska has fallen off, managers say, with the recent dropping of the bars for broadcasts of the University of Nebraska football games. For more than four years, the athletic department has refused to allow broadcasts, but with sellouts on all the home games this year, KFAB here has been permitted.

Two Radio Firms Formed

DOVER, DEL., Oct. 26.—Wichita Broadcasting Co. has been incorporated here to engage in the business of broadcasting, listing capital at $75,000. Cornell Dubilier Corp., has been formed to perfect the art and business of electric or radio communication by wireless, listing capital of $70,000. The incorporators are John H. Vincent, Greenwich, Conn., Henry C. Blackiston, Jr., and John D. Garrison, New York.

Astaire Off Air for Election

HOLLYWOOD, Oct. 26.—NBC has cancelled the Fred Astaire-Packard hour for Nov. 3 to concentrate all air time on election returns.

Shell Chateau and the Irving Cobb feature, "Paducah Plantation," will be postponed on Oct. 31 to make room for political talks.

CBS, although not eliminating any scheduled programs, will give election return flashes every five minutes, keeping their lines open until 4 A.M.

Gary Cooper to Broadcast

HOLLYWOOD, Oct. 26.—Gary Cooper will return here from New York, Oct. 29, to start rehearsals for a radio appearance on the Lux hour under direction of Cecil B. DeMille. Cooper will present a dramatization of "The Virginian."

To Interview Grant-Landi

HOLLYWOOD, Oct. 26.—Cary Grant and Elissa Landi will be interviewed on the Kraft Music Hall program over NBC, Oct. 29.

Gladys George has been lined up for an interview on the same program, Nov. 5.

In Guest Ticket Tieup

SALT LAKE CITY, Oct. 26.—Radio Station KSL, in a tieup with Intermountain Theatres, is offering guest tickets, selecting at random the names of those who receive them.

Bellew Goes to Texas

HOLLYWOOD, Oct. 26.—Smith Bellew, master of ceremonies on the NBC-Shell Chateau program, is in Texas.

Air Shows to Help Stage Performances

(*Continued from page* 1)

units to be derived from the radio series will be established has not yet been determined, it was said yesterday. Also it has not yet been ascertained whether the stage units would be played in film houses, as an adjunct to the feature film, or in separate theatres on a legitimate show basis. If the latter method is determined upon, it is anticipated that the units will be considerably enlarged in point of length of performance.

Crawford, Tone Off Air

HOLLYWOOD, Oct. 26.—Joan Crawford and Franchot Tone today were removed from the Camel Caravan program scheduled for broadcast tomorrow. Retakes on their current film, "Love on the Run," was given as the reason. Studio spokesmen stressed the fact that there had been no break between producers and sponsors, adding that players may be held for pictures whenever necessary.

The William Esty Agency stated that the decision had been reached amicably and that Edward Arnold probably would be substituted.



"Whichever one o' yew boys cuts th' most wood today kin go see the Mae West picher tonight."

MAE WEST in **"Go West Young Man"**

with WARREN WILLIAM, RANDOLPH SCOTT, ALICE BRADY, Elizabeth Patterson, Lyle Talbot, Isabel Jewell, Margaret Perry • Directed by HENRY HATHAWAY • Dialogue by Mae West • An EMANUEL COHEN Production • A Paramount Picture

Paramount Pictures

Frederick Ott Rites Will Be Held Today

WEST ORANGE, N. J., Oct. 26.—Funeral services will be held tomorrow night in Orange for Frederick P. Ott, 76, associate of Thomas A. Edison, who died on Saturday at his home here. Ott, who worked with Edison on the development of the motion picture, among other work, retired shortly after Edison's death in 1931.

Ott first became associated with the inventor in 1874, left him, and rejoined his staff in 1893. Ott frequently recalled that he was one of the first screen "actors," having posed for some of the first experimental reels. His widow, three sons and one daughter survive.

S. E. Wilhoit Dead

KANSAS CITY, Oct. 26.—S. E. Wilhoit, operator of the Princess, Springfield, Mo., and a veteran exhibitor in this area, is dead at Springfield of typhoid fever. Wilhoit also had the Strand at Mt. Vernon, Mo., managed by his son-in-law, Raymond E. Richardson, and the Park at Eldorado Springs, Mo., managed by his son, Tom E. Wilhoit.

Mrs. Irvin S. Cobb Ill

HOLLYWOOD, Oct. 26.—Mrs. Irvin S. Cobb is ill from pneumonia at her Santa Monica home.

No Shearer Plans Yet

Identical statements have been issued by Louis B. Mayer on the coast and Nicholas M. Schenck in New York, relative to Norma Shearer's future plans, that the widow of Irving Thalberg is still gravely ill, the only thought is for her recovery, and that all films prepared for her will be held in abeyance until she is well enough to discuss plans with the executives of M-G-M.

Variety Adopts Boy

Pittsburgh, Oct. 26.—One of the features of the eighth annual Variety Club banquet here last night was announcement of the adoption of a four-month-old orphan, who has been named George Variety Baker.

This is the first time the club has taken a boy. The first two girls adopted have been taken by families.

The child was presented at the banquet in the arms of Art Levy, outgoing chief barker, and was turned over to the new chief barker, John J. Maloney.

The banquet was a complete sellout.

Fairbanks, Goldwyn To Do "Marco Polo"

HOLLYWOOD, Oct. 26.—Samuel Goldwyn and Douglas Fairbanks have formed a partnership for the production of "The Adventures of Marco Polo," starring Gary Cooper. The film will cost $1,500,000, it is reported. The only other associate of Goldwyn in the production of a film was Florenz Ziegfeld, on "Whoopee."

Fairbanks left for New York by plane last night to confer with Cooper, then will go on to London, where he will meet Captain A. Podson, who will collaborate on the story. Podson is a noted Orientalist. From London Fairbanks will go to China with a camera crew to film backgrounds for the picture.

Tax Judgment Against Fairbanks

LOS ANGELES, Oct. 26.—Simultaneously with the departure of Douglas Fairbanks for New York, a judgment of $88,659 was entered against the actor in Federal court records representing the sum claimed to be due the Government for 1927. In that year Fairbanks paid a tax of $205,313, later claiming a refund of $53,231 which sum was subsequently ruled out by the commissioner of internal revenue. The refund was claimed because of a redemption by the commissioner in the Fairbanks tax on $4,000,000 in Elton Corp. bonds which the actor received in 1925 for certain rights in Famous Pictures. The board of tax appeals later ruled that he was not entitled to the refund and, on a realignment, claimed the $85,659. A jury upheld the board's contention.

The question involved is purely one of law. There is no suggestion that Fairbanks intended or attempted to defraud the Government.

Paul Vallee, Fairbanks' attorney, stated that an appeal would be taken to the high courts.

"Romeo" at $11,900 For Its 11th Week

"Romeo and Juliet" tallied $11,900 in its 10th week at the Astor on a two-a-day policy. The figure is $120 less than the previous week. Loew's lease on the theatre expires in 10 weeks. It is likely an extension will be secured from City Investment Co. for the showing of "The Good Earth."

Opening to a strong weekend business, preliminary estimates indicate "The Magnificent Brute" will wind up the week at the Roxy with $40,000, or better.

To Use Film Players

OMAHA, Oct. 26.—The Omaha Community Playhouse has accepted the offer of Sam Briskin, head of Radio Production, to lend young film players, to permit them to get stage experience. Director E. G. Steinmetz, Jr., of the Playhouse said he is seeking the services of a feminine player for the lead in the January Playhouse production, "Personal Appearance."

Quebec Barring All Films from Russia

QUEBEC, Oct. 26.—Russian films have been barred from the province of Quebec because of the possibility of their use as Communistic propaganda media, declared Premier Duplessis at a gathering here yesterday.

Duplessis said interests representing Soviet films had approached him, but that permission had been denied for the showing of Russian films in the province.

"We are acquainted with the principles upon which these films would be leased, outwardly they might appear innocent, but there would always be the underlying danger of communistic infiltrations," he said.

K.R.S. Refuses to Use Boycott Tactics

LONDON, Oct. 17.—Correspondence between the C. E. A. and the K. R. S. in regard to overbuilding has been officially published, in a report of the last meeting of the C. E. A. general council.

Replying to a request that distributors assist in a joint trade committee, Frank Hill, secretary of the K. R. S., repeats an earlier request for a definite scheme but adds that the K. R. S. would not consider any plan which contained "any provision which would call upon renters to restrict the supplies of films to any cinema."

Para. Signs Mamoulian

HOLLYWOOD, Oct. 26.—Paramount has signed Rouben Mamoulian to direct "High, Wide and Handsome," a forthcoming elaborate musical. The screen play is by Oscar Hammerstein, II, and music by Jerome Kern. The cast will be headed by Irene Dunne and Randolph Scott, with Dorothy Lamour, William Frawley and Elizabeth Patterson in principal roles. Arthur Hornblow, Jr., will produce.

First of the Functions Honoring F. H. Richardson



Drucker & Baltes

Group which honored the technical editor of Motion Picture Herald at the Pennsylvania Hotel at midnight Saturday. The function was sponsored by the American Projection Society for "its foremost member" on his 70th birthday.

Today at the same hotel, the International Projector Corp. and National Theatre Supply Co. will be hosts at a luncheon in Richardson's honor. Walter Greene, president of National Theatre Supply, will be chairman, and Herbert Griffin, vice-president of International Projector, will be toastmaster. Among the speakers will be Dr. Alfred N. Goldsmith, Martin Quigley and Earle G. Hines, president of International Projector.



They're here!!

FOR THE

HOLIDAYS!..



For *Election Day*

History's Bravest Adventure Reunites the Unforgettable Stars of 'Captain Blood'!

ERROL FLYNN

"THE CHARGE OF THE

For *Thanksgiving*

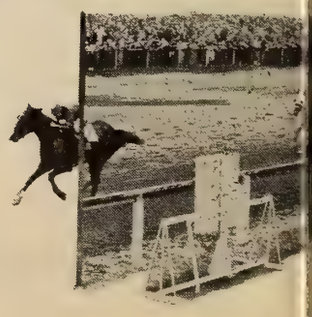
The Comedy Sensation of Five Nations—Second Roaring Year on Broadway!

"THREE MEN

A First National Picture



FRANK M







OLIVIA DE HAVILLAND

LIGHT BRIGADE"

With PATRIC KNOWLES • HENRY
TEPHENSON • NIGEL BRUCE
onald Crisp • David Niven • Robert Barrat
ring Byington • Directed by Michael Curtiz





ON A HORSE"

HUGH JOAN BLONDELL



GUY KIBBEE • CAROL HUGHES • ALLEN JENKINS
Sam Levene • Teddy Hart • A MERVYN LEROY
Production—Sold To The Skies By

Warner Bros.
THE 'ANTHONY ADVERSE' COMPANY!

"Ladies" and Show $40,000 Chicago Lead

CHICAGO, Oct. 26.—"Ladies in Love," with the stage appearance of Horace Heidt and his Brigadiers, local favorites, gave the Chicago top honors in the Loop with a gross of $40,000 which was $8,000 over par.

The United Artists, with "Libeled Lady" in the second week of an extended engagement, hit the $20,000 mark which was excellent. "Craig's Wife," which opened at the Apollo, found business very good and $3,100 over the normal $4,500 average.

Giveaway nights at the Oriental and State-Lake helped boost business in these houses. The Palace with "The Magnificent Brute" on the screen and Ann Sothern in person did nicely to get $22,000. "Give Me Your Heart," with a "pink ticket," played at the Garrick, following an opening week at the Chicago. The gross was $6,400 or $900 above average.

The weather was ideal throughout the week and accounted largely for the excellent business in the Loop theatres.

Total first run business was $138,200. Average is $115,000.

Estimated takings for the week were:

Week Ending Oct. 21:

"THE MAGNIFICENT BRUTE" (Univ.)
PALACE—(2,509), 30c-40c-60c, 7 days. Stage: Ann Sothern and vaudeville. **Gross:** $22,000. (Average, $19,000)

"LADIES IN LOVE" (20th-Fox)
CHICAGO—(4,000), 35c-50c-75c, 7 days. Stage: Horace Heidt and orchestra. **Gross:** $40,000. (Average, $32,000)

"HOLLYWOOD BOULEVARD" (Para.)
ORIENTAL—(3,490), 25c-40c, 7 days. Stage: "Parade of Stars" Revue." **Gross:** $16,500. (Average, $15,000)

Week Ending Oct. 23:

"RAMONA" (20th-Fox)
ROOSEVELT—(1,591), 30c-40c-60c, 7 days, 2nd week. **Gross:** $10,500. (Average, $11,000)

"LIBELED LADY" (M-G-M)
UNITED ARTISTS—(1,700), 30c-40c-60c, 7 days, 2nd week. **Gross:** $20,000. (Average, $15,000)

"CRAIG'S WIFE" (Col.)
APOLLO—(1,400), 30c-40c-60c, 7 days. **Gross:** $7,600. (Average, $4,500)

"GIVE ME YOUR HEART" (W. B.)
GARRICK—(900), 30c-40c-60c, 7 days. **Gross:** $6,400. (Average, $5,500)

"36 HOURS TO KILL" (20th-Fox)
STATE-LAKE—(2,776), 20c-30c-35c, 7 days. Stage: "A Night in Paree." **Gross:** $15,200. (Average, $13,000)

Deny Chicago Groups Buying Skouras Firm

(Continued from page 8)

ing for interests believed operating in this city, the impression gathered momentum that either B. & K. or Jules Rubens were after control of the St. Louis subsequent run circuit. This impression has been discredited by Balaban.

Jungle Film for 20th-Fox

About 150,000 feet of sound film shot by Mr. and Mrs. Martin Johnson during a one-year expedition in Borneo is being cut for screening for Twentieth Century-Fox, Johnson said yesterday. The previous expedition pictures of the couple have been released by that company and indications are that Twentieth Century-Fox will also take the present one.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"North of Nome"

Larry Darmour Prod.-Columbia

HOLLYWOOD, Oct. 26.—Soundly constructed melodrama, contrasted by romantic conflict and comedy, this is above average entertainment for thrill and action fans. Additionally, it is worthy of the attention of those who like to see something different in their entertainment. With Jack Holt, Evelyn Venable, John Miljan, Dorothy Appelby, Roger Imhoff, Paul Hurst and Guinn Williams featured in the principal roles, the film has good name value. Quality of production given the picture by Larry Darmour is of high caliber and William Nigh's direction gets full value out of story and players.

The locale is Alaska, the atmosphere of which has been vividly captured. Recreating Houston Branch's original which was adapted by Albert DeMond, Holt is a seal poacher convincd that he has just as much right to the pelts as have the operators of a concession. A twist lands Holt, Imhof, Miss Venable, Hurst, Miljan and Miss Appelby on an island. The group held prisoner by Holt tries every trick they know to escape. Holt's watchfulness precipitates romance and contrasted drama tinged with fear and hate, further menaced by the activities of Guinn Williams, a fur-hijacker. Fear of Williams forces Holt and his prisoners to make common cause against him which leads to the climax, in which all scores are settled.

The film moves speedily; action and dialogue are well balanced. All the elements of the story are plausible and the manner in which they have been handled gives them realism.

Production Code Seal No. 2,789. Running time, 63 minutes. "G."

Looking 'Em Over

"Killer at Large"

(Columbia)

An active murder mystery yarn, this is unpretentious but satisfactory fare of its kind, and probably will be found entertaining.

There is a full quota of rushing police, automobile pursuits and popping guns to maintain the pace at high speed. There is the usual stupid detective, the boy and girl romance, and the requisite amount of suspense.

When a store is robbed of jewels, Russell Hardie, head of the department, is held responsible. When he checks up one night, finds another robbery and a store executive killed, suspicion falls on him. His sweetheart, Mary Brian, the store detective, is the Sherlock Holmes in the case, and the chase to clear Hardie leads to a wax works exhibit in the store, its owner and maker, and the death of a girl accomplice.

The audience learns the killer's identity early, but the activity centers about the capture of the culprit, and the danger to the couple as he escapes initially and goes gunning for them.

The wax works idea and the trick of the culprit of secreting himself in the guise of a wax figure, opens the way for exhibitor lobby exploitation.

David Selman directed from a story by Carl Clausen and a screen play by Harold Shumate.

Production Code Seal No. 2,537. Running time, 58 minutes.

Universal Club to Dance

Universal Club members will hold their annual dinner dance next Monday night at the Waldorf-Astoria.

R. H. Cochrane, J. Cheever Cowdin, Charles R. Rogers and Sir Herbert Wilcox, executive producer of General Film Distributors, Ltd., whose company handles Universal films in England, will be among the guests.

Milton Schwarzwald is in charge of the entertainment.

Malco Takes "U" Lineup

James R. Grainger has closed a deal with M. A. Lightman for the 26 Malco theatres to use the entire Universal lineup for 1936-37.

Heywood-Wakefield Gain

Net profit for the Heywood-Wakefield Co. for the nine months ending Sept. 30, after all charges, but before provision for Federal income tax, was $472,796. This compares with a net loss of $58,981 in the first nine months of the previous year.

A plan of recapitalization called for issuance of $700,000 of five per cent 10-year debentures, and certain first preferred stock, Series B, $25 par, has been submitted to stockholders by directors.

Braly in Salt Lake City

SALT LAKE CITY, Oct. 26.—Hugh Braly, Paramount district manager, is here directing sales meetings.

Variety Club

Cleveland

CLEVELAND, Oct. 26.—The third annual banquet and ball of the Cleveland Variety Club will take place at the Mayfair Casino, Dec. 11. M. B. HORWITZ is chairman of the ticket and arrangement committee.

Columbus

COLUMBUS, Oct. 26...Tent No. 2 is making preparations for the celebration of its fifth anniversary on Dec. 1 Governor Davey and other state officials will attend.

The Kings for a Day policy was inaugurated Sunday with BARNEY GARDNER and LEO HEINLEIN as the royal duo.

BOB NELSON and JAKE LUFF compose a committee to arrange for cards and similar entertainment on alternate Sundays.

M. R. ("DUKE") CLARK, chief barker, has been the busiest man in town for the past few weeks dispensing tickets for the Ohio State football games.

PETE WOOD, property master, is passing up some of his business engagements and meetings while trying to overcome an obstinate cold.

Des Moines

DES MOINES, Oct. 26.—Variety Club is planning a dance to be held the middle of November, the proceeds of which are to be used to finance the second annual shut-in party that will be given early in December for the shut-ins of the city. It is hoped to raise $600.

HARRY HERMAN is chairman of the entertainment committee.

Visits Columbia Branch

SALT LAKE CITY, Oct. 26.—Douglas Pratt, Columbia home office representative, is here for two weeks at the local Columbia exchange.

Wall Street

Losses Mark Board Trading

	High	Low	Close	Net Change
Columbia	37½	37¼	37¼	— ¼
Consolidated	5¼	4¾	4¾	— ⅜
Consolidated, pfd.	19	17⅞	17⅞	—1⅛
Eastman	174	174	174	—1
Eastman, pfd.	163½	163½	163½	.....
Gen. T. Equip.	27½	26¾	27	— ¼
Loew's, Inc.	56¼	55	55	— ¾
Loew's, pfd.	107¼	107¼	107¼	+ ¾
Paramount	15	14⅛	14⅜	— ½
Paramount 1 pfd.	110½	106	106	—4¾
Paramount 2 pfd.	13⅞	13¼	13¼	— ⅝
Pathe Film	8	7½	7½	— ½
RKO	7¾	7¼	7¼	— ¼
20th Century-Fox	31¾	31⅜	31½	— ½
20th Century, pfd.	39¾	38⅜	39⅜	— ⅝
Universal, pfd	102	102	102	.....
Warner Bros.	13⅝	13⅛	13⅛	— ⅝

Technicolor Off 2¾ on Curb

	High	Low	Close	Net Change
Grand National	3¼	3⅛	3¼	.....
Sentry Safety	⅝	⅝	⅝	.....
Sonotone	2⅞	2⅞	2⅞	.....
Technicolor	23¼	21¼	21¼	—2¾
Trans-Lux	3¾	3¾	3¾	.....

Bonds Suffer Losses

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	96½	96½	96½	— ½
Paramount B'way 3s '55	64¼	64	64	—1½
Paramount Pict. 6s '55	98	97½	97½	— ¾
RKO 6s '41 pp.	91	91	91	—1½
Warner Bros. 6s '39 wd	96	95⅞	96	.....

(Quotations at close of Oct. 26)



TIE A NICE PINK BOW AROUND YOUR FINGER

right now!

If you haven't a pink one, hyacinth will do just as well—to remind you of the UNIVERSAL CLUB'S Annual *Dinner-Dance* at the Waldorf Astoria Hotel—Election Eve, November 2nd

MAY WE HAVE THE PLEASURE OF RESERVING A TABLE FOR YOU IMMEDIATELY?

Three New Theatres Planned in Oklahoma

OKLAHOMA CITY, Oct. 26.—Construction of a new downtown theatre and two neighborhood houses is scheduled to start soon.

The space now occupied by Kunderer's cafe, opposite the Liberty has been leased by T. B. Noble, Colorado circuit operator.

Sam Caporal, owner of the Yale, will start construction of the Mayflower on the southwest corner of N. W. 23rd St. and Ellison Avenue during November. He plans to erect a combined store, office and theatre building.

Pat McGee, general supervisor of Standard Theatres, Inc., has approved architect's plans for the Tower on N. W. 23rd St. near Walker Ave.

The new houses are a threat to the virtual monopoly of exhibition in Oklahoma City.

J. A. Cooper controls nearly all Oklahoma City theatres, and he has houses in Colorado besides. The indications are that the Colorado circuit intends to meet Cooper's competition with a house here.

Wis. Jobs Highest Since October, 1929

MILWAUKEE, Oct. 26.—Employment in local factories was higher in September than in any preceding month since October, 1929, and payrolls were higher than in any preceding month since 1930, according to the state industrial commission. Factory employment here increased 3.6 per cent and payrolls .2 per cent between Aug. 5 and Sept. 15, it was reported.

Total factory employment in the state in September was 6.4 per cent greater than in September of 1935. It was, however, six per cent less than the figures for that month in 1929. Aggregate factory payrolls last month were 16 per cent below the level of September, 1929, but were 5.9 per cent above the same 1935 month.

Ohio Deposits Up 200%

CINCINNATI, Oct. 26.—Evidence of continued industrial improvement here is reflected in the September bank clearings, amounting to $247,957,733, a gain of practically 200 per cent over September, 1935.

Employment in 18 selected industries was approximately 100 per cent greater during September than for the corresponding month last year.

Drop Shows Over Taxes

LOUISVILLE, Oct. 26.—Louisville will do without roadshows this winter unless the prevailing state tax is changed, according to William Hoke Camp, manager of the Memorial Auditorium. Every roadshow scheduled for 1936 has been canceled and those booked after Jan. 1 have been canceled tentatively, and will not show unless the state tax is repealed, Camp said. A $2.50 ticket would cost $3.21 after payment of the Federal and state taxes

Join Grand National

SALT LAKE CITY, Oct. 26.—Ed Wilson, booker, Sam Appleman, shipper, and E. Wilson have been added to the Grand National sales staff here.

Al Kahn a Father

BALTIMORE, Oct. 26.—Al Kahn, proprietor of the Pennington, Curtis Bay, Md., is the father of a baby girl.

Purely Personal

JOE SCHNITZER, DR. A. H. GIANNINI, A. W. SMITH, HARRY GOLD, JOHN NOLAN, DAVE CHATKIN, HARRY BUCKLEY, DOROTHEA KILGALLEN, REGIS TOOMEY, NAT COHN, IRVING WORMSER, EDWARD PESKAY, HARRY BRANDT, CHARLES MOSES, HARRY SHIFFMAN, MAX COHEN, MOE STREIMER, AL. FRIEDLANDER, BYRON MOORE, A. P. WAXMAN, LYNN FARNOL, JACK BARNSTYN, ARTHUR GOTTLIEB, JACK GOETZ, JOE MOSKOWITZ, BOB GOLDSTEIN, BUDD ROGERS, HARRY THOMAS, EDWARD LEVY, DAVE PALFREYMAN and a host of others congregated at the Tavern yesterday during the luncheon period.

•

BERNHARDT and GRAHAM, ballroom dancers at the Pennsylvania, start today at Vitaphone a two-reeler with JACQUES FRAY and his orchestra. Dances are being arranged by FRED LE QUORNE. ROY MACK will direct.

•

H. M. WARNER and JOSEPH BERNHARD returned yesterday from a trip to Chicago, Cleveland and Pittsburgh, where they attended the Variety Club banquet Sunday night.

•

LLOYD C. DOUGLAS' novel, "White Banners," has been purchased by Warners. DOUGLAS is author of "Magnificent Obsession" and "The Green Light."

•

MILT KUSELL will hold a special session with the local Paramount sales force in connection with the four-month jubilee for Adolph Zukor.

•

MAX WEISFELDT, short subjects sales manager for Columbia, returned yesterday from a tour of key cities.

•

EDWARD G. ROBINSON will leave England for New York within 10 days.

•

HENRY BRIGGS, president of Pathe, is back from the coast. He returned yesterday.

•

ARTHUR LEE is on a tour of G. B. exchanges which will take him as far as Seattle.

•

GREGG TOLAND, chief cameraman for SAMUEL GOLDWYN, left yesterday for the coast.

•

ABE SCHNEIDER, treasurer of Columbia, is back from a vacation at Virginia Beach.

•

ELLIOTT NUGENT arrives today on the *Ile de France*.

•

DR. A. H. GIANNINI has delayed return to Hollywood until next week.

•

JOE SCHNITZER humming "California Here I Come." Leaving Saturday.

•

GEORGE J. SCHAEFER: What the well-dressed man will wear.

•

MARGUERITE CHURCHILL is at the Warwick. As is EDNA BENNETT.

•

GARY COOPER will head for the coast tomorrow via American Airlines.

•

MARTIN JONES returned yesterday from a quick trip to Hollywood.

•

MRS. JACK COHN plans to leave for Hollywood Friday via the airlines.

JOHN W. HICKS, Jr., head of Paramount's foreign department, will arrive Thursday on the *Manhattan*. On the same boat is CARL F. DIXON, European representative for the company's foreign accounting department.

•

JOHN B. NATHAN, managing director of Paramount's Argentine activities, will spend several weeks in town before returning to his headquarters at Buenos Aires.

•

HARRY BUXBAUM, JR., has made the Penn. University freshmen team. Last Saturday he came through with an 80-yard run for a touchdown on the home ground.

•

JACK and Mrs. WARNER; FERNAND GRAVET, French star recently signed by Warners, and his wife, JANE RENOUARD, are due this afternoon on the *Ile de France*.

•

NED CLARKE, who sails tomorrow on the *Aquitania* for England and France as RKO traveling auditor, will be given an informal bon voyage party tonight by home office friends.

•

ADOLPH ZUKOR'S home in New City, N. Y., has been converted into a summer hotel with the opening set for next season.

•

ERNEST TRUEX will be seen in G. B. STERN'S new play, "Middleman." ALFRED DECAIGRE and ROBERT F. CUTLER will produce.

•

CARL LAEMMLE, JR., who has under consideration plans to produce "Panorama" for the legitimate stage, will head for Hollywood next Monday.

•

SPYROS SKOURAS and EDWARD ZABEL are due back in two weeks from a tour of National Theatres' key operating points.

•

HELEN O'TOOLE, M.P.T.O.A. secretary, is ill with the grip. Her boss, ED KUYKENDALL, is expected here from the south today.

•

EDDIE CARRIER returned yesterday from a six-month trip to the coast for M-G-M. He also visited a number of key cities on his way back.

•

ANNA NEAGLE and HERBERT WILCOX are due to sail tomorrow on the *Queen Mary* for England.

•

BENITA HUME is due from the coast tomorrow.

•

PETER LORRE will check in at Twentieth Century-Fox after his appearance of "Napoleon" on Broadway.

•

MERLE OBERON and MARY PICKFORD are due to arrive from Hollywood tomorrow.

•

JACK MERSEREAU back from London. He goes to Hollywood later this week with his brother, DON.

•

ARCHE MAYER, general sales manager of DuWorld, has returned from a cross-continent sales trip.

•

LOUIS BORELL, Dutch comedian, has been signed by M-G-M. He is due from England shortly.

Universal in Best Shape—Normanly

(*Continued from page 1*)

the current year are almost $3,000,000 in excess of the corresponding period in 1935, that Universal pictures are being shown in more theatres throughout the world than ever before and that this distribution includes all circuits in this country.

Twenty-four of the 42 films scheduled for the year will be completed by the end of this month, Normanly said, adding that the total production cost does not exceed the original budget by more than five per cent. Twenty-five stories—nearly all of next year's product—are being readied ahead of schedule, the comptroller asserted, and he placed emphasis upon the high quality of the product for the coming year.

Normanly paid tribute to J. Cheever Cowdin and Charles R. Rogers for their parts in the elimination of overhead waste and the placing of Universal in the black.

"Godfrey" a Hit

"My Man Godfrey," said Normanly, has already grossed $750,000 in the United States without playing all of the first runs. He predicted a domestic market gross of $1,500,000 for the picture. There will be no write-offs during the fiscal year, he said, adding that since the advent of the new Universal regime many physical assets, especially in the story department, which had been written off the books, subsequently proved to be extremely valuable. In this connection he told of 400 stories listed on the books at one dollar each, one of which recently received a bid of $100,000 for its purchase.

The foreign field is in good shape, said the comptroller. He added that three films, "Magnificent Obsession," "My Man Godfrey" and "Showboat," will be released simultaneously in England.

It was stated that Universal has placed an order for the complete modernization of all sound recording devices with Erpi Mirrophonic equipment. This work will start immediately.

"U" Picks Koster's Next

HOLLYWOOD, Oct. 21.—Universal has assigned Henry Koster to direct "It Happened in Budapest," which Joseph Pasternak will produce. The story was formerly called "Recipe for Romance." Production will start as soon as "Three Smart Girls," which Pasternak is producing and Koster directing, has been finished.

Bank Night Policies Stir Georgia Moves

ATLANTA, Oct. 26.—A. R. Wright, deputy insurance commissioner, has requested Solicitor General George Mains of Augusta to prosecute Southeastern Cash Night Indemnity Co. of Augusta, charging that the company is operating without a license to write policies insuring theatre patrons against Bank Night losses when the patron is not present at drawings.

Rosenzweig Closes Deal

Charles Rosenzweig, local exchange manager for United Artists, yesterday closed a deal with Joe Seider for the company's product in 32 theatres.

Ascap to Ask Concessions By Canadians

(Continued from page 1)

from their inability to effect an agreement with the American distribution companies on any alternative procedure. Ascap is reported to have urged the distribution companies to pay the standard music tax rates of their Canadian theatre accounts directly to the music licensing organization here, with the implication that the tax could be absorbed by film rentals and the Canadian rate restrictions avoided thereby. Distributors, it is said, flatly rejected the proposal at yesterday's meeting on the grounds that it would be an incentive to exhibitors elsewhere to demand that the music tax be absorbed by the distributors with no assurance that film rentals could be boosted anew to recover it.

High Court Refuses To Hear Aleograph

(Continued from page 1)

standing, it was indicated by briefs filed with the court, originating when Aleograph sued Erpi in the West Texas U. S. District Court, which rendered a decision, later affirmed by the Fifth Circuit Court of Appeals, that no infringement had occurred. Aleograph then sued Western Electric, again losing, and Erpi then sought and secured an injunction against the bringing of further suits, which was affirmed by the Circuit Court.

In bringing the case to Washington, Aleograph contended that the lower court decisions infringed on their rights and said there would not be a multiplicity of suits, but only such a number as were necessary to secure justice. The effect of the lower court decisions, the court was told, would be to allow Erpi and Western Electric to proceed without restriction to violate the anti-trust laws.

Color Case Suit Up Jan. 5.

LOS ANGELES, Oct. 26.—Trial of a patent infringement suit brought by Max B. DuPont Vitacolor Corp. against Cinecolor, Inc., has been set for Jan. 5 in the U. S. District Court here.

The suit involves four patents on "natural" color film and the process involved. Notice has been served on Warners, Columbia, Paramount, Celebrity and Scientific Film Laboratories that they may be charged with alleged infringement unless they desist from using the process.

Final Skouras Bid Today

ST. LOUIS, Oct. 26.—Referee in Bankruptcy Hope has continued until tomorrow afternoon consideration of the report of Nelson Cunliff, trustee in bankruptcy for Skouras Brothers Enterprises, Inc., on the public auction sale last Thursday of the company's assets to the bondholders' protective committee of Central Properties Corp. for approximately $317,000.

Hope said tomorrow he expects an offer in writing from Arthur Greene of Chicago, of at least $342,000. Greene and his attorney, I. B. Perlman, indicated such a bid will be made if they can obtain from Cunliff information relative to the financial status of the company. Greene offered a certified check for $35,000 to Hope as evidence of good faith. A 52 per cent interest in the St. Louis Amusement Co. is the chief asset of the Skouras company.

For Roosevelt

Nicholas M. Schenck has contributed $10,000 to the national Democratic campaign fund.

Arthur Mullen of Omaha, lawyer who has represented national distributors there from time to time, is down for a similar amount. Karl Hoblitzelle of the Interstate Circuit, Texas, gave $7,500; Joseph M. Schenck, $5,000; I.A.T.S.E. of Los Angeles, $5,000, and S. R. Kent, $3,500.

The National Democratic Committee has "borrowed" $36,876 from Joseph P. Kennedy, a staunch Roosevelt man and former chairman of the S.E.C.

S.E.C. Studies Hollywood Famous

WASHINGTON, Oct. 26.—Counsel for the Securities and Exchange Commission tonight were analyzing amendments to the registration statement of Hollywood Famous Pictures, received late this afternoon, and may call off or postpone the hearing set for Oct. 29.

The commission took exception to the registration statements filed Sept. 8, finding an "appearance" of untrue statements of material facts and omissions of material facts, and set the matter for public hearing.

If the newly submitted material meets the objections raised by the commission, it is possible the hearing will not he held.

G. B. Wins Sink Action

A motion for summary judgment for $8,385 was granted yesterday in N. Y. Supreme Court by Justice Edward J. McGoldrick to Gaumont British Pictures Corp. of America against Max J. Sink, attorney. The amount of the judgment represents money collected by the attorney on behalf of Ideal Films, Ltd. The latter assigned a claim to Gaumont British Pictures Corp. of America.

The court further decided that Sink is entitled to his fee for services from the amount of the judgment.

New Answer for Columbia

Supreme Court Justice Edward J. McGoldrick yesterday signed an order permitting Columbia to file new pleadings in its answer to the suit for $50,000 damages brought by Jack Redmond, a professional golfer.

The plaintiff alleges that in the spring of 1935 he gave a golfing exhibition for Fox Movietone News at the Eatontown Country Club in New Jersey and that in May, 1936, Columbia used portions of the picture in its production entitled "Golfing Rhythm." Redmond asserts that he received no compensation from Fox Movietone News and that Columbia did not have his written consent to use the picture in whole or in part.

Justice McGoldrick ruled that Columbia Pictures must allege that, in its dealings with Fox for the use of the film, the original consent of Fox was in writing or, if a transfer in writing was waived by Fox, that the subsequent consent to Columbia for the use of the film was in writing.

Columbia was given 10 days in which to file a new answer.

Injunction Against Auten Denied

N. Y. Supreme Court Justice Peter J. Schmuck yesterday denied, after argument, a motion for a temporary injunction in the action brought by Andrew de La Varre against Harold Auten, as agent.

The court stated that the motion was denied because the case had been set down for trial for Oct. 30. De La Varre, who is a producer of travel shorts, sought to restrain Auten from further distribution of his pictures. He charges that Auten breached their contract by failing to submit proper monthly accounts.

The charges were denied by the defendant.

Cohn Case Decision Reserved

N. Y. Supreme Court Judge Peter Schmuck yesterday reserved decision in the plagiarism suit filed by Sigbert Cohn against Paramount, Ben Hecht and Charles MacArthur and Brandt & Brandt. In his complaint, Cohn alleges "The Scoundrel" was taken from his play, "Wer Weint um Juckenack." An injunction and an accounting of all profits of the picture are sought.

Louis Phillips and Irving Cohen represented Paramount in the arguments yesterday, Saul Rogers, the plaintiff; Howard Reinheimer, Hecht and MacArthur; Arthur Spingam, Brandt & Brandt.

Consolidated's Net In 3 Mos., $290,282

(Continued from page 1)

compares with a net of $823,019 for the same period last year.

Consolidated Case Dropped

WASHINGTON, Oct. 26.—The Securities and Exchange Commission plans no further action in connection with the recapitalization plan which was approved last Friday by stockholders of Consolidated Film Industries, it was said here today. The commission held that statements in the company's letter notifying stockholders of the plan's provisions might be misleading, but said today that any further action would have to be instituted by the shareholders.

Roach Has Plans for Six Musicals Yearly

(Continued from page 1)

efforts in the feature field will be directed toward musicals. Roach will confer with Nicholas M. Schenck on the amount of money to be spent on the various pictures," he added. Most of his time will be spent looking at shows and interviewing talent.

The first of six musicals this season will be "Pick A Star," with Patsy Kelly, Jack Haley, Lyda Roberti and Mischa Auer. Three of the current schedule of shorts have been finished. The musical angle will not be injected into the comedies, Roach said.

Coast Production Down to 41 Films

(Continued from page 1)

four preparing and nine editing. Samuel Goldwyn had zero, zero and two; M-G-M, three, one and 10; Paramount, five, four and seven; Republic, four, two and five; Radio, five, one and nine; Roach, two, zero and one; Selznick International, zero, one and zero; Twentieth Century-Fox, five, four and six; Universal, three, two and zero; Walter Wanger, one, one and zero; Warners, eight, zero and eight; independents, one, three and four.

Columbia had the only short subject working. That studio had two in preparation and four editing. Radio had one and two; Roach, one and one; independents, one and zero.

Wallis Here to Talk Selling, Production

(Continued from page 1)

with the production head returning from England.

Wallis plans to see a number of plays. He said the company had made no future plans for Bette Davis, as he understood the star has appealed from the decision against her in the English courts. "Until we know where we are at, no plans will be made," he asserted.

Prints of "Charge of the Light Brigade" and "Black Legion" were brought from the studio by Wallis. These are expected to be screened at the district managers' mid-seasonal sales session planned by Sears within the next few weeks.

Next spring, Wallis will make another trip to Europe. There has been no change in the company's plans to produce 60 features.

Miss Langford in Mishap

OCALA, Fla., Oct. 26.—Frances Langford, driving her automobile near here today, had a narrow escape from serious injury when a wheel came off while the car was traveling at 30 miles an hour.

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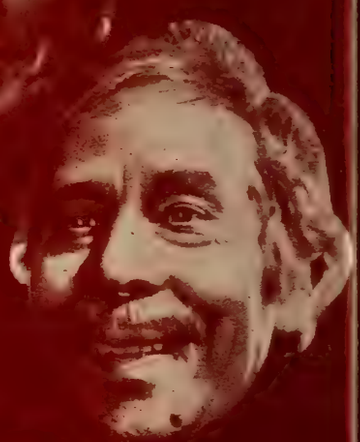


MAN WHO PLAYED GOD

In a class by himself. As a maker of box office history . . . .



HOUSE OF ROTHSCHILD



MISTER HOBO

GEORGE ARLISS EAST MEETS WEST



Love knows no laws. When East meets West. In the Orient.

Arliss outdoes himself. As a Rajah. Who never met his match. Until he banned such a love match.

with **LUCIE MANNHEIM** • Godfrey Tearle

Story by E. Greenwood • Directed by Herbert Mason

CANADA DISTRIBUTED BY EMPIRE FILMS LTD.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 101 NEW YORK, WEDNESDAY, OCTOBER 28, 1936 TEN CENTS

Theatre Boom On in England, Warner States

Over 100 Houses Going Up; Grosses at Peak

More than 100 big theatres are now being constructed in Great Britain, Jack L. Warner, vice-president in charge of production for Warners, declared on his return from England on the *Ile de France* after a three-month business and vacation trip. Business is at its peak, he said, with the theatres getting their share of the money being spent.

Warner confirmed reports the company would participate in the financing of a number of Gilbert Miller plays, the first being "Tovarich." Others will include "Promise" and "The Amazing Dr. Clitterhouse." The production head of Warners added he

(*Continued on page 7*)

Group Insurance to Be Tried in Indiana

INDIANAPOLIS, Oct. 27.—Associated Theatre Owners of Indiana laid plans today for group underwriting of public liability insurance at their annual convention held at the Variety Club here.

Backers of the plan stated that the association, acting as its own broker, could reduce insurance costs materially. Most members, it was said, now pay

(*Continued on page* 15)

Projection Revenue Builder—Richardson

Millions in additional revenue would accrue to the industry by nation-wide improvement in the standards of projection, F. H. Richardson, technology editor of *Motion Picture Herald,* declared yesterday at a luncheon observing his 70th birthday and long period of active service in the cause of better projection at the Hotel Pennsylvania. International Projector and National

(*Continued on page 7*)

Better Grade "C"

After a major company's picture opened to a terrific panning by local newspaper critics, the branch manager explained to the theatre operator:

"There's one consolation. We're making the better grade 'C' pictures."

Renew Talks On Big Claim Against RKO

Compromise Sought with Rockefeller Center

Efforts to settle the $9,100,000 Rockefeller Center claim against RKO by a compromise agreement have been resumed, it was learned yesterday, and their success will have a direct bearing on the time required to complete an RKO reorganization plan for submission to the Federal court.

The claim has been the subject of compromise settlement discussions for almost two years. After unsuccessful attempts by Irving Trust Co., trustee of RKO, which extended over a period of more than a year, settlement negotiations were broken off and litigation of the claim was advanced in court. A decision involving the amount

(*Continued on page 7*)

Consolidated to Ask New Issues Listing

Applications for listing the new common and preferred stock issues authorized under the plan of recapitalization for Consolidated Film Industries are being prepared and may be submitted to the N. Y. Stock Exchange in about a week. The plan is scheduled to become operative as soon as these and other details relative to the issuance of the new securities have been completed.

The immediate payment of a $1 dividend on the old preferred, provided for in the recapitalization plan, has been authorized by the Consolidated board, H. J. Yates, president, said yesterday.

Plush, Lush, Slush

Kansas City, Oct. 27.—Fannie Hurst, novelist and short story writer, holds little hope for the movies as an expression of American creative art.

Visiting this city to speak before the Jewish Center, Miss Hurst admitted that "there have been some signs of progress, particularly in technics. But, artistically, the movies go on as plush, lush and slush as ever."

Miss Hurst didn't mention that she sold "Sister Act" to Warners the other day, or that M-G-M bought "Great Laughter" a short time back at a price reported around $100,000.

Radio Chains Going Limit On Election

Radio is now ready for the biggest special event job in its history—the airing of the national election returns on the night of Nov. 3. Early indications are that many exhibitors, as in previous presidential elections, will tie in through receiving sets and broadcast the returns in their lobbies or in the theatres proper at stated intervals.

NBC has marshalled a staff of more than a half-hundred persons, including announcers, editors, rewrite men, computers, engineers and technicians to bring the returns to the radio audience.

The arrangements at CBS and Mutual are no less elaborate.

The country's four principal news gathering agencies, A.P., U.P. I.N.S. and Universal, will combine to feed

(*Continued from page* 13)

"Can't Happen" Is Leftist Frolic at Taxpayers' Cost

"It Can't Happen Here," the widely discussed Sinclair Lewis novel, done into dramatic form by John C. Moffitt and Mr. Lewis, was presented at the Adelphi theatre last night as a Federal Theatre project under the Works Progress Administration. The presentation was one of twenty-three like events, two taking place elsewhere in New York City and the remainder in other cities throughout the nation. Two versions were in Yiddish, one here and the other in Los Angeles. A Spanish version was offered in Tampa, Florida.

The play is a garrulous soap-box discussion, virtually barren of anything bordering on a play of dramatic merit. In a theatre crowded with first-night enthusiasts and a generous sprinkling of persons with a political ax to grind, it received a markedly lukewarm reception.

The story, difficult to follow in its dramatic form, and at many moments

(*Continued on page 7*)

Treasury May Investigate 'Amphitryon'

Law Requires Indication Of Country of Origin

By BERTRAM F. LINZ

WASHINGTON, Oct. 27.—There were indications here today that the Treasury Dep't, which has jurisdiction over the Customs Bureau, might launch an inquiry into the importation of the film "Amphitryon" on the basis of the story which appeared in MOTION PICTURE DAILY on Monday.

The German origin of the film in question, which was designated and advertised as having been produced entirely in France, was revealed in MOTION PICTURE DAILY following an investigation. It was scheduled to play at the 55th St. Playhouse in New York, but the showing has been indefinitely postponed.

The department, it was explained,

(*Continued on page* 15)

Kent, Dropping G. B. Tangle, Sails Today

LONDON, Oct. 27.—S. R. Kent apparently has given up any expectation that the Gaumont British, John Maxwell, Twentieth Century-Fox situation can be straightened out for the present. He has booked passage on the *Queen Mary,* which sails Wednesday.

Ricardo Cortez, Sally Eilers, Marion Davies, Nigel Bruce, Maxie Thorpe, Percy Phillipson and Hugh Walpole will be on the same ship.

G. N. Films Go Into 45 of RKO Theatres

Grand National's deal with RKO for Greater New York and Westchester provides for 45 theatres to play the product, according to Carl Leserman, vice-president in charge of distribution for the distributor.

Among the theatres included in the

(*Continued on page* 14)

M-G-M "Glorifying"

Exhibitors in the local territory receiving letters from the M-G-M exchange report the company's new catchline. It reads:

"Glorifying the American Screen."

It looks and sounds like an old Ziegfeld idea.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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Conn. IMPTO Votes Joining with Allied

NEW HAVEN, Oct. 27.—The I. M. P. T. O. of Connecticut today voted unanimously to affiliate with Allied. Twenty-one theatres were represented.

The name of the organization will be changed to Allied Theatres of Connecticut, Inc. A special meeting will be held Nov. 10 to elect a national Allied director.

Postpone Warner Lunch

The Cinema Club luncheon for H. M. Warner in honor of the 10th anniversary of sound scheduled for Friday has been postponed because Warner is out of town.

20th-Fox Holds Party

Twentieth Century-Fox held a preview of "Pigskin Parade," and a cocktail party for the sports writers of the New York dailies at the home office yesterday afternoon.

Delay Pathe Meeting

Pathe's board of directors meeting scheduled for yesterday was delayed until this afternoon.

Insiders' Outlook

By RED KANN

THE adding machine in us began to tick away at a furious click yesterday. Furnishing no respite, nothing else would do but a foray into columnizing, tabular not typewriter, until the conclusions became whatever they were to become. It all had to do with a long array of financial reports which have been appearing in the *New York Times* in the last handful of days. This being the ordinary time of the year for public companies to report the status of their financial condition, that newspaper has been going to it in hammer-and-tongs manner. The results were interesting. . . .

▼

Of a total of 104 companies telling their all, or nearly their all, on the basis of nine months' operation so far this year, fifteen reported a loss. Seventy-eight, however, turned in profits and some of them were not merely handsome, but imposing. The difference between the losers and gainers in the total went to corporations which failed to compare the rate of current earnings with previous periods. Thus, they were eliminated. What interested us and may you was the range these enterprises roamed. . . .

▼

They went from Skelly Oil and United Biscuit to Casco Products, the Square D Company, whatever that may be, and the Kalamazoo Stove Company and dipped into a sufficiently variegated assortment of enterprises to cinch the impression that industry at large is having a time of it these days, a pleasant time. The conclusion is not far behind and it is axiomatic that unemployment has decreased, that more money is in circulation and that, reasonably enough, exhibitors are getting their share. It is proper to point out, while we are at it, that Hollywood, for an emphatic once in its life, is delivering a steady flow of attractions, sufficient in calibre to hold old quarters and attract new ones and that the sun shines practically every day now. . . .

▼ ▼

It's no use. The excitement over "Tovarich" and who makes it is over. As a matter of fact, it has been over for a neat eighteen months, the rights reposing triumphantly in the Warner coffers or wherever it is they deposit their vehicles for future use. Jack L. Warner said as much upon his return from Europe yesterday. And that makes curious indeed the message from Jake Wilk, via the usual secretarial route, that "there was nothing to it" on the pre-Warner-arrival effort to check into the very matter now confirmed. . . .

▼

So barren has been the New York stage season thus far that the interest in "Tovarich" takes on an importance which, by the normal appraisal of values, is considerably exaggerated. The play, from the French of Jacques Deval, is amusing and touched up by the gallantry of its two principal characters, played here by Marta Abba and Jack Halliday. Yet, its pivotal dramatic situation in which Halliday, representing the Czarist regime, relinquishes four billion—billion is correct—francs to the emissary of Red Russia for love of mother country and to keep foreign oil concessionaires from cutting up native soil is pretty much of a phoney no matter how you approach it. . . .

▼

The play garnered pretty swell notices from the Atkinsons, the Wattses and the Andersons. Sweller notices than actually it rated and explainable because the stage so far has blossomed forth so sparsely. The cost of new plays to date, taking it from a qualified expert as learned as Lee Shubert, has been $300,000 and the results, costly and generally ineffectual. This reminds us that we have been meaning to crow loudly and even blatantly about the sort of a job Hollywood is doing week in and week out. Comparisons, according to the best books on quotations, continue to be odious. Odoriferous might be the fitting adjective to describe the current status of the exalted theatre. Yet there is one factor about which we should appreciate light if some kindly disposed soul would venture it. We do not understand the judgment, in the very first instance, that has persuaded stage producers to embark on their junk parade. . . .

▼ ▼

Reflecting the town pump complex, inherent in this business whether you deplore it or whether you're for it, was an incident of yesterday. At the Astor and at one table having lunch which they had to have somewhere anyway, were Barney Balaban, president of Paramount; Jimmy Grainger, general sales manager of Universal, and Junior Laemmle. Thereafter and throughout the afternoon, the telephones of one or more of the dramatis personae rang lustily, seeking information and asking questions. Now as a matter of puncturing what might otherwise be a perfectly good mystery story, all there was to it was this: Laemmle had never met Balaban. Grainger arranged that they should and was there to send the conversation over the dead spots, if and when. . . .

Ask Canadians to Discuss Music Tax

Arrangements for the meeting of E. C. Mills, Ascap general manager, and Leslie Boosey, president of the British Performing Rights Society of London, with Canadian exhibitors, are being made by officials of the Canadian Performing Rights Society in Toronto, where the meeting will be held on Friday.

Representative Canadian exhibitors will be asked to attend the meeting, which is being called to enlist exhibitor support in clearing up the music tax problem resulting from the adoption of new Canadian regulations governing music licensing rates which may be charged in the Dominion. Ascap and the British organization, owners of the Canadian licensing society, assert that if a solution cannot be reached the Canadian unit may cease operations, which would either prevent the licensing of musical productions for exhibition in Canada or would make it necessary for exhibitors there to negotiate individually, for music licenses for such productions.

Mills and Boosey plan to return to New York immediately after the Toronto meeting. Boosey is scheduled to sail for London next Wednesday on the *Queen Mary.*

Dinner Fund Up $700

After paying all expenses in connection with the affair, the committee handling the William F. Rodgers testimonial dinner at the Waldorf recently has completed its accounting with an additional $700 profit, which will be given to the M-G-M general sales manager. At the dinner, the committee presented Rodgers a check of $2,000, which he said he would donate to charity, or to whatever funds he saw fit.

New World Borrowing

LONDON, Oct. 17.—New World Pictures, Ltd., the Robert T. Kane unit which made "Wings of the Morning," first British all-color feature, has issued a debenture for £300,000 to Denham Securities, with a specific charge on the negatives of four pictures to be made by the company and a floating charge on the general assets.

ITOA to Discuss Sales

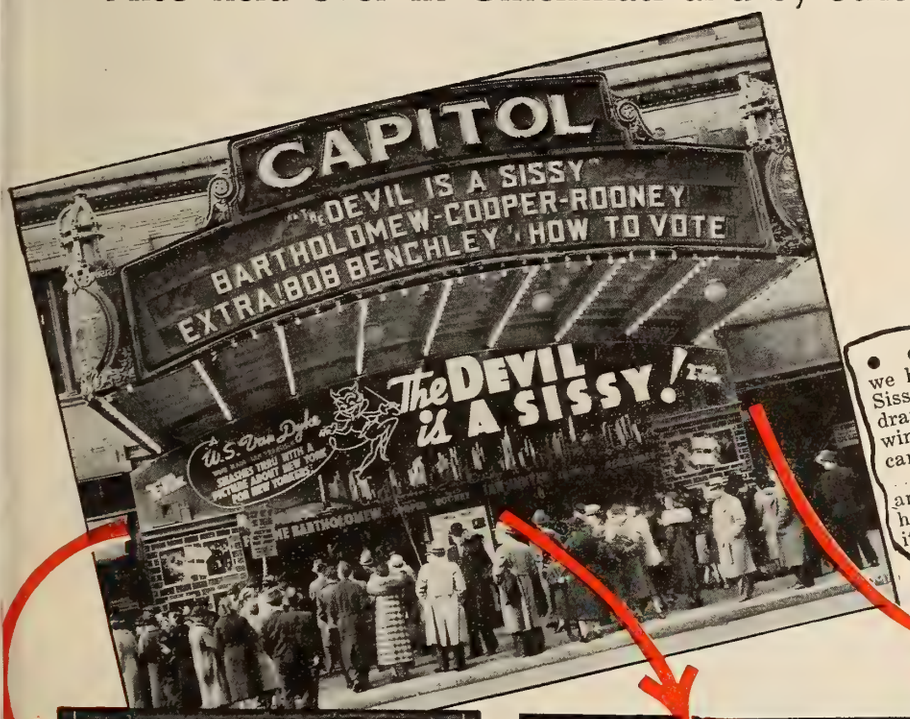
The sales policies and method of selling by a number of unnamed distributors will be discussed today at the I.T.O.A. meeting at the Astor. Several out-of-town exhibitors are expected to attend.

Mae West Has Cold

HOLLYWOOD, Oct. 27.—Mae West has a cold and is in danger of pneumonia, her physician states. She has been ordered to bed.

PUT UP A GOOD FRONT!

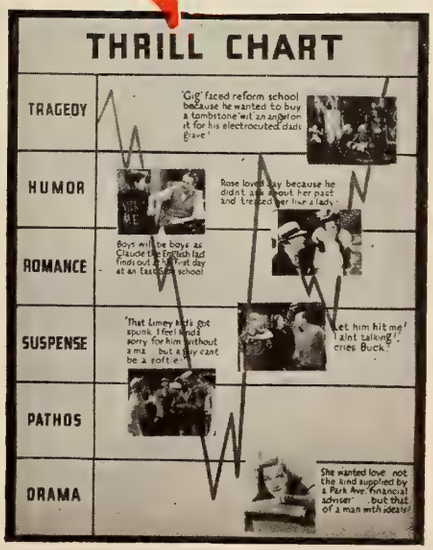
Here's some smart ticket-selling by the Capitol, N. Y. It's bringing in the customers for a 2nd Big Week! Thanks to our exhibitor friends for the exceptional merchandising of "Devil Is A Sissy"! In Boston, for instance, it caused a 2nd Week Hold-over, day-and-date at State and Orpheum. Also held over in Cincinnati and by other live-wire M-G-M showmen!



—Jack Harrower (Phil M. Daly) in FILM DAILY

● ● ● ONE OF the finest specimens of mass appeal ads we have ever lamped . . . . . that for Metro's "The Devil Is a Sissy" now current in the local papers . . . . . showing the drama of the city's millions as lived behind four adjoining windows in an East Side tenement . . . . . pointing arrows carry captions explaining the four scenes . . . . . it's pure hoke . . . . . but the kind of hoke that is sure-fire showmanship, and always clicks with the crowds . . . . . this M-G-M bunch have taken the same idea and made a smash front for the Capitol theater that stops the citizens dead in their tracks . . . . .







The Three Panels Enlarged from Capitol front above.

HIS SOCIETY BEAUTY ADORED THE PRIMITIVE JUNGLE LIFE!

Girls! **You'd never return to civilization either if you had this handsome lover to shield you from danger in his strong arms**

After two years you're back once again in the jungle Paradise of Tarzan and his mate. Many things have happened while this modern Adam and Eve have been living out their life of love... a thousand never-before-screened thrills greet you in this picturization of the most amazing of all their adventures!



TARZAN AWAKENED HER AT EVE DAWN... SAY "I LO YOU"!

Often she feigned sleep so that he would kiss her again!

IT'S ALL NEW!
AMAZING! DIFFERENT!
The greatest Tarzan Picture of them all!

"TARZAN ESCAPES"

starring
JOHNNY WEISSMULLER
MAUREEN O'SULLIVAN
Based upon the characters created by Edgar Rice Burroughs
Directed by
RICHARD THORPE

SEE! SEE!
A cave man lover woo his mat

SEE! SEE!
Tarzan with his great arms de savage lion that would have his bride!

SEE! SEE!
Tarzan as he leaps from tre faster than his friends, the gr

SEE! SEE!
Tarzan's miraculous escape enemies and from death!

SEE! SEE!
The battle of the century . . . as the mighty Tarzan battles the huge crocodile to the death!

SEE! SEE!
The giant vulture bats swoop from the sky in a vicious air attack!

SEE! SEE!
The wild elephant horde as it stampedes in answer to Tarzan's call!

SEE! SEE!
The treacherous quicksand River of Death!

CHEETA, the almost human chimpanzee, brings a never-ending succession of laughter and cheers!

THE POOL OF ROMANCE!

Daily they played and swam at their pool of romance in this far away Garden of Eden. What does the world know of such beauty, of such pleasures as these two lovers found here?

BATTLE TO THE DEATH!

The giant crocodile whirled and slashed at Tarzan in every effort to tear him apart! But in the water Tarzan was more than a match for even this demoniacal saurian!

TARZAN BATTLES FOR THE RETURN OF HIS STOLEN BRIDE!

Tarzan's fierce call resounded through the jungle to summon the wild horde of mammoth elephants. Astride the great leading beast he charges them crashing and thundering upon the savages that had made his bride a captive! What a quivering heart-thrill as these primitive lovers are re-united!



GRANDER THAN A PENT-HOUSE...THIS COZY TREE-TOP LOVE NEST THAT TARZAN BUILT HIS MATE!

Swaying amongst the branches of the tallest jungle tree...guarded by Tarzan's friends, the giant apes... such an idyllic jungle home gave this girl from civilization a greater thrill than any Park Avenue apartment.

NOTE: Do not confuse "TARZAN ESCAPES" with any other picture. Nothing like it ever before!

HURTLING . . . DOWN . . . DOWN . . . DOWN . . . INTO OBLIVION!

Tossed off the dizzy height of this cliff of the Mutia Escarpment by his savage enemies—Tarzan, imprisoned in this cage that he could not break, crashes to the rocks below!

Tarzan tore the rifle fro
safari leader's gra
broke it into a do

SHOWMANSHIP!

—it's a pleasure to exploit M-G-M's "TARZAN ESCAPES"!

Great news from California Preview! Hollywood Reporter says: "New Tarzan excellent. Weissmuller never better." Los Angeles Times says: "Tarzan returns and to what acclaim! Audience gave gala applause. This Tarzan is surpassing!" On this page is a reproduction of the tabloid herald's inside spread, giving you an idea of how showmen will exploit it! Get going on M-G-M's previous Tarzan hits. And here's the High powered promotion yielded results greatest of them all!



WHEN THIS MAN MAKES A STATEMENT —*it's NEWS!*

JOHN EDGAR HOOVER
DIRECTOR

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

I want to take this opportunity to congratulate the Metro-Goldwyn-Mayer Pictures Corporation upon its series of "Crime Does Not Pay" pictures. I have personally viewed several of these pictures and feel that they are performing a most worthwhile purpose in helping to curb crime.

In my opinion, every public-spirited citizen should be alert to the viciousness of organized crime throughout the United States and the lesson that there is no romance in a life of crime should be taught at every opportunity. The youngster should be impressed with the fact that he cannot get anything out of a life of crime but sorrow and that those who think they can make crime pay wake up too late to find that crime has made them pay.

The "Crime Does Not Pay" series has been most helpful in bringing this lesson to the motion picture public, and I take pleasure in commending the Metro-Goldwyn-Mayer Pictures Corporation upon this series.

Sincerely yours,

J. Edgar Hoover

USE IT IN YOUR LOBBY TOO!

- It is an honor to acknowledge the tribute of Mr. J. Edgar Hoover, and a privilege to reproduce it here.

- M-G-M'S "CRIME DOESN'T PAY" series have achieved a triple success.

- They have been a source of profit to theatres; they have entertained millions; they have done our nation a service.

The Next One in M-G-M's Great Series!

"THE PUBLIC PAYS"

Two gripping reels of vivid drama that is vital to every man, woman and child in your audience! The most absorbing of them all! Get ready for it!

CRIME DOESN'T PAY

Leo's the Short Subject King!

Theatre Boom On in England, Warner States

(Continued from page 1)

had closed the 'Tovarich" deal a year and a half ago when the play opened in England.

That the company was extensively interested in the legitimate theatre was stressed by Warner, who asserted that in addition to "Sweet River," which opens tonight at the 51st St. Theatre, George Abbott will produce "Brother-Rat" and "The Nightingale" with Warner financing. No players were signed abroad, he said.

On the same ship was Fernand Gravet, who had been signed six months ago by Mervyn LeRoy. He will remain in New York for eight days and then leave for Hollywood, making stopovers at important cities. He has never visited the United States. His first picture, "The King and the Chorus Girl" with Joan Blondell, will be in the nature of a test film, he stated. Gravet's contract provides that LeRoy must direct the picture. After completing "The King and the Chorus Girl," Gravet will return to France where he has another picture commitment. LeRoy will begin production on Nov. 16.

Met by Hal Wallis

Gravet said his continuance in American films is contingent on the success of "The King and the Chorus Girl." He speaks perfect English.

Meeting Warner and Gravet at Quarantine was Hal Wallis. He stated Warners next month will place in production "Danton," "Prince and the Pauper," "Call It a Day," "Slim," and "The Singing Marine." "Danton" and "Robin Hood" will each be produced at a cost of $1,000,000, he asserted. The latter will go into production after the first of the year.

Louise Fazenda, Wallis' wife, is now working in "Ready, Willing and Able" at Warners, after which she will transfer her makeup to the RKO lot for one picture. From three to four pictures a year is the future plan for Miss Fazenda.

New Talent Bureau Gets Started Here

Central Artists' Bureau, formed recently for the purpose of bringing out new talent and doing a general booking business, has taken offices in the Brill Bldg.

Irvin R. Gwirtz, Sam G. Harris and Harry D. Goldberg are backers of the project.

Goldberg has been an executive with Paramount, Universal, Fox and RKO. Gwirtz has been affiliated with the Motion Picture Bureau, and Harris has been a vaudeville booker and at one time was with Paramount's eastern studio.

Libeau Starting Drive

KANSAS CITY, Oct. 27.—R. C. LiBeau, district manager for Paramount, has conducted sales meetings of the Kansas City, St. Louis, Des Moines and Omaha exchanges the past week to discuss the Adolph Zukor 25th anniversary drive.

"Can't Happen" Is Leftist Frolic at Taxpayers' Cost

(Continued from page 1)

exceedingly pointless, is an indictment of fascism and dictatorship at large. It undertakes to sketch a situation in which a windy demi-god attains the presidency of the United States, aided and supported by a political army. Immediately following the election events reminiscent of those reported from Germany and Italy commence to take place throughout the country. Eventually there is a revolt, at first nurtured quietly underground and then finally leading, presumably, to a return to democracy, although this latter development trails off among other obscurities of the play. The cast is industrious.

It will be recalled that this story was withheld from motion picture production on the grounds that it appeared to contain elements inimical to the public welfare. There was also probably the consideration that certain foreign markets might not relish the state of affairs depicted under a dictatorship. Apparently the authorities of the Works Progress Administration entertain no such scruples as to the public weal and as far as what the other nations may think it is probably felt that is what the State Department is for.

Moffitt-Lewis Efforts Futile

Dramatically and histrionically the production is quite without merit. Hollywood, if it set about the task, doubtlessly could whittle an entertainment out of the elements of the story. But this decidedly has not been done through the aid of Mr. Moffitt and any assistance Mr. Lewis may have rendered. Artistically Mr. Lewis may not be happy about the outcome of the play but the fifty dollars per engagement per week allotted to the author may render him tolerant of the production's shortcomings.

The play will cause a sharp, emphatic bit of wonderment in the minds of many persons whose ears are not pleasantly attuned to the strident tones of the Internationale. Done as a piece of political propaganda by those who hate democracy only a little less than they hate fascism it would be just another voice amidst the enveloping clamor. But done by the authority of the United States Government, through an agency wholly within its control and, incidentally, out of public funds, it raises a loud and resounding question.

Largely Illogical

There will be those, for instance, who will wonder about lines of dialogue classifying the United States with the nations of brutal conquest; about the burlesque of the opposition candidate's alleged lack of a foreign policy; about the villification of manufacturers generally with a shot at the steel industry. A rousing cheer for the class war can hardly escape notice. There will be those who will remark that it is odd that the international neutrality of the State Department does not include its adjoining bureau. And it even may be noticed that this wholesale and nationwide production of "It Can't Happen Here" has taken place on the eve of a national political election.

"Can't Happen Here" Presented in Newark

NEWARK, N. J., Oct. 27.—"It Can't Happen Here," produced by the New Jersey unit of the Federal Theatre, opened here tonight at the City Theatre to an audience of about 1,100. WPA workers predominated in the audience.

Reaction to the production was warm but generally controlled. Anti-fascist sympathizers indulged in some over-enthusiasm but there were no real demonstrations of feeling.

The play is expected to run three weeks. The house has been engaged for several performances by radical organizations.

Renew Talks of Big Claim Against RKO

(Continued from page 1)

at which the claim should be allowed is now being awaited from Federal Judge William Bondy.

Following the trustee's attempts to settle the claim, the Atlas Corp.-Lehman Bros-RCA interests devoted about six months to settlement attempts and then, abandoning them, attempted to reach an agreement with Rockefeller Center on the amount of new RKO securities which should be issued for each $1,000 of the claim when the courts have finally decided the amount in which it should be allowed.

Resumption of the settlement discussions is understood to have been undertaken in an effort to speed the completion of the RKO reorganization plan. While the negotiations promise any hope of success for the immediate future, the Federal court will probably defer its decision on the allowance of the claim, at the behest of the negotiators.

Effort to Speed Plan Seen

Atlas-Lehman-RCA efforts are now centered on completing the RKO reorganization plan before the end of next week, but the success or failure of the current negotiations with Rockefeller Center probably will affect the realization of that objective. Failure to reach an agreement at this time on this largest of the unsecured claims against RKO might, however, result in its being left for treatment apart from the reorganization plan, which would not unduly delay submission of the plan to the court. Provision could then be made for subsettlement is made at some date in the future.

Hartley Goes West

CAMDEN, N. J., Oct. 27.—E. M. Hartley, manager of the Photophone Division of RCA Mfg. Co., is en route to the coast. This is the trip which had been deferred. He expects to be in Hollywood throughout November.

Graetz Gets "Tundra"

Paul Graetz of the Paris Export Film Co. yesterday closed for the continental rights to "Tundra," handled domestically by Burroughs-Tarzan Prod.

Projection Revenue Builder—Richardson

(Continued from page 1)

Theatre Supply were joint hosts at the function, second in the series under way this week.

"If each theatre in the United States spent only $100 a year additionally to constantly better its booth, millions in added return would follow," he declared.

H. Griffin, vice-president and general sales manager of International Projector, was the toastmaster at the luncheon with approximately 55 present. Walter Green, president of National Theatre Supply, was chairman of the day. The speakers included Dr. A. N. Goldsmith, who stressed the value of Richardson's contribution officially on behalf of the Society of M. P. Engineers, which was also represented by its newly elected president, S. K. Wolf of Erpi. Martin Quigley and Terry Ramsaye were among others who paid recognition to Richardson's endeavors and the final, brief remarks were made by Earle G. Hines, representing General Theatre Equipment, Inc., and International Projector.

Long Guest List

Those present included Colvin Brown, P. A. McGuire, Sylvan Harris, William A. Reed, Cecil R. Wood, Sr., William W. Byrne, John R. Krulish, Will C. Smith, George C. Edwards, W. C. Kunzmann, P. D. Ries, Tony Ruginio, Otto Nelson, E. R. Morin, M. F. Heidigger, J. Frank, Jr., P. J. Haller, G. A. Erickson, Rudy Kneuer, Joseph D. Basson, Frank J. Ruddock, Harry Ruben, M. D. O'Brien, Lester Isaacs, A. J. Palmer, H. Stengel, A. S. Dickinson, A. E. Meyer, Alfred R. T. Bishop, F. J. Nolan, F. A. Healey, J. J. Connolly, M. C. Carroll, Oscar Neu, Ben Shlyen, Leo Brady, M. Turnbull, J. N. Servies, Larry Jones, Martin F. Bennett, Jr., D. Shea, J. J. Finn, A. L. Raven, Ray Gallo, George Schutz, H. Levine and Red Kann.

Of interest was an inspection of early projection equipment assembled by the American Projection Society, which tendered Richardson a midnight supper at the same hotel last Saturday.

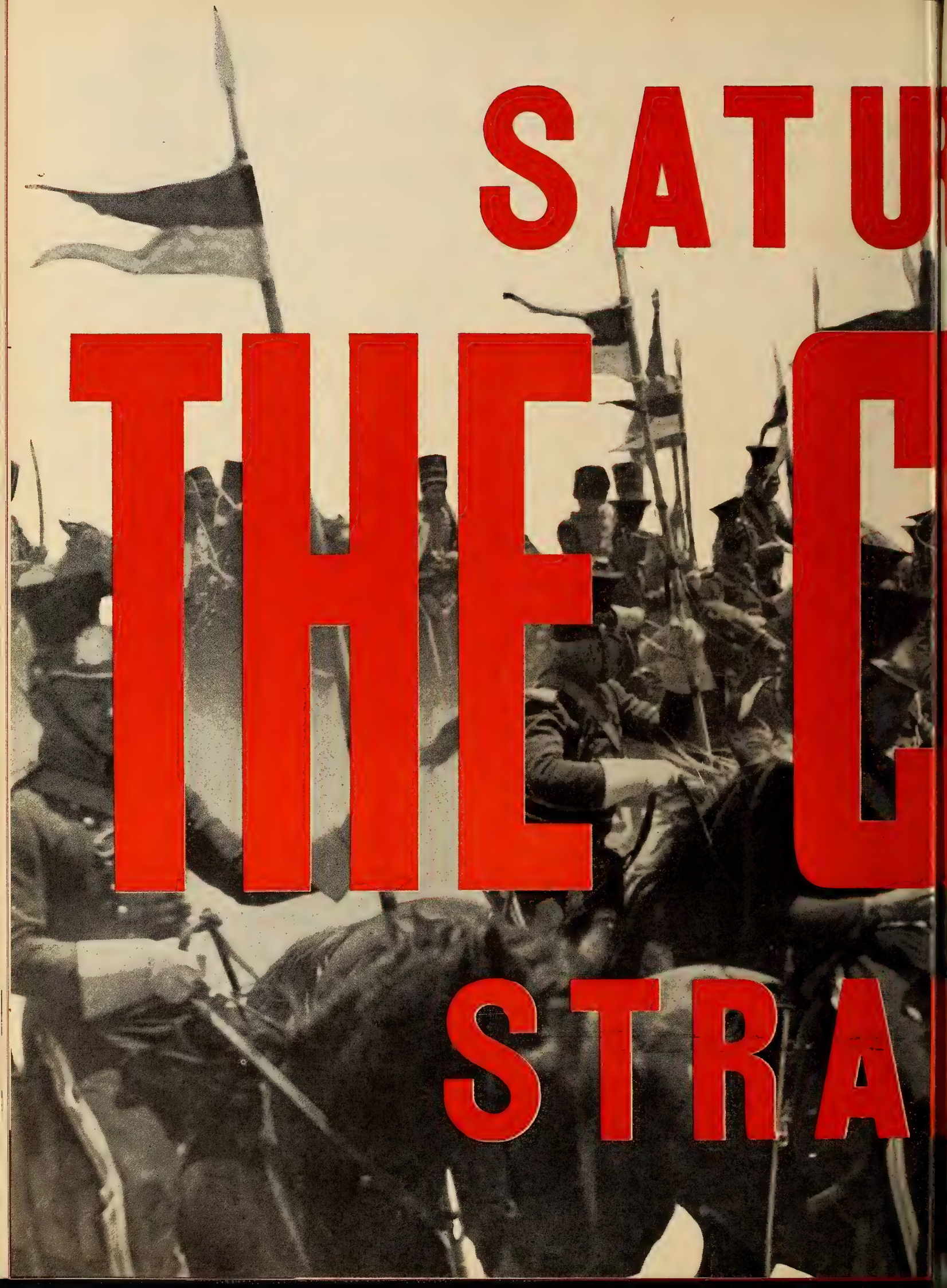
Today Pioneer Day

Today will be Pioneer Day in the course of the celebration of the 70th birthday of F. H. Richardson, the day's activities being sponsored by the Pioneer Projectionists' Ass'n. In connection with the historical exhibit of old projection equipment at the Hotel Pennsylvania, the pioneer group will hold an informal luncheon for Richardson and William Reed, the oldest projectionist in the country.

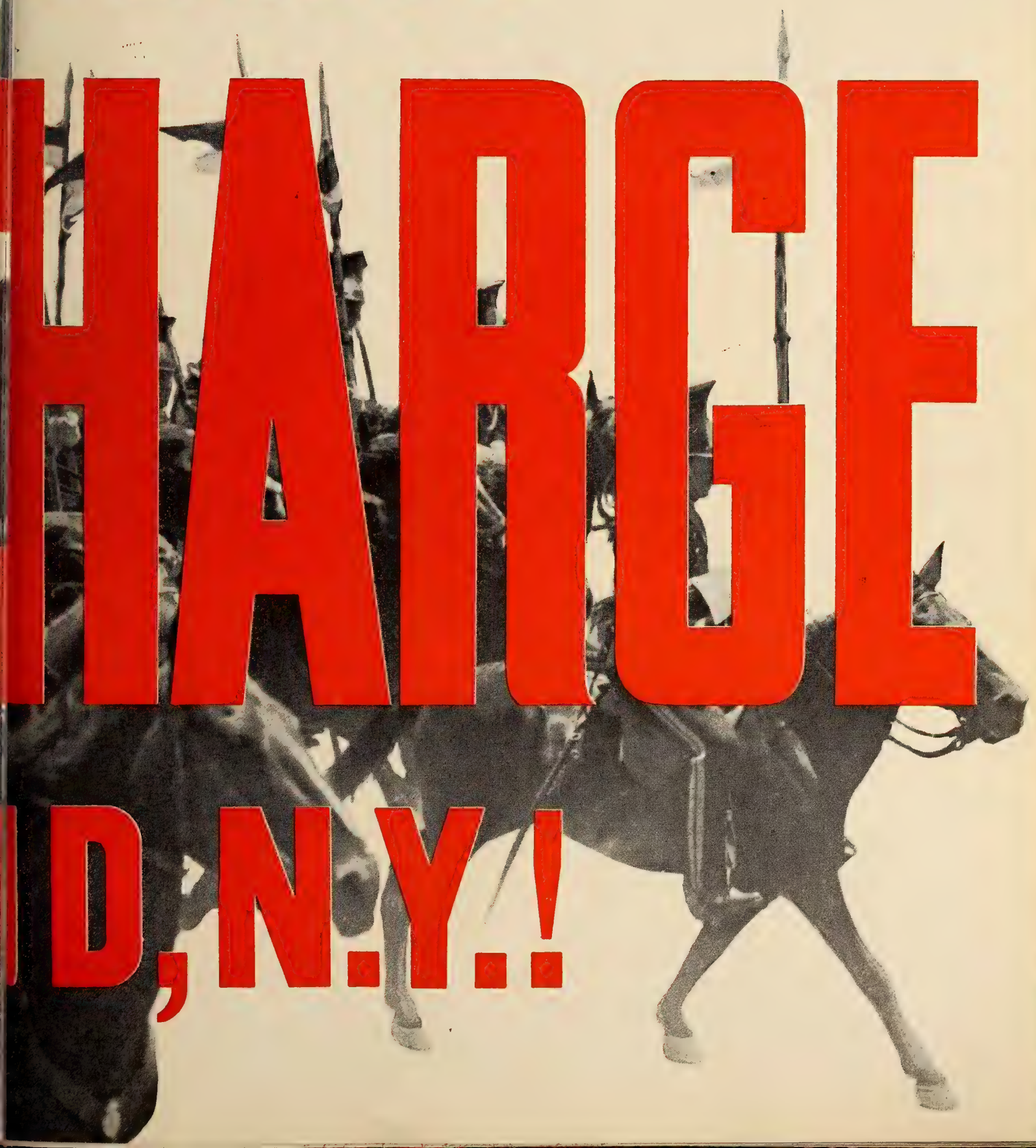
Julian Bryan Returns

Returning after a five-month trip to Turkey, where he photographed Ataturk Mustapha Kemal, and scenes in Bulgaria, Russia, Roumania and France, Julian Bryan, March of Time cameraman and lecturer, brought back 10,800 feet of film, he said yesterday on his arrival on the *Ile de France*. This was his seventh annual visit to Russia.

On Nov. 2, he will start a lecture tour, opening at the Academy of Music, Philadelphia. He will appear at the Town Hall, New York, on Dec. 5.


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R DAY!



HARGE

D, N.Y.!

Rules Pennsylvania Court Has Fox Case

PHILADELPHIA, Oct. 27.—Judge George A. Welsh has ruled that the U. S. District Court for Eastern Pennsylvania has jurisdiction in the suits filed to settle the ownership of about $500,000 in a brokerage account here held by the All-Continent Corp.

Claimants of the fund are the All-Continent Corp., owned by Mrs. Fox and her two daughters; Capital Co., San Francisco, which holds a judgment against Fox, and Hiram Steelman, trustee for Fox creditors in the bankruptcy action pending in New Jersey.

Predicts New Contempt

ATLANTIC CITY, Oct. 27.—Robert E. Steedle, Federal refereee in the William Fox bankruptcy hearings, said today he would certify Herbert Leitsteen, Fox family bookkeeper, in contempt as soon as the necessary papers could be prepared.

Mrs. Fox has already been certified in contempt and her case is under advisement before Judge John Boyd Avis in U. S. District Court at Camden.

Leitsteen today refused to answer questions put by Walter Hanstein about All-Continent Corp. affairs. Leisteen read a statement prepared by counsel, he said.

Elsie Finn Asks Withdrawal

PHILADELPHIA, Oct. 27.—Elsie Finn, film editor of the *Philadelphia Record*, has filed a petition seeking withdrawal from the suit filed against RKO and Frank Beetson in her name and that of David Wittels, her collaborator on "I Dream too Much."

In her petition she claims the original conspiracy suit was filed without her knowledge or consent and that she did not know of it until notified by an attorney for Wittels. Her petition has been filed in Common Pleas Court.

Skouras Decision Reserved

ST. LOUIS, Oct. 27.—Referee in Bankruptcy Hope today again took under advisement the report of the trustee in the sale of Skouras Brothers Enterprises, Inc., after Thomas N. Dysart of the bondholders' protective committee raised his bid $25,000 to meet the informal offer made by Arthur Greene and associates of Chicago.

Hope indicated that he probably will recommend acceptance of Dysart's new offer within the next few days. It is equivalent to $342,600 in cash.

Jubilesta Turns in $9,287 K. C. Profit

KANSAS CITY, Oct. 27.—The Jubilesta, the eight-day, $125,000 jubilee fiesta show to introduce Kansas City's new Municipal Auditorium the last of September and first of October, netted the city a profit of $9,287.

Cash receipts were $87,696.80. Of this amount, $73,165 went for George White's Scandals, Rubinoff, Bob Burns, etc.; $10,773 for salaries and services, and $11,078 for advertising.

The Jubilesta committee will meet in January to discuss the next annual affair in the fall of 1937. Next year a bigger guarantee will have to be pledged by merchants and others, Conrad Mann, committee chairman, believes.

For most theatres the affair was a headache.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Come and Get It"

(Goldwyn)

HOLLYWOOD, Oct. 27.—As close to the last word in entertainment value, this will bring increased prestige not only to Samuel Goldwyn but also to the industry at large. The excellence of story, screenplay and direction are accentuated by lavish mounting that overlooks no detail. Typically American in theme and plot, the film combines heart appeal with a gripping characterization by Edward Arnold.

Arnold is an ambitious lumber camp boss who will allow nothing to stand in the way of his determination to become a lumber king. Ruthlessly he casts aside the dance hall girl who is his physical and spiritual mate, to marry Mary Nash, the daughter of his boss. When Joel McCrea and Andrea Leeds, children of the marriage, reach maturity, Arnold discovers that his first love has married Walter Brennan, his former lumber buddy, and borne a daughter who has matured with all the beauty of her mother.

Falling in love anew, Arnold is faced with the rivalry of McCrea, his own son. Artfully, both fence for the favor of the girl with the climax reached in physical combat between the pair, after which Arnold learns that his love regards him as an old man. He retires ungraciously, but pathetically as the picture ends.

Frances Farmer plays the dual role of mother and daughter, giving a delicately shaded performance. She is always convincing as a prize worthy of any masculine effort. In subplots, Miss Leeds scores in a romance with Frank Shields. Mady Christians, Cecil Cunningham and Edwin Maxwell give interesting characterizations. The screen play of Jane Murfin and Jules Forthman faithfully portrays the Edna Ferber novel, as does also the direction, jointly credited to Howard Hawks and William Wyler. The photography by Ray Bingler and Paul Eagler in the opening lumber camp scenes and by Gregg Toland and Rudolph Mate in the later sequences approaches close to pictorial perfection. The film as a whole is a real prestige builder and looks like a natural in all houses from de luxe runs downward.

Production Code Seal No. 2,793. Running time, 103 minutes. "G."

Looking 'Em Over

"The Lonely Trail"

(Republic)

Another chapter in that endless saga of the building up of the southwest is offered in "The Lonely Trail" but as it unreels there is presented a stirring and exciting story played with much movement against compelling backgrounds. It is possessed of those qualities which make good entertainment.

In the period of Reconstruction following the Civil War, affairs in Texas lure John Wayne and Jim Toney. As they come on the scene they are aroused by the villainy of Cy Kendall, an overbearing, slick carpetbagger who has the community under his thumb. Following a brush with Kendall's "troops" they join up with him as a means to an end. Turning the tables on Kendall's men they aid Ann Rutherford's hunted brother to escape and later they are captured. They make their escape and after an exciting series of events affairs are finally straightened out to the detriment of Kendall.

Miss Rutherford is good in the feminine lead, Wayne rides well. The cast includes Yakima Canutt, Lloyd Ingraham and Danny Meadows. William Noble's photography is excellent. Joseph Kane directed. The original story is by Bernard McConville, who collaborated with Jack Natteford on the screen play.

Production Code Seal No. 2,213. Running time, 55 minutes. "G."

Set "Lloyds" Premieres

LOS ANGELES, Oct. 27.—"Lloyds of London" will have simultaneous world premieres on a roadshow basis at the Carthay Circle here and at the Astor in New York. Nicholas M. Schenck stated that the opening will take place in about a month. He paid tribute to the national and international appeal of the film.

"U" Signs Barbara Reed

HOLLYWOOD, Oct. 27.—Universal has signed Barbara Reed for the feminine lead in "Treve," Albert Payson Terhune dog story, soon to go into production. The cast will be headed by Charles Winninger and Noah Beery, Jr., with Alma Kruger, Hobart Cavanaugh, and "Tuffy" the dog also in prominent roles.

Says 10% in Conn. Not Using Long Reel

With 160 theatres in the state, exclusive of 140 schools and churches showing films, approximately 10 per cent of the houses in Connecticut are not using 2,000-foot reels, it was stated by Earl R. Morin, inspector for the state police, prior to his return to Fairfield, Conn.

There is no law against the use of the larger spool, Morin said, and exhibitors have been using them for some time. However, the exchanges do not send out prints in 2,000-foot containers.

Morin visits New York once a month to inspect latest developments in theatre accessories. Theatre owners in Connecticut are not permitted to install a new device unless passed by the inspectors.

British Exhibitor Dead

LONDON, Oct. 19.—E. E. Hewitson, president of the CEA in 1927-8 and an original member of the Advisory Committee under the Films Act, died in Birmingham yesterday from heart failure, aged 63. Three times mayor of Smethwick, he had several theatres in the Birmingham district.

Harvey Hunt Married

TORONTO, Oct. 27.—Harvey Hunt, booker at the head office of Famous Players Canadian Corp., has married Adele Cashman. Mrs. Hunt is a former film exchange employe.

Post, Cooper Marry

LA VEGAS, Oct. 27.—Guy Bates Post and Lillian Kemble Cooper, film players, were married here yesterday.

Change Horton Title

HOLLYWOOD, Oct. 27.—"Let's Make a Million" is the final title of the Edward Everett Horton picture produced by Paramount as "One Man's Bonus."

Wall Street

Board Revives; Para. 7½ Pts

	High	Low	Close	Net Change
Columbia	38½	37⅛	38½	+1¼
Consolidated	5	4⅞	5	+ ¼
Consolidated, pfd.	18⅝	18⅛	18⅝	+ ¾
Eastman	173	172½	172½	—1½
Gen. T. Equip.	28¾	27⅜	28¾	+1¾
Loew's, Inc.	56⅞	55¼	56½	+1½
Paramount	15⅝	14½	15⅝	+1¼
Paramount 1 pfd.	113½	107½	113½	+7½
Paramount 2 pfd.	14¾	13⅝	14⅝	+1⅜
Pathe Film	8	7⅝	8	+ ½
RKO	7¾	7⅜	7¾	+ ½
20th Century-Fox.	32⅜	31⅜	32	+ ½
20th Century, pfd.	40⅛	39⅜	40⅛	+ ¾
Universal, pfd.	102	102	102	.....
Warner Bros.	14⅜	13¼	14¼	+1⅛
Warner, pfd	61⅞	60¾	61⅞	+ ⅞

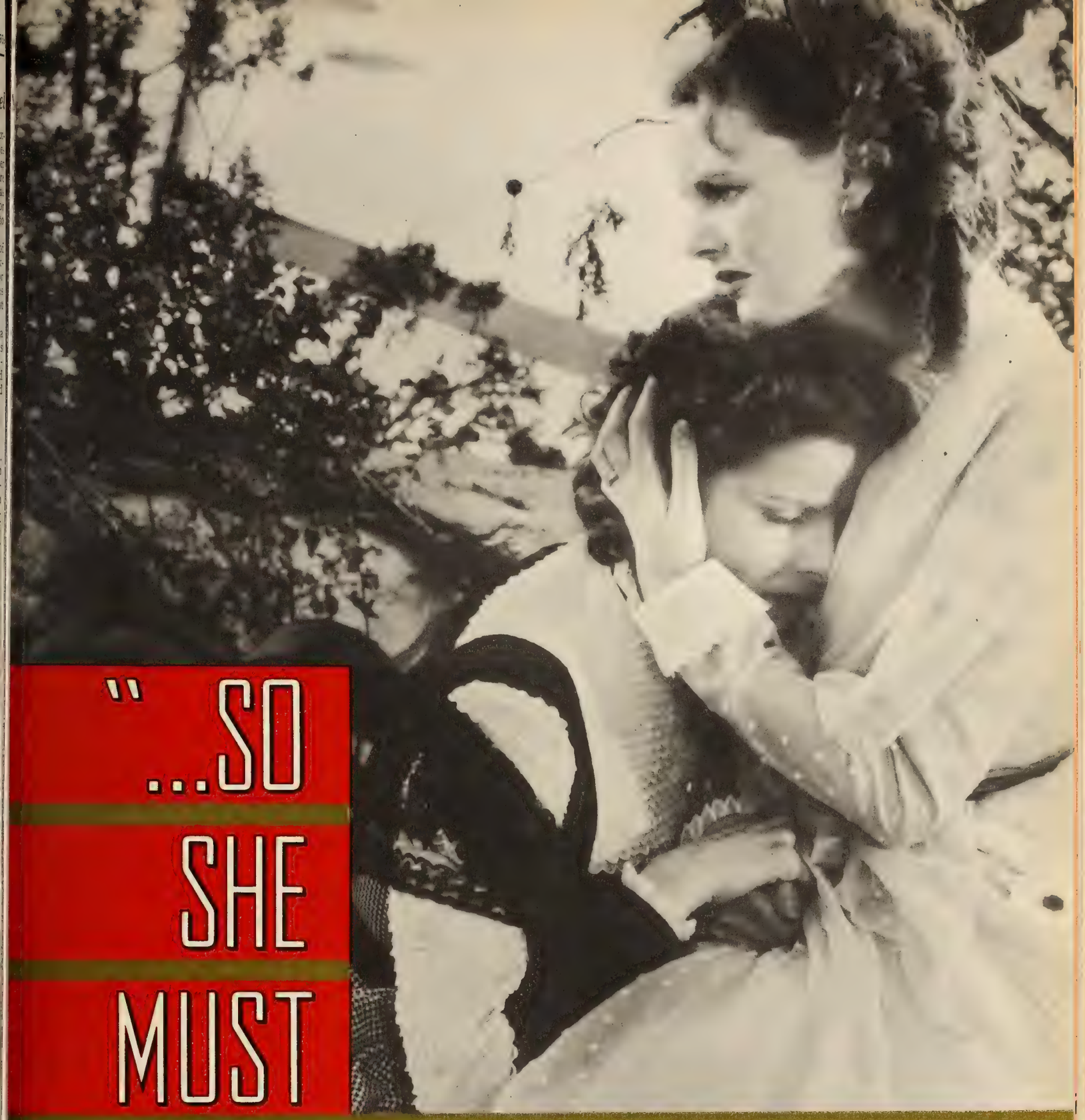
Technicolor Leads Curb Gains

	High	Low	Close	Net Change
Grand National	3⅝	3⅜	3½	+ ⅜
Sentry Safety	5⅛	5⅛	5⅛	.....
Technicolor	23⅛	21⅜	23	+1⅞
Trans-Lux	3⅞	3⅞	3⅞	+ ⅜
Universal Pict.	9⅝	9⅝	9⅝	+ ⅝

Bonds Up Slightly

	High	Low	Close	Net Change
Keith B. F. 6s '46	97	97	97	+ ½
Loew's 6s '41 ww deb rights	99¼	99	99	— ⅛
Paramount B'way 3s '55	65	65	65	+1
Paramount Pict. 6s '55	98	97½	97½	.....
Warner Bros. 6s '39 wd	96	96	96	.....

(Quotations at close of Oct. 27)



"...SO SHE MUST PAY"

When a woman loves with all her heart, she must pay with all her soul! . . . YOU WOMEN WHO LOVE—AND FEAR! . . . HERE IS YOUR STORY . . . IN TRIUMPH AND IN TEARS!

Katharine HEPBURN *Herbert* MARSHALL

A Woman Rebels

with

ELIZABETH ALLAN
DONALD CRISP

Doris Dudley David Manners

Directed by Mark Sandrich

Pandro S. Berman Production



HERBERT MARSHALL



ELIZABETH ALLAN



DONALD CRISP



DORIS DUDLEY

DAVID MANNERS

RKO-RADIO PICTURE

LITHO U.S.A.

Radio Chains Going Limit On Election

(Continued from page 1)

lection returns to NBC and CBS, via he Press Radio Bureau. Mutual will ie fed by Transradio.

Remote pick-ups will be made by all etworks from the Democratic Nation-il Headquarters in New York, from President Roosevelt's Hyde Park ome; from Republican National Headquarters in Chicago, and from Governor Landon's home in Topeka.

Commentators handling CBS as-ignments will be the veteran H. V. Kaltenborn, Bob Trout, and Hugh Conrad. Dave Driscoll, Vincent Con-olly, Gabriel Heatter and Raymond Gram Swing will bring the results and nterpret the news for Mutual. Gra-am McNamee and John B. Kennedy will act similarly for NBC.

WOR and Mutual election returns will be sponsored. Chevrolet will pay for the early evening bulletins begin-ning 7:15 P.M. and concluding at 10:50 P.M. From 11:15 until the election has been conceded, the Mod-ern Industrial Bank of New York will provide the news flashes.

The Mutual network will air a 30-minute sustainer, from 10:15 to 10:45 P.M. News and election results will be picked up by remote control from Bos-ton, Philadelphia, Detroit, Cincinnati, and Chicago. The *Chicago Tribune,* owners of WGN, the Mutual station in the Loop City, will furnish the news for its station exclusively.

The three chains will probably car-y messages from the elected and de-feated candidates.

Report N. D. Station Deal

New Orleans, Oct. 27.—It is re-ported that former Governor Noe is flickering for one of the independent broadcasting stations in New Orleans, with a view to establishing an inde-pendent chain among the smaller sta-tions in Louisiana, part of Texas and Mississippi. The former governor, it is said, is financially interested in a number of the smaller stations in the territory.

Shift NBC Denver Station

Denver, Oct. 27.—NBC is now put-ting its blue network programs into Denver over KVOD, part-time sta-tion. The programs have been in Denver several years through KOA, leased by NBC from General Elec-tric. All commercial stations here now have chain affiliations, with KLZ the Columbia outlet, and KFEL tied up with Mutual.

Charlesworth Retained

Toronto, Oct. 27.—Hector Charles-worth of Toronto, chairman of the old Canadian Radio Commission, has been retained in an advisory capacity by the new Canadian Broadcasting Corp., which controls radio in the Dominion. Charlesworth is a former dramatic critic and film reviewer.

Reward Mystery Solvers

Kansas City, Oct. 27.—W9XBY is giving cash prizes for the first solu-tion to a murder mystery every Satur-day night at 7:30 P.M. Listeners telegraph their solutions. The pro-gram goes on at 10:15 P.M. the same night.

'Hollywood Hotel' Air Show To Warners for a Musical

The rights to "Hollywood Hotel," important Friday night radio musi-cal, have been acquired by Warners, who will convert the air opus into a film musical. This, of course, will not affect the radio program.

Dick Powell and Frances Langford, the program's stars, will be featured in the film, along with Jeanne Madden, Warner contract player, who appeared with Powell in "Stage Struck." Miss Langford, it is understood, is being loaned to Warners by M-G-M and Walter Wanger, who jointly hold her contract. Bill Bacher, director of the radio program, will assist in the adap-tation and direction of the picture.

This is the second instance of a radio program being converted into a film. Paramount recently purchased the rights to "One Man's Family," popular radio serial.

33 Banks Taking to Air

Thirty-three banking institutions in as many cities will cooperate in shar-ing the expense of a new program which begins Friday, Nov. 13. The program, as yet untitled, will be fed to the 33 Columbia stations serving the banking area. Locally the pro-gram will be heard over WABC, under the sponsorship of the Chase National Bank.

The program will feature the music of the Philadelphia Orchestra under the direction of Eugene Ormandy and talks on public services performed by the financial institutions concerned.

The banks in the sponsoring group include Chase in New York; Penn-sylvania Commercial, Philadelphia; First National, Chicago; the Marine Midland group; First National, St. Louis; First National, Pittsburgh; Fifth Union Trust, Cincinnati; Ohio Citizens Trust, Toledo; Bankers Trust, Des Moines; Rhode Island Hospital Trust, Providence; Lincoln National, Fort Wayne; American Na-tional Bank of Indianapolis; Mar-shall and Isley Trust, Milwaukee; The Detroit Bank, Detroit; and the Delaware Trust of Wilmington.

Wessel and Co. of Chicago, negoti-ated the deal.

No Rush on Radio News

Theatre owners are not exactly fall-ing over themselves in a rush to sign contracts for a news bulletin service in theatres, it was admitted yesterday by Herbert Moore, president of Trans-radio News Service, an independent agency now supplying several hundred radio stations with daily news dis-patches. Nothing concrete has been ac-complished to date, according to Moore, who indicated that exhibitors are exhibiting a discouraging lack of enthusiasm for the plan.

The plan is not a new one. The movement is now three years old and by turn has gone forward, been aban-doned, and revived many times. Moore attributes the present renewal in ac-tivity to the proximity of the national election, which has made theatre own-ers news-conscious. This has merely resulted in bringing in subscriptions for election night bulletins.

While Moore refused to comment about the attitude of the exhibitors, he stated he viewed adoption of such a service in theatres as inevitable. In the meantime, it appears that the im-mediate prospects for news bulletin readings in theatres are rather re-mote.

They're At It

Lincoln, Oct. 27.—The first freak election bet has ap-peared here, Barney Oldfield, who runs the "Theatre Top-ics" column in the *Sunday Journal Star,* challenging Bruce Nicoll, who pens the "Behind the Mike" depart-ment in the same paper.

Should Landon win, Nicoll must walk a block on Lin-coln's main street at high noon the Saturday following election, clad only in shoes, sox, shorts and a barrel.

Should Roosevelt win, Old-field must remove his shoes and walk a half block on his hands, same time, place and day.

NBC Plans 10th Anniversary

NBC yesterday revealed its plans for a monster banquet to be held at the Waldorf in commemoration of the chain's 10th anniversary. Nov. 9 is the evening and about 1600 guests will at-tend, the guests including the most dis-tinguished European radio officials ever assembled in the United States. They include Robert Jardillier, the French Minister of Communications; Maurice Rambert, president of the In-ternational Broadcasting Union; Eric Mattson and Dr. Carl Anders Dym-ling, heads of the Swedish Broadcast-ing Co.; Chamberlin C. Lerche, head of the Danish Broadcasting Co.; M. Pellenc, Inspector General of the French Broadcasting Co., and 20 other radio potentates representing prac-tically every country in the world. Most of them are already en route to America at the personal invitation of Lenox R. Lohr, executive head of Na-tional Broadcasting.

Fidler Picks Up Nov. 10th

After an absence of several months from the airwaves, Jimmy Fidler re-turns with his Hollywood Gossip pro-gram over the NBC red network on Nov. 10, at 10:30 P. M., in the inter-est of Ludens Cough Drops. The broadcasts will emanate from the NBC studio in the film colony.

Films Come to Berle

Milton Berle, currently featured on a Community Sing, bent efforts for months to secure a film contract. None came along, however, and so he signed a 39-week radio contract. Last week M-G-M offered a contract which Berle was compelled to turn down because of his radio commitment.

Radio Forum Resumes Nov. 9

The National Radio Forum returns to the air Nov. 9, over NBC's blue network, from 10:30 to 11 P. M., E. S. T. Oliver Kuhn, managing editor of the *Washington (D. C.) Star,* will conduct the forum.

Kostelanetz, Cassel, Et Al

Short Shots: Andre Kostelanetz will present his orchestra in a Car-negie Hall concert some time next month . . . Walter Cassel, NBC sing-er, expects an heir momentarily . . . With the new Ford models due on the market soon, H. L. McClinton, in charge of the Ford account at N. W. Ayer, is making three trips a week to Detroit . . . Burns and Allen, radio zanies, begin a new program for Grape Nuts on April Fool's day, of all things! . . . George Gove succeeds Deems Taylor as musical consultant at N. W. Ayer . . . Freddie Rich's film short, "Parade of Hits," made by Paramount, will be released late in November . . . Cab Calloway begins a short at the Vitaphone studio to-day . . . C. J. Buckner has been se-lected to head the newly opened Irv-ing Mills office in Dallas . . . Eddie Conrad has signed for a guest ap-pearance on the Vallee hour . . .Jim-mie Melton has signed as guest star for Dick Himber's Nov. 2 broadcast . . . The same night brings Gary Cooper to the Lux Radio Theatre in "The Virginian."

Noel Suit Up in November

Kansas City, Oct. 27.—Trial of an equity suit of Sidney Q. Noel, president of First National Television, Inc., which controls Station W9XBY, against Kansas City Power and Light, in which Noel asks that 1,025 shares of First National stock be de-livered to him, will be heard in the November term of the Circuit Court by Judge Ben Terte.

Noel alleges that on Sept. 23, the power company offered him the shares at $50 each if the deal were closed by Oct. 8. Noel wrote six stockholders, including A. B. Church, head of the Midland Broadcasting Co., which op-erates KMBC, offering them a chance to participate in the purchase. They declined.

On Oct. 8 Noel claims he personally paid in a check of $51,250, the full amount, in payment for the shares. The power company returned the check Oct. 13, with a letter from its president, Joseph F. Porter, who said the company did not consider it advis-able to sell to Noel personally and to outside associates, it is claimed.

In their answer, the defendant asks the court to determine if Porter's Sept. 23 letter constitutes a binding obligation.

F.C.C. Licenses 3 Stations

Washington, Oct. 27.—Licenses were issued today by the Federal Communications Commission for three new broadcasting stations to be located in St. Paul, Minn., Rochester, N. Y., and Sherman, Tex.

Two of the stations are limited to 100 watts power during the day. One station—that at St. Paul—will be per-mitted to operate at night, it being given 100 watts for night operation and 250 watts for daytime use.

The Commission also granted to Station WSMB, New Orleans, per-mission to increase its power from 500 to 1,000 watts and authorized Station KMA, Shenandoah, Ia., to increase its day power from 2,500 to 5,000 watts, its night power remaining unchanged at 1,000 watts.

London to Televise Daily

London, Oct. 19.—The British Broadcasting Corp. will begin regular daily television transmissions on Nov. 2, from the Alexandra Palace in North London, which has approxi-mately a service area of 25 miles.

During a trial program transmission today by E.M.I., an archery demon-stration in the grounds of Alexandra Palace was put over, and studio items included a scene from T. S. Eliot's "Murder in the Cathedral."

"Stage" Hits Big $21,000 In Washington

WASHINGTON, Oct. 27. — "Stage Struck," with Ina Ray Hutton and Her Melodears to celebrate the sixth anniversary of its vaudeville policy, sent the Earle to top position last week, $21,000, above average by $2,600.

Loew's' Capitol, however, was big money-taker, with $21,300 for the Technicolor production, "Ramona," and a stage show.

"Murder with Pictures" beat par by $500 at the Metropolitan, for a take of $4,800.

A return engagement of "The Great Ziegfeld"—without increase in prices—took $3,700 at Loew's Columbia, above par by but $100, but only four instead of six shows were possible.

A revival of "Cynara" at the Belasco took a par $3,000 for seven and a half days.

"Dimples" at Loew's Palace slipped to $12,800, or $3,100 under average, to be the first Shirley Temple to do less than two weeks. "My Man Godfrey" at RKO-Keith's bore up swell on the third week, taking $8,000, under the first-week average by only $2,600.

Opposition: Jane Cowl in "First Lady," at the National; "Dresden Dolls," at the Gayety. Weather: Fair and seasonably cool.

Total first run business was $74,600. Average is $76,700.

Estimated takings, exclusive of tax:

Eight Days Ending Oct. 20:

"CYNARA" (U. A.)

BELASCO—(1,140), 25c-65c, 7½ days (revival). **Gross:** $3,000. (Average, 7 days, $3,000)

Week Ending Oct. 20:

"MY MAN GODFREY" (Univ.)

RKO-KEITH'S—(1,836), 25c-55c, 7 days, 3rd week. **Gross:** $8,000. (Average, first week, $10,600)

Week Ending Oct. 22:

"STAGE STRUCK" (F. N.)

EARLE—(2,218), 25c-77c, 7 days. Stage: Ina Ray Hutton & Her Melodears, with the Winsted Trio, Trado Twins, Margie Palm, 24 Bill Powers Dancers (Sixth Anniversary Program). **Gross:** $21,000. (Average, $18,400)

"RAMONA" (20th-Fox)

LOEW'S CAPITOL — (3,434), 25c-66c, 7 days. Stage: Al Trahan & Lady Yukona Cameron, Roye & Maye, Tito Guizar, Elida Ballet. **Gross:** $21,300. (Average, $20,900)

"THE GREAT ZIEGFELD" (M-G-M)

LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement). **Gross:** $3,700. (Average, first run, $3,600)

"DIMPLES" (20th-Fox)

LOEW'S PALACE — (2,370), 35c-55c, 7 days. **Gross:** $12,800. (Average, $15,900)

"MURDER WITH PICTURES" (Para.)

METROPOLITAN — (1,591), 25c-40c, 7 days. **Gross:** $4,800. (Average, $4,300)

G. N. Films Go Into 45 of RKO Theatres

(*Continued from page* 1)

deal closed with J. J. O'Connor are the 81st St., Regent, 125th St., 23rd St., 58th St., 86th St., Hamilton, Coliseum, Fordham, Franklin, Royal, Chester, Yonkers, Mt. Vernon, New Rochelle, White Plains, Jefferson, Academy of Music, Crotona, Park Plaza, Alden, Fox, Merrick, Kenmore, Prospect, Greenpoint, Republic, Bushwick, Tilyou, Madison, Richmond Hill, Dyker, Orpheum, Flushing, Alhambra, Colonial, Yorktown, Midtown, Uptown, Empire, Costello; Strand and Columbia, Far Rockaway; Park, Rockaway Park, and Strand, Yonkers.

"Libeled Lady" Up Front, Milwaukee

MILWAUKEE, Oct. 27. — "Libeled Lady," with a $10,000 take, $2,000 above average at Fox's Wisconsin, took high honors for the week. It was held over.

Second high honors went to "The Devil is A Sissy" and "Kelly, the Second" at the circuit's Palace with a $5,800 take, $800 above average.

"The President's Mystery" and a stage show at the Riverside grossed $5,200, just $200 to the good.

Other business was just average. The weather was generally fair and mild.

Total first run business was $27,300. Average is $24,500.

Estimated takings:

Week Ending Oct. 21:

"CAIN AND MABEL" (W. B.)
"DON'T TURN 'EM LOOSE" (Radio)

WARNER—(2,400), 25c-35c-50c, 7 days. **Gross:** $5,000. (Average, $5,000)

Week Ending Oct. 22:

"THE DEVIL IS A SISSY" (M-G-M)
"KELLY, THE SECOND" (M-G-M)

PALACE — (2,400), 25c-35c-50c, 7 days. **Gross:** $5,800. (Average, $5,000)

"THE PRESIDENT'S MYSTERY" (Republic)

RIVERSIDE—(2,300), 20c-25c-30c, 7 days. Stage: "High Hat Revue with Joe Morris & Co., George Lyons, Joyce Rheimer, Bob DuPont, Ted Adair and Ruth Long. **Gross:** $5,200. (Average, $5,000)

"LIBELED LADY" (M-G-M)

WISCONSIN—(3,200), 25c-35c-50c, 7 days. **Gross:** $10,000. (Average, $8,000)

Week Ending Oct. 23:

"RAMONA" (20th-Fox)
"THEY MET IN A TAXI" (Col.)

STRAND — (1,400), 25c-35c-50c, 7 days. **Gross:** $1,300. (Average, $1,500)

"Libeled Lady" at $8,000, Oklahoma

OKLAHOMA CITY, Oct. 27.—"Libeled Lady" stepped out front in a big way among the first runs by getting $8,000 at the Criterion. This was over normal by $3,000 in a week of cold and rainy weather.

A combination of "High Tension" and "Spendthrift" for four days at the Liberty took $1,600 and "Postal Inspector" and "Educating Father" garnered $1,200 for the last three days.

"Dimples" was weak at $3,800.

Total first run business was $16,100. Average is $13,500.

Estimated takings for the week ending Oct. 24:

"LIBELED LADY" (M-G-M)

CRITERION — (1,700), 10c-25c-35c-55c, 7 days. **Gross:** $8,000. (Average, $5,000)

"DIMPLES" (20th-Fox)

MIDWEST — (1,500), 10c-25c-35c-55c, 7 days. **Gross:** $3,800. (Average, $4,000)

"HEARTS IN BONDAGE" (Republic)

CAPITOL — (1,200), 10c-20c-26c-40c, 7 days. **Gross:** $1,500. (Average, $2,000)

"HIGH TENSION" (20th-Fox)
"SPENDTHRIFT" (Para.)

LIBERTY — (1,500), 10c-25c-35c, 4 days. **Gross:** $1,600. (Average, for week, $2,500)

"POSTAL INSPECTOR" (Univ.)
"EDUCATING FATHER" (20th-Fox)

LIBERTY — (1,500), 10c-25c-35c, 3 days. **Gross:** $1,200. (Average, for week, $2,500)

Doyle Theatre Approved

LONDON, Oct. 19.—The Westminster Council has approved the general plan to erect a super-cinema, shops, a restaurant and business premises on a site in Lower Regent St., originally announced in New York by the Australian film executive, Stuart Doyle. Also approved by the council were the Schlesinger plans for the reconstruction of Daly's as a theatre-cinema-cabaret.

"Libeled" $16,000 Hit in Providence

PROVIDENCE, Oct. 27.—Playing five shows a day, Loew's State cracked out a sensational $16,000 with "Libeled Lady," which was held over. The usual take is $12,000.

Another top notch gross was captured by the Strand where "The Big Broadcast of 1937," on a dual with "Shakedown," breezed in with $11,000, which was $4,500 to the good.

"Dimples" caught $8,000 at the Majestic and was moved to Fay's for a second week. The gross was over by $1,000. At the RKO Albee, "The Big Game" and "Two in a Crowd" garnered $6,000, down by $1,000. Fay's likewise was down $1,000 with "Bengal Tiger" and vaudeville, catching $6,000.

Political rallies and sectional football rivalry cut into receipts. The weather was fair and warm.

Total first run business was $47,000. Average is $39,500.

Estimated takings for the week ending Oct. 22:

"DIMPLES" (20th-Fox)

MAJESTIC — (2,400), 15c-40c, 7 days. **Gross:** $8,000. (Average, $7,000)

"BENGAL TIGER" (W.B.)

FAY'S—(1,600), 15c-40c, 7 days. Stage: Five acts of vaudeville. **Gross:** $6,000. (Average, $7,000)

"THE BIG GAME" (Radio)
"TWO IN A CROWD" (Radio)

RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $6,000. (Average, $7,000)

"LIBELED LADY" (M-G-M)

LOEW'S STATE—(3,400), 15c-40c, 7 days. **Gross:** $16,000. (Average, $12,000)

"THE BIG BROADCAST" (Para.)
"SHAKEDOWN" (Col.)

STRAND—(2,300), 15c-40c, 7 days. **Gross:** $11,000. (Average, $6,500)

"Old Hutch" Leads Omaha with $8,500

OMAHA, Oct. 27.—"Old Hutch," on a dual with "Sworn Enemy," topped the first run parade at the Omaha with a take of $8,500, which passed par by $3,000.

"Dimples," with "Border Flight," at the Orpheum, pulled $9,500, which was $2,000 over the line.

Total first run business was $22,200. Average is $17,000.

Estimated takings:

For Week Ending Oct. 21:

"THE BIG GAME" (Radio)
"THE CASE OF THE VELVET CLAWS" (F. N.)

BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $4,200. (Average, $4,000)

"OLD HUTCH" (M-G-M)
"SWORN ENEMY" (M-G-M)

OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $8,500. (Average, $5,500)

For Week Ending Oct. 22:

"DIMPLES" (20th-Fox)
"BORDER FLIGHT" (Para.)

ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $9,500. (Average, $7,500)

Opens New Exchange

KANSAS CITY, Oct. 27.—Homer Blackwell of the Independent Poster Exchange has started a new independent film exchange for distribution of independent product in western Missouri and Kansas.

Radio Signs Mark Kelly

HOLLYWOOD, Oct. 27.—Radio has signed Mark Kelly, former sports writer and recently with Twentieth Century-Fox, to adapt his original untitled story just purchased.

"Libeled" Up In Cleveland With $22,000

CLEVELAND, Oct. 27. — "Libeled Lady" broke all Sunday attendance records at Loew's State, playing to 1,700 more people than "Mutiny on the Bounty." It chalked up a gross of $22,000 and continues its downtown run at Loew's Stillman.

The Allen take for the week was $7,500 with a split week policy. "15 Maiden Lane" had a take of $4,000 in four days, with "Bengal Tiger" grossing $3,500 the remaining three days.

"The Big Broadcast of 1937" at Loew's Stillman, where it moved from Loew's State for a second week downtown, topped the $6,000 weekly average by $200, going to $6,200 for the run.

"The Big Game" at the RKO Palace with Major Bowes' Anniversary unit on the stage, had an average $15,000 gross.

"Dimples" went $1,000 over average at Warners' Hippodrome, grossing $11,000.

The weather was cold with considerable rain. Competition consisted of "Lady Precious Stream" at the Hanna, opening of the Cleveland Symphony concerts, and a packed house to hear Kirsten Flagstad in concert.

Total first run business was $61,700. Average is $47,000.

Estimated takings for the week ending Oct. 23:

"15 MAIDEN LANE" (20th-Fox)

ALLEN—(3,300), 30c-35c-42c, 4 days. **Gross:** $4,000. (Average, 7 days, $4,000)

"BENGAL TIGER" (W. B.)

ALLEN—(3,300), 30c-35c-42c, 3 days. **Gross:** $3,500. (Average, 7 days, $4,000)

"LIBELED LADY" (M-G-M)

LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $22,000. (Average, $12,000)

"THE BIG GAME" (Radio)

RKO PALACE — (3,100), 30c-42c-60c, 7 days. Stage: Major Bowes Anniversary Unit. **Gross:** $15,000. (Average, $15,000)

"DIMPLES" (20th-Fox)

WARNERS' HIPPODROME—(3,800), 30c-35c-42c, 7 days. **Gross:** $11,000. (Average, $10,000)

Majestic Is Dissolved

ALBANY, Oct. 27.—A certificate dissolving Majestic Film Distributing Corp. of New York has been filed with the Dept. of State here.

Majestic operations were consolidated with those of Republic Pictures about a year ago, at which time Herman Gluckman, former head of Majestic, became identified with Republic as an eastern district sales manager.

Team Arthur-MacMurray

HOLLYWOOD, Oct. 27.—Paramount will co-star Jean Arthur and Fred MacMurray in "Exclusive," a story by John Moffitt. Alexander Hall will direct, and the picture will start as soon as Hall returns from his loan assignment at Radio. Charles Ruggles is also tentatively set for the cast.

In W. E. London Post

LONDON, Oct. 19.—E. M. Hall has been appointed commercial director of Western Electric, succeeding Clifford Smith, who returns at the end of the month to take a post with Erpi in New York. Hall was assistant export manager in New York.

Treasury May Investigate 'Amphitryon'

(Continued from page 1)

is quick to respond to all information that there have been violations of the Tariff Act, and while often such information is found inaccurate, there are enough cases where it leads to detection to make it worthwhile.

While there have been no cases, apparently, of the mismarking of films, it is believed that if the picture in question was actually made in Germany, the law would require the marking to be to that effect, even though distribution may have been handled by a French firm.

Earlier, officials of the Customs Bureau explained willingness to make an investigation of the matter should a complaint be filed with the Collector of Customs at New York, under whose jurisdiction the matter would come.

It was explained that the question whether the film was properly marked to show the country of origin could be settled only by scrutiny of the film itself, and not necessarily by the picture as shown on the screen. Under the customs law, it was pointed out, it is required that imported articles be marked to show country of origin in a conspicuous manner but not in such a way as to damage the article. Thus, a film could be marked as to source in such a way that it would not show on the screen.

Ruling Vague

Further, it was said, there apparently has been no definite ruling setting forth just how a picture should be marked. If there is any allegation that the film was not marked at the time of importation, investigation will be made to see whether it was released from customs custody without marking.

The Treasury Dep't is very strict regarding compliance with the marking regulations and does not hesitate to impose the 10 per cent penalty provided for violations.

At the French Embassy here it was said that no information or complaint regarding the film had been received.

It was indicated that if the picture actually was a German production and is being represented as of French origin, the Federal Trade Commission might act under charges of false advertising and misrepresentation. To obtain investigation by the commission, however, as in the case of other agencies, would require the submission of a complaint.

Rosener in Explanation

SAN FRANCISCO, Oct. 27.—Herbert Rosener, mentioned in MOTION PICTURE DAILY'S story of Monday on the origin of the film "Amphitryon," operates the Clay International here, the Grand in Los Angeles and plans to open a new house in Seattle next month. All of them show, and will show, foreign films exclusively.

Rosener acts here as the main office in the regional distribution of the product of Amkino, which handles Russian pictures in this country for the state-owned Soviet production industry and for other foreign films.

Rosener, questioned today on "Amphitryon," issued this statement.

"I have a commercial interest in 'Amphitryon,' but I have never seen the picture and know nothing of its origin. Everything was handled by Globe (Distributing Co.) in New York while I was here in San Francisco. I do not know whether or not I shall show it in my Pacific coast houses."

Brill Undecided on Course

David Brill, head of Globe Film Distributing Co., said yesterday Martin J. Lewis, managing director of the 55th St. Playhouse, had asked him to refrain from making any other first run commitments on "Amphitryon" until Lewis has had an opportunity to go further into the matter.

Brill said he has not yet determined whether or not he will accede to the request of Lewis, or what the eventual disposition of the film will be.

Meanwhile, "Mysteries of Notre Dame," feature, and "Opera of Paris," short, and both French, opened at the 55th St. Playhouse last night.

Purely Personal

ELLIOTT NUGENT who arrived yesterday on the *Ile de France*, will leave for Hollywood today to start work in a Paramount picture. His plans to produce "Uneasy Virtue" on Broadway have been called off because of casting difficulties, he said. While in London, MARION GERING asked him to appear in a bit in "Thunder in the City," which he did —as a favor.

•

JEFFERSON MACHAMER, creator of the "Gags and Gals" strip in the *Sunday Mirror*, starts today at Astoria in a short "Amuse Yourself." AL CHRISTIE is directing.

•

MARION DAVIES, WILLIAM RANDOLPH HEARST, NIGEL BRUCE and CONSTANCE CUMMINGS will be among those sailing today from Southampton on the *Queen Mary*, due here Monday.

•

J. ROBERT RUBIN and WILLIAM ORR of M-G-M will leave for Washington today, the former by train and the latter by plane. Both will return tonight.

•

JOHN HILLIARD, assistant to DOUGLAS SHEARER, who has been in the east for some time, will leave today for Indianapolis and Hollywood.

•

CLIFFORD SMITH, London representative for Western Electric, is due here tomorrow on the *Manhattan* for a business visit.

•

LOUIS FRISCH and EDWARD SCHNITZER returned to their desks yesterday after being laid up for five days with colds.

•

MERLE OBERON, who was to have sailed on the *Aquitania* today, will go on the *Queen Mary* next Wednesday.

•

MARY PICKFORD gets into town today. She will be here 10 days for conferences with U. A. officials.

•

GERTRUDE MICHAEL is expected back at the RKO studios in two more weeks. She is still in New York, fully recovered from a recent illness. She is resting at the Doctors' Hospital.

•

EDWARD HYMAN has gone to Lake Placid to keep A. H. SCHWARTZ company.

•

SIDNEY ASCHER, former exhibitor and producer, is planning a comeback shortly.

•

BOB WOLFF has closed with WALTER READE for RKO products in 20 Greater New York theatres.

•

WILLIAM WYLER, director, leaves today on the *Aquitania*. It's a vacation trip.

•

ED FAY strolling through the Astor lobby. Ditto: GUS EDWARDS.

DOUGLAS FAIRBANKS, scheduled to sail today on the *Aquitania*, has postponed his departure until next Wednesday on the *Queen Mary*.

•

MILTON BERLE, KEN MURRAY and FRANK and MILTON BRITTON will be among the headliners at the M. P. Salesmen, Inc., annual frolic, dinner and dance scheduled for the Astor on Nov. 25.

•

MARGUERITE CHURCHILL (MRS. GEORGE O'BRIEN) will appear in "Quito Back," by BEN HECHT and HERMAN SHUMLIN. Opening date has not been set.

•

D. A. DORAN has cancelled plans for "Inner Silence." He's taking it easy at White Sulphur Springs and is due back the end of the week.

•

JIMMY SAVO will have the star role in "Bedtime for Ali Baba," which has been dated to open at the Lyceum Nov. 23.

•

ED KUYKENDALL, expected here yesterday, was delayed in Memphis on business, but is due to arrive before the end of the week.

•

ERNST LUBITSCH ended his New York stay yesterday by taking a plane for the coast to start on Marlene Dietrich's next, "Angel."

•

JEAN HARLOW is expected here from the coast next week. Her arrival will mark the first visit in two years.

•

OTTO KRUGER may appear in a road company unit of "Parnell," slated to open shortly in Chicago.

•

ANDRE KOSTELANETZ arrived yesterday from Hollywood after a week-end conference with LILY PONS.

•

SHELIA GRAHAM came in from the coast yesterday via American Airlines.

•

STANLEY RIDGES, JOHN HAY WHITNEY and FRANK GILL and MRS. GILL fly to the coast Friday.

•

STANLEY TRUE has been appointed theatrical contact for American Airlines.

•

MERRILL PYE, art director at the M-G-M studios, has arrived from the coast. He will be here for a week.

•

E. H. GRIFFITH left yesterday for Nassau. Vacation stuff.

•

IRENE PURCELL is due from the coast this week.

•

GENE RAYMOND is planning a trip to the Orient, starting June 17.

•

HAROLD GILL gets away for Dallas via American Air Lines today.

Group Insurance to Be Tried in Indiana

(Continued from page 1)

a premium of $.006 per person admitted, while a few pay 10 cents a seat. If the suggested new plan proves feasible, members will take the new type of insurance at the close of their present contracts. A committee was appointed to investigate the plan.

Double features and raises in admission were discussed today without any decisions being reached. W. O. Carpenter of Ohio Allied described the Akron board of exhibitors which decides when and where duals may be used. He also urged a decrease in taxes, the raising of first run admissions to a 50-cent top and a five-cent increase in the neighborhood and grind houses.

The association voted no opposition to Allied's defense fund but decided that Indiana's quota of $5,000 is too high. All contributions in this state are to be voluntary. No drive will be conducted.

Charles R. Metzger of the Hays office was another speaker.

The directors elected are: Vern Young of Gary, Maurice Rubin of Michigan City, Harry Markun, Fred Sanders, I. Holycross, H. C. Calloway and R. R. Bair of Indianapolis, Tom Baker of Monticello, Oscar Fine of Evansville, William Studebaker of Logansport, Roy Harold of Rushville, Alex Manta of Indiana Harbor, Claude Davis of Winchester, Walter Easley of Greensburg, Bruce Kixmiller of Bicknell, Leonard Sowar of Muncie, Billie Connors of Marion, Harry Vondeschmitt of Bloomington and Wendel Werner of Tell City.

Bair, who presided, stated that officers will be elected soon, probably November 5.

A dinner and floor show tonight brought the meeting to a close.

Heywood-Wakefield Refunding Plan Up

BOSTON, Oct. 27.—A special meeting of stockholders of the Haywood-Wakefield Co. has been called for Nov. 9 to vote upon a plan of recapitalization under which unpaid accumulations of $47.25 a share on the first preferred would be paid off in bonds, new preferred and cash.

At the present time the company has outstanding 6,731 shares of $7 first preferred. Also outstanding are 22,277 shares of $7 second preferred. If the proposed plan is carried out, Haywood-Wakefield will be capitalized at $673,100 of five per cent debentures.

Wolf Heads for Camden

LOS ANGELES, Oct. 27.—W. V. Wolf, of the RCA Research department, left by plane today for Camden, N. J., where he will engage in two weeks of research.

"They put 'em up and they take 'em down"

The reasons why, with figures, by decision of the world's showmen will appear in

FAME—*The Box Office Check-Up*
An Audit of Personalities

Third annual edition, bigger than ever, now in preparation

F A

QUIGLEY PUBLICATIONS ROCKEFELLER CENTER, NEW YORK



edited by
TERRY RAMSAYE

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STARTS WHERE THE OTHERS STOP



The love story women have been waiting for . . . .

A DRAMATIC THUNDERBOLT

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EMPIRE FILMS, L

CONSTANCE BENNETT • DOUGLASS MONTGOMERY • OSCAR HOMOLKA

EVERYTHING IS THUNDER

Author J. L. Hardy • Directed by Milton Rosmer

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 102 NEW YORK, THURSDAY, OCTOBER 29, 1936 TEN CENTS

New National Organization Before ITOA

Committee Chosen, but Details Kept Secret

Initial steps were taken yesterday for the development of a new national independent exhibitor organization with the I. T. O. A. as a nucleus, it was learned following a meeting of the local unit and a number of out-of-town theatre owners at the Astor.

Details were cloaked in secrecy, with both Harry Brandt, president, and John Manheimer, secretary of the I. T. O. A., declining to discuss any phase of the session for publication purposes.

From other sources it was learned that a group of exhibitors who did not join the new U. M. P. T. O. will form a new Quaker City unit which will serve as a second organization. An unnamed Philadelphia exhibitor yesterday spoke to the assembled theatre men and expressed a willingness to join. New Jersey and New England groups also are understood to be ready to align with the proposed plan.

Resolutions for the formation of the new national association were put over until next Wednesday, it was said,

(*Continued on page 5*)

Para. Silent About Report of Dividend

Paramount officials yesterday declined to comment on reports that dividend action on the company's first preferred stock might be taken by the board at its monthly meeting today. Accrued dividends on the first and second preferred are in arrears for the period from Jan. 1, 1935, to date.

The company's third quarter financial report which will show a substantial profit may be released by the board today. Paramount first preferred closed at 117½ on the N. Y. Stock Exchange yesterday, for a gain

(*Continued on page 5*)

New Writer-Producer Pact in Preparation

HOLLYWOOD, Oct. 28.—The abrogation of the Academy-writer-producer pact in favor of a new agreement to be reached between Screen Playwrights, Inc., and the producers seems imminent. Although the producers definitely will not violate the present contract which still has a year to run, it is reliably understood that the writers plan to make the first move by

(*Continued on page 5*)

Austria, to Sell Germany, Must Make "Aryan" Films

By HANS LORANT

VIENNA, Oct. 19.—In order to assure themselves of the German market for their films, without which they could not continue in operation, Austrian producers have been forced to confine their activities to the production of so-called Aryan films exclusively.

Several producers here attempted to produce German-speaking films without regard to the Aryan stipulation maintaining in Germany, hoping that they could obtain sufficient revenue in other countries, but found themselves mistaken. It was discovered that without the 200,000 to 250,000 marks which is the usual return from German distribution, producers could not realize a profit on production in this country.

Negotiations are under way between the German and Austrian Governments, urged by producers here, to raise the German quota on importations of Austrian product. Under the present arrangement only 14 Austrian films are allowed in Germany annually under the same treatment accorded German product, that is, booking of the films before they are seen. In addition 30 other films may be imported,

(*Continued on page 9*)

A New High

"Ladies in Love" grossed $2,020 by 4 P.M. at the Rivoli yesterday, thereby establishing a new opening day's high to that hour for the theatre in some time. The take compares with $1,900 for the opening day of "The Road to Glory" and is the best at the Rivoli since "Les Miserables."

Schwerin Has New Checking Service

Interstate Checking Service, a new entry in the field of theatre checking, will make its debut shortly. Plans of the new company will be announced Nov. 5 by Charles Schwerin, who has temporary offices in the Paramount Bldg.

Although Interstate has not started servicing any accounts, a tieup already has been effected with Postal Telegraph whereby daily receipts will be

(*Continued on page 9*)

NBC to Have New Washington Studio

National Broadcasting will build studios in Washington comparable to those in Radio City but on a smaller scale. The company is expected to announce its new point of program origin today.

The new studios in the nation's capital will occupy the entire second floor of a new building now being erected by the Trans-Lux Washington Corp. on 14th St., between New York Ave. and H. St. It is anticipated that

(*Continued on page 2*)

Fox-All-Continent Accounts Disagree

ATLANTIC CITY, Oct. 28.—The books of William Fox and those of All-Continent Corp. differed on the amount Fox owed that company, it was asserted at today's session of the Fox bankruptcy proceedings before Federal Referee Robert E. Steedle.

The amount of the discrepancy was not revealed in the questioning, but it was stated later that it totalled about $750,000. Accountants representing creditors have been working on the All-Continent Corp. books for months.

'Tom' Show Reaches B'way, But No Eva Reaches Heaven

Like a nostalgic bouquet out of the past, and not entirely free of thorns among its blossoms, "Sweet River" by George Abbott, nee "Uncle Tom's Cabin" by Harriet Beecher Stowe, came to Broadway last night in three acts, eleven scenes and one bloodhound.

Exactly why, is something this department cannot quite answer. It can guess and its hunch would be, with no assurance whatsoever as to accuracy, that Abbott, who produced as well as adapted with Warner financing, figured Times Square was ready for a "Tom" show. He will get his answer soon enough and this space thinks he won't like it.

If the reason for the play is something else, this reporter gives up. But, before he does, he can, at least, report

(*Continued on page 5*)

Sales Policy Stand Awaited By Kuykendall

Predicts Action Today Or by Tomorrow

Statements from distribution companies defining the concessions which they will make in line with the M. P. T. O. A. trade practice program are expected by Ed Kuykendall, president of the exhibitor organization, either today or tomorrow, the M. P. T. O. A. head said yesterday on his arrival here from the south.

Kuykendall said he had no explanation of the delay on the part of the distributors in making known their concessions. Seven of the eight major companies had given assurances they would accede to most or all of the trade practice reforms sought by M. P. T. O. A. at the time of Kuykendall's last visit here three weeks ago, and their definitive statements of concessions were expected to be made known not later than Oct. 26. The exhibitor leader stated that since his arrival yesterday he had not been in touch with any of the distribution companies and, therefore, was not informed of the reasons for the delay.

From distribution sources it was learned that at least four of seven

(*Continued on page 9*)

B. & K. Will Extend Doubles Next Week

CHICAGO, Oct. 28.—Balaban & Katz is expected to use duals in the "B" and "C" week houses starting next week. The "A" houses are dualling now, and as a result the independents undoubtedly will turn to double bills about Nov. 6 or the following week, as new pictures will be available to them at that time.

The independents declare they will continue a single bill policy as do the other circuits, but distributors believe they will go overboard for duals early next month.

Triple Bill Arrives As K. C. Duals Gain

KANSAS CITY, Oct. 28.—The Roanoke, E. S. Young's house, got the jump on circuit and other dual competition when it went to three features this week.

"And now for the first time in K. C. a triple-feature program," announced the advertisement of "Public Enemy's Wife," "High Tension" and "O'Malley of the Mounted." "Be a first

(*Continued on page 5*)

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Will Mark Don Lee-Mutual Hookup with 4 Hour Show

When the Don Lee stations join the Mutual network on Dec. 29, thereby moving the latter chain into competition with NBC and CBS on a coast-to-coast basis, the event will be marked by a four-hour program, it was learned yesterday by MOTION PICTURE DAILY.

While details are as yet incomplete, this much has been established definitely: The program will be divided in two equal parts; one half of the entertainment to be provided by the basic Mutual stations, the other half by the Don Lee outlets. The basic Mutual stations are WOR, New York; WGN, Chicago; WLW, Cincinnati; CKLW, Detroit-Windsor, and WAAB, Boston. The Don Lee stations are KHJ, Los Angeles; KFRC, San Francisco; KGB, San Diego and KDB, Santa Barbara. Mutual's Denver station, KFEL, will also participate in and contribute to the festivities.

Wallenstein Group Included

Mutual will offer a panorama of its most popular musical programs, headed by Jazz Nocturne and Alfred Wallenstein's Sinfonietta. The bands of Guy Lombardo, Shep Fields, Eddie Duchin, Cab Calloway, and other top flight orchestra units will follow in an hour-long dance presentation. Ed Fitzgerald will probably act as Mutual's master of ceremonies for the evening.

What the Don Lee stations will offer as their share toward the program has not as yet been established, although it is almost certain that many Hollywood favorites will be in the studios that evening. Conrad Nagel, now a Don Lee employe, will m. c. from the coast, with the probable assistance of Clark Gable. Brief addresses will be made by A. J. McClosker, president of WOR and chairman of the Mutual board; W. E. Macfarlane, president of Mutual; Fred Weber, Mutual general manager; and Tom Lee, executive head of the California web.

Politics Cancelling Sustainers

Politics continues to be no respecter of radio programs. With the campaign now in its final week, many of radio's most important sponsored offerings will be cancelled out to make room for political talks. Tonight for instance, Gen. Hugh S. Johnson's speech on the NBC Red network kills the last half of the Vallee program.

Tomorrow night on NBC, speeches by gubernatorial candidate Bleakley, Herbert Hoover and John W. Davis kill the Waltz Time and Radio Guide shows. At 9:30 Saturday night on the Red, President Roosevelt's address, to be followed at 10:30 by Governor Landon's, ousts Irving Cobb's program, as well as a few sustainers.

Monday on the Red, the Republican National Committee, with Governor Landon on the speaker's platform, removes from the air the "Contented" Milk and Kreuger beer programs (10 to 11 P. M.). The same evening, 11 P. M. to midnight, President Roosevelt's final campaign speech delivered over the NBC Blue and Red networks, cancels a brace of dance programs.

Columbia is not so seriously affected as NBC. On Saturday an address by President Roosevelt, from 9:30 to 10:30 P. M., completely cancels the "Pet" Milk program, and the first half of the Lucky Strike Hit Parade. An appeal by Landon, which immediately follows, cuts the final half of the Lucky Strike offering.

On Monday, the eve of the election, a final address by President Roosevelt, 11 P. M. to midnight, cripples the repeats of Renfrew of the Mounted, and Pick and Pat.

A Bit Previous

Quite by accident, NBC reveals that it expects President Roosevelt to be returned to the White House. Announcing that the President would inaugurate the 1936 Mobilization for Human Needs Campaign on the air Nov. 6, NBC goes anticipatory by saying the speech "probably his first general address following the election, is expected to originate in the White House."

NBC to Have New Washington Studio

(*Continued from page* 1)

construction will be ended in April, 1937, and that the studios will be officially opened either in May or June. The building will have a separate NBC entrance and marquee.

The new quarters will double in size the facilities now available to Stations WRC and WMAL, NBC's Washington stations.

Blue prints call for an audience, or "show" studio 26 by 39½ feet, with an elevated observation booth 26 by 39½ feet; two program studios, 14 by 27 feet; two speaker studios, 10 by 18 feet; two transcription rooms; one conference and clients' audition room, and one master control room.

In addition there will be room for 18 general offices and program rooms, a music library, an artists' lounge, technical laboratories, and storage rooms. The entire floor will be air conditioned.

O. B. Hanson, NBC chief engineer, who was in charge of building and installing the broadcasting equipment in Radio City studios, is acting in a similar capacity in Washington.

Boost Pearl Via Transcriptions

Raleigh and Kool cigarettes, sponsors of the new Jack Pearl series which starts Nov. 9 on the NBC Blue network, will try an unusual stunt when the program gets under way. There were only 43 Blue network stations available when the program was signed. Desiring more coverage, the sponsor has decided to make electrical transcriptions of the weekly episodes, which will be broadcast as a "canned" program over 18 additional network outlets. Most of these stations are located in the belt from North Dakota to Texas, where the sponsor's cigarette sales are fairly heavy.

Style Show, Male-Conducted

Something new in sponsored programs will come to the air on Nov. 5, from 4 to 4:30 P. M. over the NBC Red network. It will be a style show for women, conducted by a man, Charles LeMaire. Cadillac will sponsor. Eddie Duchin's orchestra will provide the musical setting.

LeMaire will give style advice to the listeners and will introduce prominent fashion exponents. Of course, there will be Hollywood fashion pick-ups.

Want Comedian for Parker

Lennen and Mitchell, advertising agency handling the Paul Whiteman show, is seeking a comedian to balance the program when Frank Parker takes over the guiding reins early in January. Parker has been guesting periodically on the program for the past two months, but becomes a permanent feature in January when the Whiteman contract runs out. Incidentally, Whiteman, who has been broadcasting from Texas, returns to the New York studios Nov. 8.

$300,000 Transmitter for KSTP

KSTP, NBC's station in St. Paul, goes on the air with a new $300,000 transmitter on or about Nov. 11.

Film Names Surround Cooper

Gary Cooper will be in fast company when he stars in "The Virginian" on Monday night's Lux program. Screen lights assigned to assist Gary are Charles Bickford, Helen Mack, and John Howard.

Contract Allows Musicals

Burns and Allen's new contract with Paramount carries a four months' leave of absence clause. January, therefore, will find them heading east from Hollywood to appear in "I Always Say," stage musical.

Schipa, Muse, Rubinoff, et al

Short Shots: Tito Schipa, Metropolitan Opera tenor, guest stars on the Sears-Roebuck "Then and Now" program Nov. 5 . . . Deanna Durbin's new picture will be titled "Three Smart Girls" . . . Clarence Muse, colored actor heard on "Paducah Plantation," starts work on his 250th picture in January, titled "Murder on the Mississippi" . . . Elaine Sterne Carrington, author of "Pepper Young's Family," network scripter, entrains to the coast Jan. 2 to produce her play, "The Empress," in Hollywood . . . Loretta Lee, CBS songstress, will broadcast from the coast after the first of January . . . Happy Cronman and True Boardman, Warner writers, have been assigned to do the "Hollywood Hotel" story . . . Sid Silvers, who wrote "Born to Dance," Eleanor Powell's new picture, will arrive in New York in two weeks. He was formerly Phil Baker's radio stooge . . . Dave Rubinoff now dickering with Sam Saxe for a brace of Vitaphone shorts.

Continue Amateur Hour

HOLLYWOOD, Oct. 28.—The California amateur hour which was scheduled to end Nov. 2, will continue to be an NBC coast feature until the end of the year.

Conrad Nagel will stay as master of ceremonies. Donald Novis will continue temporarily, although it is believed that Jane Froman will return as featured soloist later.

Radio Not Hurting in N. O.

NEW ORLEANS, Oct. 28.—A check of film houses reveals that broadcasting, even Roosevelt, Landon, Gov. Leche or Rev. Gerald Smith's talks, does not detract from attendance. The morning newspapers carry the speeches in full.

In the smaller cities and towns upstate a different story can be written.

May Join Affiliated

NEW ORLEANS, Oct. 28.—Station WBNO is considering hooking up with the Affiliated network, according to E. R. Richards, general manager of the station. An application for full time is also pending with the F.C.C.

Reunion for George-Faust

OMAHA, Oct. 28.—Gladys George, star of "Valiant is the Word for Carrie," held a reunion here with Arthur Faust, dramatic director of Station KOIL, with whom she was co-starred for three years in Bainbridge Players stock at Minneapolis.

To Interview Skolsky

HOLLYWOOD, Oct. 28.—Cecil B. DeMille will interview Sidney Skolsky over CBS on Nov. 2.

His subject will be none other than Sidney Skolsky, who will submit to DeMille's third degree on the Lux program.

Bennetts to Broadcast

HOLLYWOOD, Oct. 28.—Constance Bennett will be interviewed by Elsa Schallett Friday over KHJ on the Columbia network. Joan Bennett has has been set for the following week.

IT'S GOT WHAT IT TAKES TO GET THE "TAKE"!



ROUGH-HOUSE ROMANCE!
A singing cowboy . . . and a green-eyed heiress after his aria (and she'll get it if it kills them both)!

SPARKLING NEW TUNE HITS!
"Under Your Spell" "Amigo" "My Little Mule Wagon" . . . by Broadway's Rhythm Kings, Arthur Schwartz and Howard Dietz. Sung as only Lawrence Tibbett can sing them!





ROOF-RAISING COMEDY!
With the whole cast running wild!

"UNDER YOUR SPELL"

Down-to-earth fun . . . and
OH! WHAT BOX-OFFICE!

"UNDER YOUR SPELL"... MEANS OVER YOUR TOP!



Tibbett cuts loose and shows what a regular guy he is, when his girl friend (Wendy Barrie) cuts up!





The big-shout manager (Gregory Ratoff). The only musical note he appreciates is "dough"!



Lawrence TIBBETT

in

Under Your Spell

with

WENDY BARRIE
GREGORY RATOFF
ARTHUR TREACHER

Directed by Otto Ludwig Preminger

Associate Producer John Stone

Music and Lyrics by
Arthur Schwartz and Howard Dietz

Screen play by Frances Hyland and Saul Elkins

Based on stories by Bernice Mason and Sy Bartlett

Dances staged by Sammy Lee



Botts, the butler (Arthur Treacher). He sings, too, when nobody's looking!

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

New National Organization Before ITOA

(Continued from page 1)

when Brandt will announce at least six eastern states as tied in with the setup.

The new plan is not identified with previous discussions for the creation of a new national exhibitor setup with representation in each Congressional district.

Percentages were attacked on all sides with every major company included in the harangue. Action on this type of selling was deferred until next week.

A committee was appointed yesterday to further the new independent exhibitor scheme. Efforts to learn the names of the members selected were met with this response: "There will be no statement about anything discussed at the meeting."

Several exhibitors stated that M-G-M is finding it difficult to sell under its new sales policy. However, an exchange executive answered this by declaring that practically all the important independent circuits already have been signed. The same holds true for Paramount.

O'Reilly-Brandt Talks Fruitless

Charles L. O'Reilly, president of the T. O. C. C., for many months had conferred with Brandt on the idea of creating a new national exhibitor unit along Congressional district lines. Nothing came of it. Brandt has criticized both Allied and the M. P. T. O. A., claiming that neither organization represents the interests of independent exhibitors.

Under O'Reilly's plan the proposed merger of the T. O. C. C. and the I. T. O. A. was to serve as the first unit in the Congressional system organization. O'Reilly has delayed combining his unit with the I. T. O. A. until after election. Whether this plan will eventuate is problematical, since the T. O. C. C. has been inactive for more than three years and its membership reported to have dwindled.

Van Leer to Dictograph

Arnold Van Leer, exploiteer, yesterday was appointed to post of public relations head for Dictograph Products, Inc., where he will take charge of sales promotion for the firm's New Silent Radio.

Revise S. R. Kent Claim

Sidney R. Kent's claim against Paramount will be allowed at $72,527 under an amended order signed yesterday by Federal Judge Alfred C. Coxe. The claim was based on an alleged breach by Paramount of Kent's employment contract in 1931, and was filed against the company in connection with its bankruptcy proceedings some time ago.

Mae West Recovers

HOLLYWOOD, Oct. 28.—Mae West has recovered sufficiently from a cold to resume entertainment of the bachelors sent here as a publicity stunt for "Go West, Young Man."

'Tom' Show Reaches B'way, But No Eva Reaches Heaven

(Continued from page 1)

this morning that this "Uncle Tom's Cabin," or "Sweet River" if Abbott insists, is well produced, tolerably acted in the main, overtoned with interesting and usually well-rendered Negro spirituals, blessed with one half of one beautiful and touching scene and no ascension of Little Eva to heaven. The audience must have missed that because it appeared to cling to its seats awaiting the traditional finish.

The one half of the one beautiful and touching scene introduced the third act after St. Clare arranged for the sale of his slaves. In they troop, sorrowful and respectful, to surround in friendly ring and on their knees their kindly master while offstage in soft crescendoes comes the chant of the colored chorus.

Material Antiquated

But "Sweet River" or no other play has any right to rest on such flimsy laurels. It may have been because the familiar and semi-classic tale has been made static by the very weight of its years. After all, Abbott merely adapted, did not write which perhaps explains why the results are what they are. The evening, as a consequence, seemed long indeed despite an audience which hissed Legree and applauded the heroics in a minor enterprise in a lagging season.

As the play changed its title so did the theatre which housed it. Once the Warners' Warner, the Broadway frontage last night was dark while those who went found their way through the side entrance, defined in electrics as the 51st Street Theatre.

Warner money behind it does not at all mean that company will film "Sweet River." If it's "Uncle Tom's Cabin" they're after, the Brothers can always go back to the original. After all, in it Eva did go to heaven.

New Writer-Producer Pact in Preparation

(Continued from page 1)

voiding the existing agreement thus automatically relieving the producers of their contractual obligations.

The possibility of the new development was strongly in evidence at the dinner tendered the producers by Screen Playwrights at the Beverly Wilshire Hotel. Among the guests were Darryl Zanuck, Louis B. Mayer, Edward J. Mannix, Ben B. Kahane, Adolph Zukor, Henry Herzbrun, William Koenig, Sam J. Briskin, Harry Cohn and Joseph M. Schenck.

Committees have been named to work out details. Briskin, Mannix and Kahane will act for the producers while Waldemar Young, Paul Scofield and William Slavens McNutt will represent the writers. The first of several scheduled meetings was held today at the RKO studios. At this meeting it was pointed out that approximately two-thirds of the Academy writer members belong to Screen Playwrights.

Officers of Screen Playwrights today refused to affirm or deny the report. It is believed, however, that a definite agreement will be reached within 10 days.

Collects $8.02

Omaha, Oct. 28.—Manager Bill Miskell of the Orpheum theatre has turned over to the free shoe fund of a local newspaper $8.02 in pennies which were tossed into the wishing well erected in the lobby to advertise the recent showing of "Ramona."

Para. Silent About Report of Dividend

(Continued from page 1)

of four points for the day and about 12 points for the past two days.

Players for Drive Captains

HOLLYWOOD, Oct. 28.—Paramount's Adolph Zukor Jubilee Drive is to have honorary captains for sales districts. Their names were made known to Zukor at a studio luncheon.

The districts and their leaders are: District No. 1, Boston, Ray Milland; No. 2, New York, Lynne Overman; No. 3, Philadelphia, Marsha Hunt; No. 4, Cleveland, Eleanor Whitney; No. 5, Chicago, William Frawley; No. 6, Kansas City, Roscoe Karns; No. 7, Atlanta, Gail Patrick; No. 8, Denver, Martha Raye; No. 9, Los Angeles, Shirley Ross, No. 10, Minneapolis, Mary Carlisle; No. 11, Dallas, Dorothy Lamour. The two Canadian districts will be captained by Sir Guy Standing and Robert Cummings.

Zukor to Help in Drive

Assurances that the production forces will back up the sales department in the four-month Silver Jubilee drive which will officially get under way Jan. 3 were expressed yesterday by Adolph Zukor, president, in a message to the men in the field.

"I am sure," Zukor said, "the product coming from the studio will justify whatever you may say about it in the field.

"In looking forward to Paramount's Silver Jubilee, apart from my very deep appreciation of its dedication to me, I feel that it will afford a basis for the most successful campaign in the history of the organization.

"With an unusually high standard of product now in preparation for the new season, the jubilee should give added impetus to both production and distribution efforts.

"It is indeed gratifying to be called upon to head a world-wide drive of this sort in behalf of the company. It is to be hoped that in celebrating our 25th anniversary in the motion picture business 1937 will be a year of records for Paramount.

"And I want you all to feel that as the drive gets started I will back you up in every possible way."

Charles Reagan, western division manager, was in Chicago yesterday where he met Myke Lewis, western drive captain, and held a conference with the Windy City sales force. From there they will head for Milwaukee, Detroit and Minneapolis and St. Paul.

Milt Kusell, New York state district manager and eastern drive captain, met last night with the local exchange sales force. Accompanied by J. J. Unger, he will leave for Washington tonight and hold a meeting in the Paramount exchange tomorrow. From the Capitol, Kusell and Unger will go to Atlanta, where they are due Saturday. They will be in New Orleans on Sunday and Dallas on Monday. From then on the schedule is undecided.

Neil F. Agnew, general sales manager, will leave for Hollywood next week where he will confer with Zukor and production executives.

Starting with Jan. 1, the aim of the Paramount domestic sales force is to average a weekly revenue of $1,000,000.

Although tentative plans called for a two-a-day policy on "The Plainsmen," it has been decided to release the Cecil B. DeMille film as a special on the regular schedule. Paramount executives are anxious to get the picture into circulation as soon as possible, it was said.

Locally, Paramount has closed with every important independent circuit with only a few small accounts to be completed.

Jan. 3 to Jan. 9 has been designated as "Adolph Zukor Birthday Week."

Triple Bill Arrives As K. C. Duals Gain

(Continued from page 1)

nighter and attend. The entire length of the program is not greater than many double features being shown today and the features have been carefully selected to embrace comedy, drama and action."

Only four out of 43 subsequent runs advertising showed single bills on Sunday.

Charney Co. Files Here

ALBANY, Oct. 28.—C. King Charney, Inc., Los Angeles, has filed a certificate of statement and designation with the Dept. of State here to do business in this state. The company is chartered under California laws, with a capital of 1,000 shares no par value stock, to deal in films. L. Ryan of New York is listed as vice-president.

Plan "Rogers Highway"

AMARILLO, Oct. 28.—The opening, naming and dedicating of the Will Rogers Highway (National Highway 66) will be held next year and will be a part of the national Will Rogers Memorial exercises for which this city has been chosen as the site.

Warner House to Open

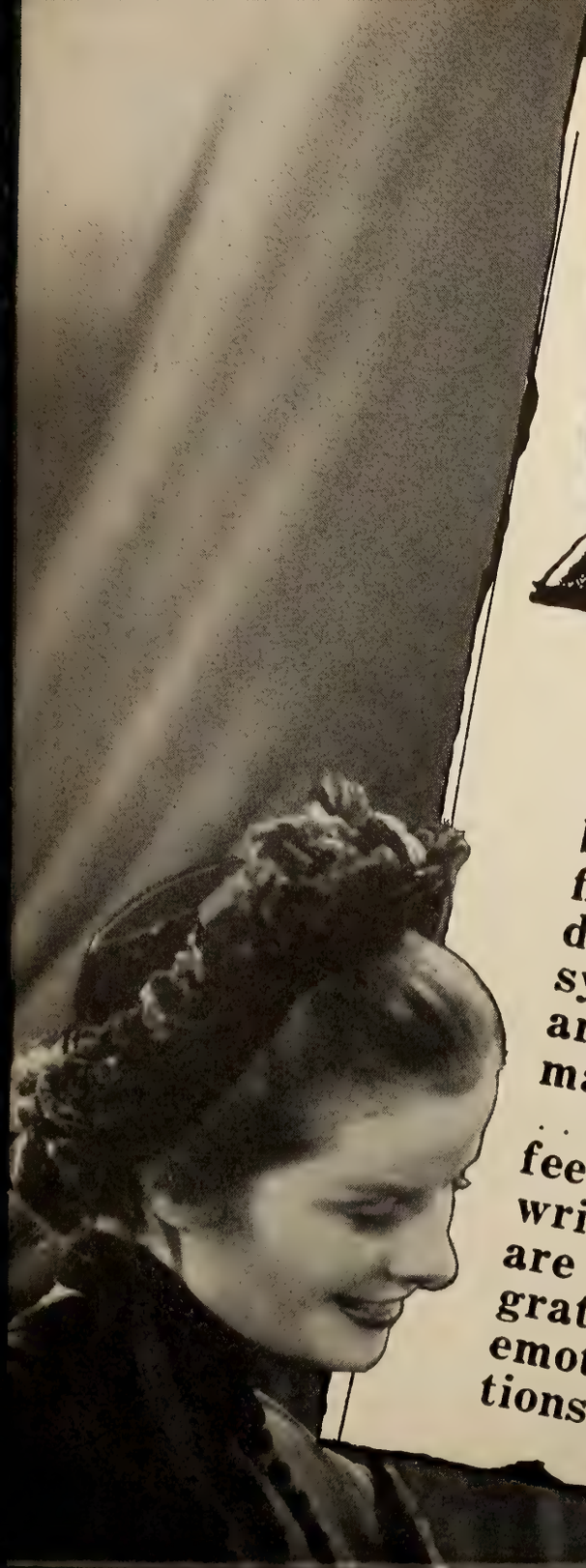
WASHINGTON, Oct. 28.—The Uptown, new Warner house, located on Connecticut Ave. and Newark Street, opens Thursday. The inaugural offering will be "Cain and Mabel."

N. C. Meet Dec. 7-8

PINEHURST, N. C., Oct. 28.—The Theatre Owners of North and South Carolina, Inc., have set their midwinter convention for Dec. 7-8 at Hotel Charlotte in Charlotte.

Gladys George Back

HOLLYWOOD, Oct. 28.—Gladys George has finished her personal appearance tour and has returned to work opposite Edward Arnold in "A Man and a Woman."



Film DAILY

Along the rialto

with PHIL M. DALY



• • • IT IS an Emotional Holiday for the femmes of the land . . . . . referring to "A Woman Rebels," the Katharine Hepburn saga of love lost, slighted, flouted, wooed, worshiped and finally won . . . . . here is love in all its moods . . . . . and a great deal more than love . . . . . it is one of the most poignant and sympathetic roles that has come to the screen . . . . . and Katharine Hepburn plays it to the hilt . . . . . and what a grand masculine foil is Herbert Marshall! . . . . . a grown-up love team . . . . . two intelligent people who love and suffer, and make you feel every emotion they experience . . . . . because the feeling was written into the story . . . . . and because Hepburn and Marshall are two of the grown-up players . . . . . RKO Radio are to be congratulated for bringing impressively to the screen a powerfully emotional drama of the heart that will stir the femini- tions as have few pictures . . . . .


HER
GREATEST
ROLE
SINCE
"LITTLE WOMEN"
★
OPENING TODAY
RADIO CITY MUSIC HALL
★
RKO
Radio
PICTURES
KATHARINE HEPBURN and HERBERT MARSHALL in
"A WOMAN REBELS" with ELIZABETH ALLAN ★ DONALD CRISP
Doris Dudley ★ David Manners ★ Directed by Mark Sandrich ★ Pandro S. Berman Production

Pollak Writes, Says He's 'Out of Woods'

Joe Pollak, former president of National Screen, who was gravely injured when he fell from the Orient Express about 20 miles from Budapest a number of weeks ago, is now "entirely out of the woods."

In one of the first communications to reach this country directly from Pollak, he says:

"During the last week I have recuperated wonderfully. I am up every day for six to eight hours getting my strength back and, although according to the doctors' statement, I still have to stay in the sanatorium (the Janos Sanatorium Budapest) for three or four weeks longer and afterwards an equal period at one of the hotels in order to fully recuperate and take further treatments, I will, at the end of that period, be none the worse off for my flight into the open spaces except for the horrible memory."

The letter was received yesterday by Red Kann.

Rifkin to Be Guest At a Boston Dinner

New England exhibitors will tender Herman Rifkin, Republic franchise holder, a welcome home dinner at the Statler, Boston, on Nov. 6. A group of former New England sales executives who have moved to New York within the past few years will attend.

Rifkin, who arrived Tuesday on the *Ile de France* after a seven-week trip to Russia, Poland, Switzerland, Austria, Italy, France and England, left yesterday afternoon for Boston. He was optimistic over conditions abroad, particularly Russia, where, he said, one must buy theatre tickets two days in advance, the minimum price being two rubles, or 40 cents.

Very few American pictures are shown in Russia, he said, as most of the films booked are Russian-made. During his stay in that country, the only American film advertised was "City Lights," he added.

Set Dividend Under GTE Reorganization

A dividend of $1.10 a share on its capital stock, payable Dec. 10 to stockholders of record Dec. 1, has been declared by the directors of General Theatres Equipment Corp. as an initial distribution to its stockholders.

It was stated that 95 per cent of the debentures, 89 per cent of the preferred stock and 78 per cent of the common stock of the old company has been deposited under the reorganization plan of last June. The remaining stockholders under the old regime must exchange their securities for the new issues to which they are entitled on or before Dec. 1 in order to be eligible for inclusion in the current dividend.

Richardson Lunch Guest

F. H. Richardson and William Reed, oldest projectionist, were guests at a luncheon given at the Hotel Pennsylvania yesterday by the Pioneer Projectionists' Ass'n.

Skourases in Portland

PORTLAND, Oct. 28.—Charles and Spyros Skouras and Edward Zabel conferred here today with executives of Hamrick-Evergreen Theatres.

Looking 'Em Over

"Les Miserables"

(*Franco-American*)

In this, France's own film version of the immortal Victor Hugo novel, has been produced one of the finest works to come out of French studios.

The Pathe-Natan production is very long, in a sense is ponderous, and at times moves slowly, in the pace of the weighty tragedy which marks much of the story's unfolding, but in all, it is an achievement, powerful, dramatic and purposeful.

Since the comparison is inevitable, it must be recorded that it does not flow with the speed and sharply intensified pointing up of dramatic incident that was true of the Hollywood production.

The work of Harry Baur, the great European actor, as Jean Valjean, the symbol of an era of authoritative tyranny of the underdog, should rank in the forefront of any comparative estimate of previous characterizations of the beaten Valjean, whose effort to be honest after an unreasonable imprisonment, is beset by the implacable pursuit of the machine-man Javert.

The supporting cast, with Charles Vanel as Javert; Henry Krauss as the kindly priest; Jean Servais as Marius, and the others, are eminently satisfactory. Hollywood should turn attentive eyes on the child, Gaby Triquet, who as the child Cosette, has an appeal and a natural talent which make her stand out in the support.

The film has been elaborately mounted throughout, the highlights the courtroom scene where Baur acknowledges his identity to save an innocent man, the night battles in the streets of Paris, and Baur's struggle with the injured Marius through the Paris sewers, the unyielding Javert in pursuit.

Perhaps only for metropolitan audiences, although subtitle translations make understanding easy, the film is a high point in French production.

Reviewed without production code seal. Running time, 155 minutes. "G."

"Brilliant Marriage"

(*Invincible-Chesterfield*)

With a story that drops from time to time into the realms of drama, comedy and romance, but never at any time convincingly, "Brilliant Marriage" has little to offer patrons who will almost immediately recognize the hackneyed plot.

Joan Marsh emotes through the story in her role as the daughter of a convict mother who has been adopted by Doris Lloyd and Holmes Herbert. This is further complicated by the arrival on the scene of Ann Codee, from St. Nazaire, the French women's prison, on blackmail intent. Miss Codee's bit after she obtains the sought after money and gets drunk, is entertaining relief, though improbable. However, Ray Walker, a reporter, meets and falls in love with Miss Marsh. Their romance is blasted when Inez Courtney, a fellow scribbler in love with Walker, spills the details of Miss Marsh's parentage. After a series of reconciliations and heartbreaking experiences Miss Marsh finally manages to get off with and married to John Marlowe, who has been her rejected suitor and silent champion all along. Miss Courtney also gets her man, Walker.

Phil Rosen is responsible for the direction. The story is by Carl Perez.

Production Code Seal No. 2,105. Running time, 64 minutes. "G."

"A Woman Rebels," opening this morning at the Radio City Music Hall, was reviewed on Oct. 26.

"Libeled Lady," Friday morning's opener at the Capitol, was previewed by wire from Hollywood on Oct. 6.

"In His Steps," now current at the Criterion, was also previewed from Hollywood on Sept. 12.

"Wives Never Know," tonight's preview at the Rialto, was reviewed on Sept. 4 from Hollywood.

"Ladies in Love," reviewed from Hollywood by wire on Oct. 5, opened yesterday morning at the Rivoli.

"East Meets West," another of tonight's previews, was reviewed by cable from London Sept. 8.

Muhl New Koenig Aide

HOLLYWOOD, Oct. 28. — Edward Muhl, who for some time has been in charge of contracts in the Universal legal department, has been made assistant to William Koenig. Ralph McClellan will take over most of Muhl's contract work in the future.

"Broadcast" at $62,000

"The Big Broadcast of 1937" ended its first week at the Paramount with approximately $62,000. Clyde Lucas and his band are the stage attraction. The fifth week of "Dodsworth" was good for $23,000 at the Rivoli. It was replaced by "Ladies in Love."

Short Subjects

"The Sunday Round Up"

(*Vitaphone*)

Dick Foran, as a struggling preacher in a western cattle town, is having his difficulties with the local saloon. With its rowdy entertainment it is luring the populace away from his church on Sundays. After a futile encounter with the proprietor Foran arranges to put on a benefit show which serves his purpose. An agreement is finally struck between the conflicting factions when the saloonkeeper discovers Foran's fine baritone voice and promises to close his watering place on Sunday on condition that Foran sing in his quartette. The film is done in Technicolor and Linda Perry, Jane Wyman, Ed Cobb, Fritz and Jean Hubert, Steve Clemente and Glen Strange give the narrative many entertaining moments. Production Code Seal No. 2,458. Running time, 21 mins. "G."

"Can't Think of It"

(*Vitaphone*)

Ken Murray is en route to his wedding and gets himself involved with a prison-bound gangster. Handcuffed together, Murray must go along when the criminal escapes. At the gangsters' hideout some entertaining business takes place between Murray, Sassafras and a female George Givot who, as the chief's moll, is good for many laughs. It is all done as high farce and has many hilarious moments. Production Code Seal No. 01,210. Running time, 18 mins. "G."

Fred C. Dickson Dead

INDIANAPOLIS, Oct. 28.—Fred C. Dickson, 60, who some years ago was a member of the firm of Dickson & Talbott, operators of a circuit here, died today in Methodist Hospital. He was president of the Indiana Trust Co. and associated with other financial and business interests.

Dickson, as a young man, was co-operator of the Park, a local landmark which was torn down a year ago. With his father he operated other houses in Dayton, Indianapolis, Terre Haute, Fort Wayne, Vincennes, Evansville and Anderson.

A widow and daughter survive. Funeral arrangements have not been completed.

Bronson's Mother Dies

PITTSBURGH, Oct. 28.—The mother of the George Bronson, manager of the Sheridan Square here, and of Mrs. I. J. Hoffman, wife of the Warner New England zone manager, died yesterday in Florida after a long illness. The body has been sent to New Haven where the funeral will be held tomorrow.

Balaban, Griffis West

Barney Balaban, president of Paramount, left for Chicago, his home city, yesterday to vote in the national elections. From that point next Wednesday and accompanied by Stanton Griffis, he will leave for Hollywood.

U. A. Preview Tomorrow

United Artists will hold a trade showing of "Come and Get It" at the Astor tomorrow morning at 11 o'clock. Local independent exhibitors and major circuit heads have been invited.

Purely Personal

Y FRANK FREEMAN was in Toronto yesterday for meetings of the boards of some of the Paramount Canadian theatre subsidiaries. He is due back here today.

•

LOUIS K. SIDNEY staged the elaborate "Night of Stars" benefit at Madison Square Garden last night. The performance was on behalf of the United Palestine Appeal and Joint Distribution Committee.

•

AGNES DE MILLE, daughter of CECIL B., sails today on the *Ile de France*. JOHN J. GLYNN, head of the Warner foreign department, is also departing on that ship.

•

HENRY SEIGEL and CHARLES GOLDBERG will be among the six new members inducted into M. P. Salesmen, Inc., tomorrow at the Dixie Steak House.

•

MOE SILBER, Albany zone manager for Warners, and OSCAR KUSCHNER, booker for the Pittsburgh circuit, were in town yesterday.

•

JOSEPH M. SCHENCK has recovered from his recent illness, according to private advices reaching New York from the coast.

•

HENRI ELLMAN arrived yesterday from Chicago and plans to spend a week here.

•

FRED MEYERS got back yesterday after a cross-country tour of RKO theatres.

•

GEORGE DEMBOW will leave tomorrow for Los Angeles via American Airlines.

•

J. J. MILSTEIN was in Philadelphia yesterday. He will be in Washington today and back home tomorrow.

•

HARRY GOLD left last night for Dallas by plane. He will be gone about three weeks on a tour of the south.

•

WILLIAM WYLER, NED CLARKE and JACK WHITING sailed yesterday for England on the *Aquitania*.

•

M. A. LIGHTMAN of Memphis is due here in a few days.

•

ABE MONTAGUE yesterday added another year to his age.

•

PATSY RUTH MILLER left for Hollywood last night, via plane.

•

STANLEY ADAMS left for Hollywood yesterday.

•

DR. A. H. GIANNINI will be in town for at least another week or 10 days.

•

CHARLES R. ROGERS is taking in the new shows.

•

JIMMY GRAINGER off to Boston Friday.

•

GARY COOPER left for the coast yesterday by plane.

•

LEON J. BAMBERGER, sales promotion manager at RKO, will speak Friday at the dinner meeting at the Advisory Board and Photoplay Committee of the Dep't of Secondary Education, National Education Ass'n.

•

DOLLY HAAS, star of "Broken Blossoms," arrives today on the *Manhattan*. JOHN W. HICKS, JR., Paramount vice-president, is also due on that ship.

Sales Policy Stand Awaited By Kuykendall

(*Continued from page* 1)

major distributors have completed their programs of sales policy revisions in line with the M. P. T. O. A. proposals, but that statements incorporating them were being held up for final scrutiny by company officials before being made public. The same sources asserted that there was "an excellent chance" of the statements being ready for publication prior to the end of the week.

Kuykendall will go to New Haven on Saturday to confer there with Ed Levy, M. P. T. O. A. counsel, and will attend the Yale-Dartmouth game on Saturday afternoon. He plans to go to Philadelphia from New Haven on Sunday for a trade dinner at the Bellevue-Stratford, and returns to his home at Columbus, Miss., on Election Day to vote. He plans no return trip to New York in the immediate future.

Kuykendall denied recent reports linking him with theatre operation in the east, asserting that his plans for the future were undecided, except that he would devote himself to exhibitor organization work "at least until next March." His term as M. P. T. O. A. president expires then and, although declining to say specifically that he would be a candidate for reelection then, he commented that his plans thereafter "would be up to the M. P. T. O. A. board." Kuykendall recently leased his two theatres, located in Columbus, Miss., to M. A. Lightman operating interests.

MPTO Units to Meet

An extensive schedule of late fall and winter meetings of M. P. T. O. A. regional organizations is being set in all sections of the country to discuss legislation, trade practice and other subjects affecting exhibitors. Most or all of the sessions will be addressed by Ed Kuykendall, president of the national exhibitor organization.

Among the regional meetings already scheduled are those of the M. P. T. O. of North and South Carolina, to be held at Charlotte, Dec. 7; the Theatre Owners of Oklahoma, at Oklahoma City, Dec. 14 and 15, and a meeting of the Texas unit immediately thereafter. Others will be scheduled in the near future.

Nebraska Meeting Nov. 10

OMAHA, Oct. 28.—M. P. T. O. A. for Nebraska and western Iowa will meet here Nov. 10 and 11, according to President C. E. Williams, to discuss possible legislation, relations with producers and to elect officers.

Williams doesn't anticipate any tax action against Nebraska exhibitors because both candidates for governor have campaigned on promises on no additional taxation.

Force Austria To Make Only 'Aryan' Films

(*Continued from page* 1)

but without the special privileges accorded the 14. But on the group of 30, Austrian producers have no assurance of acceptability in Germany, hence few beyond the 14 are actually produced.

Austrian producers also are seeking a revision by which the transfer of money resulting from German distribution may be expedited. The present long delay through official clearing has resulted in costly halts in Austrian production schedules, due to the lack of available funds, and a private clearing of money is sought.

Legion Men Forming Variety Club Posts

CLEVELAND, Oct. 28.—The Variety Club of the American Legion, recently formed for show people who served in the World War, will hold its first meeting on Friday at the Variety Club, Statler Hotel, to elect officers.

Organizers of a Variety Post are Howard Roth, head of the Paramount booking department, and Dave Lederman, local attorney who produces stage plays on the side. The idea developed during the recent national Legion convention in Cleveland, and after being launched here will be extended into a national chain of Variety Posts.

Eligible to membership are musicians, stage hands, operators, theatre executives and film employes with World War records.

Col. Harry E. Long, Loew division manager, has been invited to become initial commander of the Cleveland Variety Post.

Film Men for Brunner

The candidacy of William F. Brunner for president of the New York Board of Aldermen on the Democratic ticket is being supported by a number of local and show world film men and organizations. Banded together on his behalf are:

Jack Cohn, Arthur L. Mayer, Morris Gest, Harry Brandt, Emil C. Jensen, Edward B. Marks, Jack Alicoate, Harry L. Gold, Robert M. Gillham, Eddie Dowling, Charles L. O'Reilly, Larry Weber, William A. Brady, Alex Yokel, A. H. Schwartz, Budd Rogers, William Brandt, Carroll Trowbridge, Max Gordon, Howard S. Cullman, Frank C. Walker, Don Mersereau, Maurice Fleischman, Samuel Strassburg, Louis Frisch, Sam Harris, Cheese Club A.M.P.A., Harry Hershfield, Louis Frisch, Friars Club and Charles Mersereau.

Botsford East; Holiday

HOLLYWOOD, Oct. 28.—A. M. Botsford left for New York today via the Canal on a vacation. On his return, he will take over the producer duties formerly assigned to Chandler Sprague who resigned his Paramount post Tuesday night due to a difference of opinion on policy.

The studio bought up the unexpired four months of Sprague's pact. Bogart Rogers will handle the post while Botsford vacations.

Schwerin Has New Checking Service

(*Continued from page* 1)

wired to the company's headquarters in New York.

Schwerin yesterday denied the new service will be competitive to Ross Federal Service. He also stated it had nothing in common with M-G-M's new checking system adopted in New York, Boston and New Haven.

Schwerin is a veteran exchange man, having opened the Fox exchange in Pittsburgh about 25 years ago. For the past few years he has been in the independent exchange field there.

G. N. in 3 New Deals

Grand National has closed deals for its entire output with Central States Theatres of Des Moines, headed by H. M. Weinberg, and with the Butterfield circuit of Michigan.

Grand National has also arranged with the New York Criterion for a group of films to follow "In His Steps" which opens Oct. 30.

Zeidman to Produce "Peppers"

HOLLYWOOD, Oct. 28.—B. F. Zeidman will produce for Grand National "The Five Little Peppers and How They Grew," the American classic of Margaret Sidney.

20th-Fox Studio Active

HOLLYWOOD, Oct. 28.—Within the next 10 days, seven films will go into work at the Twentieth Century-Fox studio. Already in work are seven others, and four are now being edited for early release.

Warners Take G.B. List

G. B. has closed a deal for the playing of the entire schedule in Warner theatres in the Chicago territory.

Wall Street

Paramount Maintains Gain

	High	Low	Close	Net Change
Columbia	39¼	38½	38½	.....
Consolidated	5⅛	4¾	4¾	— ¼
Consolidated, pfd.	18⅝	17⅞	17⅞	— ¾
Eastman	173½	172	172½	.....
Gen. T. Equip.	28¾	26¾	27⅛	—1⅝
Loew's, Inc.	57¼	56½	56½	.....
Paramount	16½	15¾	16¼	+ ⅝
Paramount 1 pfd.	119	114	117½	+4
Paramount 2 pfd.	15½	14⅞	15	+ ⅛
Pathe Film	8	7½	7⅞	— ⅛
RKO	7⅞	7½	7½	— ¼
20th Century-Fox	32¾	32⅛	32½	+ ½
20th Century, pfd.	40¾	40¼	40¼	+ ⅛
Universal, pfd.	102	101½	101½	— ½
Warner Bros.	14⅝	14¼	14¼	.....
Warner, pfd.	61	61	61	— ⅞

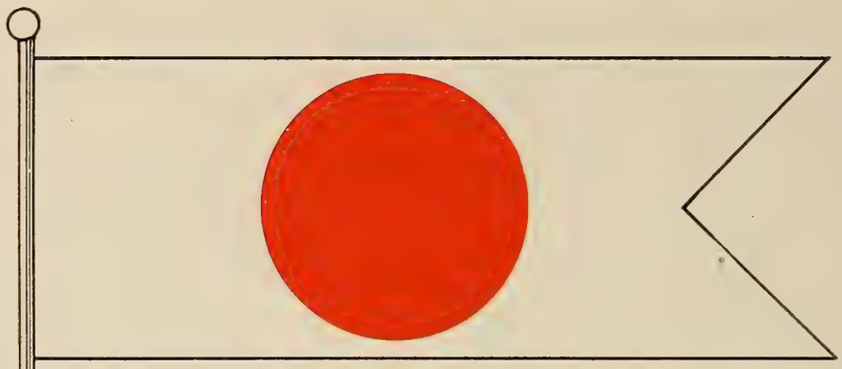
Curb Off

	High	Low	Close	Net Change
Grand National	3⅝	3¼	3½	.....
Sentry Safety	⅝	⅝	⅝	.....
Sonotone	2	2	2	— ⅛
Technicolor	23¾	23	23	— ⅜
Trans-Lux	3⅞	3¾	3⅞	.....
Universal Pict.	9¼	9	9	— ⅝

Bonds Rise Slightly

	High	Low	Close	Net Change
Keith B. F. 6s '46	97	97	97	.....
Loew's 6s '41 ww deb rights	99⅛	99	99	.....
Paramount B'way 3s '55	65	65	65	+ ½
Paramount Pict. 6s '55	98¾	98	98⅝	+ ⅜
RKO 6s '41 pp	91	91	91	.....
Warner Bros. 6s '39 wd	96¾	96	96	— ½

(Quotations at close of Oct. 28)



TRADE SHOW *Tomorrow*

of the greatest picture **SAMUEL**

GOLDWYN *has ever produced!*

Edna Ferber's

COME AND GET IT!

ASTOR THEATRE, B'WAY at 45th ST.
FRIDAY, OCT. 30th, at 11 A. M. sharp!

For some of you out-of-towners:
Sorry you can't come. But ask those
who were lucky enough to get in!

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 103 NEW YORK, FRIDAY, OCTOBER 30, 1936 TEN CENTS

Warner Radio Move Seen as Network Step

Two Coast Stations Tied In with KFWB

HOLLYWOOD, Oct. 29. — Station KFWB, Warner owned and operated, has joined hands with KMPC locally and KFXM, San Bernardino, in what is viewed as a further step in the gradual development of a fourth national radio network.

At the same time, the executive personnel at KFWB is being enlarged. Under the general direction of Harry Maislich, Leon Leonardi, formerly with NBC, has been named musical director and Beverly Latham, formerly with NBC in Chicago, has arrived to assume the post of program director.

A closer cooperation between the studio in Burbank and KFWB is part of the impending development. Plans provide for the frequent use of name players. The first are Beverly Roberts and Rosaline Marquis of the Warner stock company for a Nov. 3 broadcast on "The Gold Diggers of 1937."

If and when the Warner radio idea assumes coast-to-coast proportions, the impression in radio circles here is

(*Continued on page 3*)

Fairbanks-Goldwyn Deal for One Film

The partnership deal between Douglas Fairbanks and Samuel Goldwyn covers only the one production, "Marco Polo," Fairbanks said in an interview here yesterday at the United Artists home office. He has no definite plans at this time for additional production activity beyond the one picture, Fairbanks said.

Questioned as to the possible effect on "Marco Polo" production plans of an adverse court decision for Goldwyn in the latter's litigation with

(*Continued on page 8*)

No Playwright Deal Despite Financing

Although Warners, M-G-M and Paramount are participating in the financing of several Broadway shows this season, the attitude of major film companies on the basic agreement has not changed and no new contracts have been entered into with stage producers, a spokesman for the companies stated yesterday.

It was pointed out that Warners'

(*Continued on page 8*)

Para. Issues Hit New Highs; Warner Common Also Soaring

All Paramount issues on the big board yesterday hit new highs for the year. Warners common also reached a new top figure. Spirited trading in these stocks was a feature of the market with large blocks changing hands during the five-hour activity.

On a turnover of 36,400 shares, Paramount common soared to 17¼, closing at this price for a net gain of a point. Loew for the day was 16⅛. The first preferred jumped 7½ points for a closing high of 125. Low for the session was 119. Approximately 4,700 shares were sold. The second preferred reached a new high of 16, closed at 15⅞ after dropping to 15¼ for a gain of ⅞ of a point. About 18,900 shares were traded.

The number of Warner shares changing hands almost amounted to the aggregate of the three Paramount issues, which totaled 60,000. On a turnover of 57,200 shares, Warners common closed at 15, the high, after dipping to 14⅜, for ¾ of a point profit.

Paramount stock has advanced almost 20 points in the last three days and much of the gain has been credited to expectancy of dividend action on the first preferred at the monthly meeting of the board held yesterday, and the release of the company's third quarter financial report which will show the best profit for any quarter this year. The company reported following the board meeting that only routine business had been transacted and no comment concerning the financial statement was made.

Ascap Session Draws 450 to Hear Reports

Approximately 450 publisher, composer and author members of Ascap attended the organization's semi-annual luncheon meeting at the Astor yesterday. The meeting was addressed at length by Gene Buck, Ascap president, who presented reports of officers of the organization on activities since the last membership meeting during the late winter.

E. C. Mills, Ascap general manager, and Leslie Boosey, president of the British Performing Rights Society, left last night for Toronto,

(*Continued on page 8*)

Church Film Campaign on In Argentina

By M. BRUSKI

BUENOS AIRES, Oct. 29.—A film campaign similar to that conducted in the United States by the Legion of Decency is getting under way under the direction of the Argentine Catholic Action Bureau.

Films are to be listed and the listings posted in churches and schools.

Arrangements are being made for previewing pictures and it is understood that the work of the national censors will be ignored.

Officers have been reelected by the

(*Continued on page 8*)

Good Musical Might Have Been Better; Durante Fine

Durante, the schnozzle man, might not have been red and he might not have been blue, but he was hot all right most of last night over on West 52nd Street. There, at the Alvin, the town's latest contender for musical and dollar honors entered the lists in a season of theatrical competition which has been as marked for its lack of it as it has for its plays.

"Red, Hot and Blue" is the name, and it's a good one—snappy and sprightly which is more than can be said for the entire length and breadth of the show. Not that this new Vinton Freedley play hasn't got what it takes. It has in the aggregate and despite interruptions which occurred too frequently for the good of the whole. As musical comedies go, this one went well enough, although it

(*Continued on page 8*)

Majors Again Delay Trade Policy Move

Reassert an Intention To Act, However

Distributors yesterday reasserted their intention of making concessions which will be "acceptable" to exhibitors who are supporting the M.P.T.O.A. trade practice program, but declined to commit themselves to a definite date on which announcements of their concessions would be made, Ed Kuykendall, M.P.T.O.A. president, said yesterday after communicating with sales offices.

Kuykendall had expected announcements of the concessions to be made by at least several of the companies prior to Oct. 26. He said that no satisfactory explanation of the delay in making known the concessions was advanced by any of the companies which gave assurances that "acceptable" concessions would be made. He declined to state what policy he would pursue in the event the declarations are not forthcoming from distributors prior to his departure tomorrow from the city, but indicated that no hasty action by the national exhibitor organization which he heads was possible under the circumstances. Kuykendall pointed out that the adoption of any course of action would require the holding of a board meeting and that directors of the organization could not be assembled overnight.

The sponsoring of regulatory legis-

(*Continued on page 8*)

RCA Equipment Goes Into 64 Loew Spots

RCA equipment will be used for the first time in Loew's theatres as a result of contracts closed yesterday which provide for the re-equipping of half of the entire circuit with RCA Photophone reproducers.

The entire Loew circuit is to be re-equipped with new sound apparatus at an estimated expenditure of approximately $500,000. Indications are

(*Continued on page 11*)

Florida Bank Night Case to High Court

TAMPA, Oct. 29.—The Florida Supreme Court is to be asked to decide whether a theatre can be sued if a Bank Night prize is refused to a patron.

The case will go before the court on a writ of error granted Gulf Theatres,

(*Continued on page 8*)

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"Capt. Kidds" Are Law's Aim—Patman

CHICAGO, Oct. 29.—"The recently enacted Robinson-Patman law is aimed at the 'Captain Kidds' in business who have been detouring the golden rule," Representative Wright Patman said today in an address at the annual convention of the Central Supply Ass'n.

He declared that act "makes effective the original intention of the Clayton act, the prevention of direct or indirect price discrimination by the seller among his customers."

Sees No Restrictions

NEW HAVEN, Oct. 29.—The Robinson-Patman act will impose no onerous restrictions on business, former U. S. Attorney Felix H. Levy said here today before the Manufacturers' Ass'n of Connecticut.

Leo Spitz on Coast

HOLLYWOOD, Oct. 29.—Leo Spitz, president of RKO, arrived here from New York and Chicago today. He is expected to remain for about two weeks.

Fox Bankruptcy Case Goes Over to Nov. 10

ATLANTIC CITY, Oct. 29.—Questioning of witnesses in the William Fox bankruptcy proceedings was adjourned late today until Nov. 10 by Federal Referee Robert E. Steedle because of Election Day and other interruptions next week.

Before the date for resumption Steedle expects to complete and forward to U. S. District Judge John Boyd Avis at Camden papers certifying Herbert Leitsteen in contempt for refusing to testify on All-Continent Corp. affairs.

Fox was on the stand again today.

Carroll Sues Warners

A suit for $100,000 for alleged plagiarism was filed in Federal Court yesterday by Richard Carroll, New York magazine and newspaper feature writer, against Warners. The complaint alleges that Carroll wrote two manuscripts entitled "Panama" and "Conquest" and that he submitted them to Warners, who rejected them.

The complaint further alleges that the defendants registered with Producers' Ass'n notice of their intention to make a picture concerning the construction of the Panama Canal. Carroll says that the subject matter was part of his manuscript.

Orders Coast Depositions

Federal Judge Samuel Mandelbaum yesterday signed an order in connection with the suit brought by Mary Louise Esmond McFadden against Warner and First National for the taking of depositions in Los Angeles of Jack Warner and five others. The suit was originally commenced in 1934.

The complaint seeks $15,000 damages for the title "Girl Trouble," which, she says, was acquired in 1928 and which Warners later introduced. She says that although the Warner picture, "Girl Trouble," contained different subject matter, the use of the title destroyed the value of her play.

SEC Postpones Hollywood Case

WASHINGTON, Oct. 29.—Indefinite postponement of proceedings on the $100,000 registration of Hollywood Famous Pictures was ordered today by the Securities and Exchange Commission to permit the company to submit amendments to its original statement.

The company filed the statement Sept. 8 and was asked by the commission to clear up certain apparent discrepancies. It was explained by Irvin L. Langbein, attorney for the commission, that the company inadvertently had failed to respond to the request and the registration having become effective through the lapse of time it was considered advisable to issue the stop order on which a hearing was to have been held today.

Commission officials said that it was probable the deficiencies in the registration statement could be cleared up by correspondence and that no further hearings were likely to be called.

Call Empire Hearing

A hearing has been set for Nov. 10 in the Jersey City Postoffice Bldg. by Referee in Bankruptcy John Grimshaw, Jr., on an offer of J. E. Brulatour, Inc., to settle a suit by Empire Laboratories, Inc., for $2,092.39.

High Hopes

Pittsburgh, Oct. 29.—At the suggestion of Harry M. Warner, Paul Pendarvis, band leader at the William Penn Hotel, had a screen test made at the Vitaphone studio in Brooklyn. Warner saw the handsome young musician while he was playing at the Variety Club banquet and made the arrangements.

Pendarvis is due back in Pittsburgh tomorrow, where he will await the outcome of the test.

Rodgers Heads West After B. & K. Talks

CHICAGO, Oct. 29.—Following conferences with B. & K. and Great States executives, William F. Rodgers, general sales manager of M-G-M, today left for the coast where he will meet with other important circuit operators on future release.

Accompanied by Howard Dietz and William R. Ferguson, Rodgers arrived here a few days ago from Pittsburgh where the group conferred with Harry Kalmine, zone manager of the Warner circuit. The M-G-M trio en route here from New York stopped over at Philadelphia, Washington and Cleveland where sessions were held with Warner circuit zone heads.

While on the coast, Rodgers will go into a huddle with Al Lichtman and Spyros and Charles Skouras.

Budd Rogers Dating Two Films from BIP

Budd Rogers, American representative for B.I.P., is releasing two pictures, servicing out-of-town accounts from New York until distribution arrangements for the company have been completed.

The two British features are "Give Her a Ring" and "Radio Follies." A number of first run accounts have been sold in various key cities. In St. Louis, F. & M. has already played "Radio Follies" and today the Shubert-Rialto will reopen with "Give Her a Ring" as the companion picture to "They Met in a Taxi."

Imperial Set Shortly

Imperial's national exchange system, with branches in about 26 cities, will be active within approximately two weeks, it was said yesterday. Branches already have been established and are operating in 10 key cities, with Boston and New Haven to be set in a few days. Thirty features and 26 shorts are on the season's Imperial schedule.

Warner Club to Dance

The Warner Club will get its fall social season started tonight with a Hallowe'en dance and party at the home office clubrooms. Harry Mayer is chairman of the entertainment committee and has secured an 11-piece band for dancing.

U. A. Invites Executives

United Artists has invited a representative group of company executives and stars who happen to be in town as well as circuit officials to attend the trade showing of "Come and Get It" at the Astor this morning.

Present Richardson With Unique Degree

Dr. A. N. Goldsmith, honorary chairman of Richardson Week, yesterday created a new scholastic degree when he presented F. H. Richardson, technological editor of *Motion Picture Herald* with a diploma designating him "doctor of perfect projection." It is the only one of its kind on record with indications pointing to no return engagements.

The occasion was a luncheon tendered Richardson by his paper at the Pennsylvania and was attended by the executives of the Quigley Publishing Co. and members of the staffs of *Motion Picture Herald* and *Better Theatres* with Terry Ramsaye as toastmaster.

Speakers at the completely informal affair included Martin Quigley, John Chalmers of the former *Moving Picture World*, W. W. Byrne of the American Projection Society, Walter Green of National Theatre Supply and P. A. McGuire of International Projector. At the dais also was Colvin Brown.

Traveling Case Presented

Aside from members of the staffs of the two publications, outside guests included Herbert Griffin, M. V. Carroll and P. H. Haller of International Projector; Will C. Smith of National Theatre Supply; Sidney K. Wolf, president of the Society of M. P. Engineers; William C. Kunzmann, V. J. Nolan and P. D. Riese of National Carbon, Lester Isaac, projectionist chief of the Loew circuit, Sylvan Harris of the Society of M. P. Engineers, and A. S. Dickinson of M.P.P.D.A.

Richardson was presented with a pigskin traveling case with compartments for papers.

RKO and F. & M. Set Terms in St. Louis

RKO has closed with F. & M. on the terms for the first year of a 10-year product franchise the circuit has in St. Louis. The franchise was arranged at the time of the out-of-court settlement of the Government's anti-trust suit against Paramount, RKO and Warners.

Although F. & M. is playing Warners and Paramount product in the Mound City, negotiations are still underway on terms for 1936-37 product.

The Shubert-Rialto in St. Louis will be reopened today with a first run dual feature policy. The first two pictures booked are "They Met in a Taxi" and "Give Her a Ring."

Beverly Hills Plans Memorial to Rogers

HOLLYWOOD, Oct. 29.—The Beverly Hills Post of the American Legion and members of political, social and film groups have banded together for the purpose of erecting a community center which will be a memorial to Will Rogers.

On the Board of Perpetual Commissioners are Fred Stone, Mrs. Leland Atherton Irish, Sheriff Eugene Biscailuz, Leo Carrillo, Elissa Landi, Edward Spence, Mayor of Beverly Hills; Harriet Parsons, director of "Screen Snapshots;" Clarence Singer and Virginia Salter. The central figure in the building will be a statue of Rogers by Jack Gardner, young American sculptor.

Warner Radio Move Seen as Network Step

(*Continued from page 1*)

that the availability of Warner talent for outside programs on other networks will be curtailed.

On Sept. 29 MOTION PICTURE DAILY exclusively reported that the Warners were seriously contemplating the development of a new national network in competition with National Broadcasting, Columbia Broadcasting and Mutual, the latter of which assumes nationwide proportions beginning Dec. 29, when the Don Lee network on the West Coast becomes part of the hookup.

The nucleus of the Warner radio chain is the Transcontinental Radio System, which, in turn, is being developed by John Clark, former general manager of Station WLW, Cincinnati. He is reported to be in California now, but whether or not he is devoting his time to crystallization of the Warner air enterprise could not be ascertained yesterday.

Station KMPC, Los Angeles, and KFXM, San Bernardino, which the coast despatch declares are now tied in with KFWB, are independent outlets with no current national tie-in.

Air Cuts Child Patronage

ALBANY, Oct. 29.—M. A. Silver, zone manager for Warner theatres in New York state, in a bulletin directed to managers under his jurisdiction, urges that they take immediate steps to increase child attendance. He points out that in his opinion children are losing the film-going habit, which he attributes in large measure to the competition of the radio.

Wall Street

Board Maintains Gain

	High	Low	Close	Net Change
Columbia	38½	38	38½	.....
Columbia, pfd.	45½	45½	45½	+ ½
Consolidated	4⅞	4⅞	4⅞	+ ⅛
Consolidated, pfd.	18½	18⅜	18½	+ ⅝
Eastman	172	171⅞	171⅞	— ⅝
Gen. T. Equip.	27¾	27½	27¾	+ ⅜
Loew's, Inc.	57½	56⅞	56⅞	.....
Paramount	17¼	16⅝	17¼	+1
Paramount 1 pfd.	125	119	125	+7½
Paramount 2 pfd.	16	15¼	15⅞	+ ⅞
Pathe Film	7⅞	7¾	7¾	— ⅛
RKO	7⅞	7¾	7⅞	+ ⅛
20th Century-Fox	33⅜	33¼	33¼	+ ¾
20th Century, pfd.	41⅜	40¾	41¼	+1
Universal, pfd.	102	101½	101½	.....
Warner Bros.	15	14⅜	15	+ ¾
Warner, pfd.	62	61⅞	62	+1

Fractional Curb Rises

	High	Low	Close	Net Change
Grand National	3½	3⅜	3½	+ ⅛
Sentry Safety	⅝	⅝	⅝	.....
Sonotone	2	1⅞	2	.....
Technicolor	23	22¾	22¾	— ¼
Trans-Lux	4	3¾	4	+ ¼

RKO, Warner Bonds Up

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	99	99	99	.....
Paramount B'way 3s '55	64¾	64¾	64¾	— ¼
Paramount Pict. 6s '55	98⅝	98	98⅛	— ⅜
RKO 6s '41 pp.	92½	92	92½	+1½
Warner Bros. 6s '39 wd	96⅞	96¼	96⅞	+ ⅝

(Quotations at close of Oct. 29)

Claudette Colbert Signed For Camel Caravan Nov. 17

The affinity of interest between radio and films continues.

Claudette Colbert has been signed for a guest appearance on the Rupert Hughes' Camel Caravan program Nov. 17, thereby marking her first air stint since last July when she appeared with Walter Huston in a condensation of "The Barker" on the Lux program.

Joan Crawford and Franchot Tone will do their postponed "Elizabeth, the Queen" skit on the same program Nov. 10, thereby killing off reports that difficulties had developed between the M-G-M players and their radio sponsors.

Francia White's Tuesday night's stint for the Caravan will mark her last guest appearance of the season. Henceforth, she will be heard only on the Nelson Eddy "Open House" series, on which she is a regular performer. Miss White's contract with Vick's, sponsors of "Open House," limits her to six guest shots, five of which have been taken up.

The Camel Caravan programs are on Tuesdays from 9:30 to 10:30 P.M. E. S. T. over CBS.

NBC Festivities Set

Gen. James G. Harbord, chairman of the board; David Sarnoff, president of RCA; and Lenox R. Lohr, NBC president, will officially welcome the 25 foreign broadcasting executives now here for NBC's 10th anniversary celebration, at the Rockefeller Center Club, next Thursday morning. The reception will be followed by a luncheon in the Rainbow Room.

All told, an 11-day program of receptions and entertainment has been arranged for the visiting dignitaries. A tour of Rockefeller Center and a visit to a broadcast will fill in Thursday afternoon. An informal dinner, to be followed by a tour of the theatrical district, visits to the Empire State Bldg., a Harlem tour, and another broadcast will conclude the day's events.

The following 10 days will be taken up by a reception by Mayor LaGuardia; additional broadcasts and dinners, a television demonstration, trips to Princeton and West Point, Niagara Falls and Washington, at which point they will be entertained by Federal Communications Commission officials—at a dinner on Armistice Day.

Attendance at the final NBC 'Round the World Anniversary broadcast on Sunday, Nov. 15, will bring to an end the program of entertainment.

Eddie's Mystery: Linda Hayes

Eddie Cantor and the CBS publicity departments have attempted to keep secret the identity of a new "mystery" singer, who will be introduced "cold" to the Texaco audience Sunday at 8:30 P.M., E. S. T. Insofar as MOTION PICTURE DAILY is concerned, however, the youngster's identity is no longer a secret. She is Linda Hayes, a coast "blues" singer.

Bringing "Paducah" Show East

Irvin Cobb's "Paducah Plantation," aired from Hollywood in the interest of Oldsmobile, heads east next week to entertain the Oldsmobile dealers, who will meet in convention at the Commodore Hotel, Nov. 11. Part of the entertainment will be broadcast on the NBC Blue network, 9 to 9:30 P.M., E. S. T.

Instead of heading back for the coast immediately, the "Paducah" troupe will remain in New York until the following Saturday for the regularly scheduled broadcast, heard on the NBC Red network, from 10:30 to 11:00 P.M., E. S. T. Thereafter, they return west.

Dorothy Page and Clarence Muse, permanent features on the program, will accompany Cobb east. However, Harry Jackson's band will be left behind. Chick Webb's orchestra will fill in the music for the Wednesday night special show, while Ray Sinatra's orchestra has been engaged for the Saturday program. Jane Frohman will guest sing on the second program.

Myrt and Marge Again, Maybe

Two veteran radioites, Jack Pearl and Ed Wynn, appear to be traveling along the comeback trail, with sponsored series about to begin. Now it appears likely that still another once-popular air feature, Myrt and Marge, will be heard on the networks soon. The William Morris office, agents for the mother and daughter team, admit that several sponsors are angling for the services of the pair.

Don Lee Men Leave

His conference with the heads of the Mutual chain completed, Tom Lee, president of the Don Lee network, last night headed back to California. W. J. Gleason, W. J. Brown and Harold Peary, officials who accompanied Lee to New York, are now en route to Detroit for a conference with an unnamed auto manufacturer.

May Pass Up California

From Chicago comes word that Amos 'n' Andy, radio's famous blackface comics, may not broadcast from California this winter, as planned. Loop City reports have it that the boys weren't pleased with the cool reception they received in California last year and, as a consequence, are reluctant to return.

Ameche to Sears-Roebuck

Don Ameche, radio's "First Nighter," who scored in pictures, will be a guest on the Sears-Roebuck program some time in November. Ameche, now in Hollywood, will fly to Chicago for the engagement, which originates in the WBBM-CBS studios.

Miss Latham to Warners

Beverly Latham, for eight years editor of NBC's Chicago continuity department, resigned yesterday to accept the position of program director at Warners' Hollywood station, KFWB.

Goodwin, Ballew, Et Al

Short Shots:—Betty Goodwin, of NBC's local press division, has been advanced to the post of fashion editor . . . Robert Romaine and Parker Wilson, Chicago network players, will go to Hollywood at the invitation of Wesley Ruggles . . . Smith Bellew and Victor Young of Shell Chateau now vacationing because of the postponement of Saturday's broadcast—Ballew in Texas, his home state, and Young in San Francisco . . . Queena Mario of the Metropolitan Opera will be Floyd Gibbons' guest on the Nash-Lafayette Speedshow Nov. 7 . . . Preceding her on the same show tomorrow night will be Bill Robinson . . . E. P. H. James, sales promotion manager of NBC, addresses the Cleveland Advertising Club tonight . . . Mitchell Benson, of WOR's announcing staff, has been promoted to production manager. Roger Lyons, formerly of WAAT, takes over Benson's announcing job . . Adele Ronson, NBC actress, weds Horace Hamilton Nahm this evening . . . Jesse Block and Eve Sully guest star on Benny Rubin's WOR program on Sunday . . . Herb Polesie, in charge of production of the Shell Chateau program in Hollywood, now visting the J. Walter Thompson, New York office.

Procter, Gamble Net at Peak; Largest Single User of Radio

Procter and Gamble's earnings for the third quarter were $6,629,564, the highest figure for the period in the history of the company.

P. and G. is the largest single user of network and daytime broadcasting in the country. For the first 9 months of '36 the company spent $2,278,875 for time alone—all with National Broadcasting which carries its programs exclusively. The programs follow:

Program	*Network*	*Time (E.S.T.)*
Cap't Tim Healy	Blue	9:45 to 10 A.M.
Five Star Jones	Blue	10:15 to 10:30 A.M.
Pepper Young's Family	Blue	10:30 to 10:45 A.M.
Home, Sweet, Home	Blue	11:15 to 11:30 A.M.
Vic and Sade	Red	11:30 to 11:45 A.M.
The Gospel Singer	Blue	11:45 to 12 Noon
Pepper Young's Family	Red	3 to 3:15 P.M.
Ma Perkins	Red	3:15 to 3:30 P.M.
Vic and Sade	Red	3:30 to 3:45 P.M.
The O'Neills	Red	3:45 to 4 P.M.

Additionally, there is the Frank Parker-Ann Leaf program over WEAF, New York, and WMAQ, Chicago, on Wednesdays from 7:30 to 7:45 P.M.

All programs, except the latter series, are broadcast five times weekly, Monday to Friday inclusive.



"SING, BABY'S" S.R.O. RECORDS TOPPED!

Early field reports definitely stamp "Pigskin Parade" as 20th's greatest laugh-and-song smash . . . surpassing even "Sing, Baby, Sing's" great records! That's what it did at the McDONALD THEATRE, EUGENE, Ore. And at the MAJESTIC, BRIDGEPORT! And at the PALACE, CINCINNATI! And at the METROPOLITAN, HOUSTON (nearly *doubling* "Sing, Baby's" gross!) Sensational, too, at the EMPIRE, PORTLAND, Me.! Easily topping "Road to Glory" and "To Mary—With Love" at the STRAND, LOUISVILLE! While at the PARAMOUNT, AUSTIN, its *3 mid-week days* equalled the first *4 days* of "To Mary" *including Saturday and Sunday!* DATE IT IN NOW FOR A BOX-OFFICE LANDSLIDE!



PIGSKIN PARADE

THE LATEST ENTERTAINMENT TOUCHDOWN FROM 20th CENTURY-FOX!

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

STUART ERWIN · JOHNNY DOWNS
ARLINE JUDGE · BETTY GRABLE
PATSY KELLY · JACK HALEY
YACHT CLUB BOYS · DIXIE DUNBAR
ANTHONY MARTIN · JUDY GARLAND

Directed by David Butler · Associate Producer Bogart Rogers

Screen play by Harry Tugend, Jack Yellen and William Conselman · Based on a story by Arthur Sheekman, Nat Perrin and Mark Kelly · Music and lyrics by Lew Pollack and Sidney D. Mitchell · Music and lyrics of songs sung by Yacht Club Boys—by Themselves

Darryl F. Zanuck in Charge of Production

IT STOOD THE CRITI

AND THEY WRC
GREATEST SAML



As close to the last word in entertainmen value, this will bring increased prestige no only to Samuel Goldwyn but also to th industry at large . . . the film as a whol is a real prestige builder and looks like natural in all houses from the deluxe run down.

—Motion Picture Dai

"Come and Get It" great . . . Samue Goldwyn has contributed a completel worthy companion piece to his "Dodsworth" . . . the new film will attract an even large audience for it reaches deeply into th roots of everyday life . . . it can be counte on for a magnificent box office record . . as a production it is literally superb, one o the outstanding pictures of the year . .

—Hollywood Reporte

"Come and Get It" emerges as Samue Goldwyn's second adult masterpiece o the season and is a great successor to hi "Dodsworth."

—Elizabeth Wilson, Screenland Magazin

Warmly human drama superbly acted. A easy ace for any picture house . . . here i another outstanding picture bearing th Samuel Goldwyn label . . . has more tende warm human touches than a dozen pictures

—Ralph Wilk, Film Dail

"Come and Get It" brilliantly transpose from Edna Ferber's tale . . . will claim fo Samuel Goldwyn production highest popu lar and critical praise.

—Daily Variet

S ON THEIR HEADS

THESE JOYOUS WORDS ABOUT THE GOLDWYN PRODUCTION! . . . . .

"Come and Get It" provoked unusual critical enthusiasm and is regarded as one of the year's outstanding films.

—Douglas Churchill, New York Times

"Come and Get It" is an invitation to any red blooded American audience for a rare evening of superb entertainment.

—Jimmy Starr, Los Angeles Herald

Remarkable for consistent all-around entertainment . . . every sequence is of epic importance and with its tremendous box office appeal no doubt will hang up many new records.

—Showmen's Trade Review

My hat is off to Samuel Goldwyn for his production of "Come and Get It." Surely one of the finest films ever to emerge from Hollywood.

—Virginia Wood Editor Silver Screen Magazine

"Come and Get It" is the best audience picture I've ever seen and I've seen all of them. It is a picture that will thrill every audience everywhere.

—Harry Niemeyer, St. Louis Dispatch

Even if this were not the superlative story and production that it is "Come and Get It" would rate the highest praise for the amazing cast magician Samuel Goldwyn has assembled . . . here in breathless pace he has done what other producers merely dream about.

—Ruth Waterbury, Photoplay

Pictorially thrilling and beautifully dramatized, with this production Samuel Goldwyn has to his credit another of the year's most notable productions.

—Clark Wales, Detroit Free Press

"Come and Get It" is further proof of Samuel Goldwyn's sagacity as a producer.

—Louella Parsons

Samuel Goldwyn doesn't make many pictures but when he does make one, you can depend upon its being the best . . . "Come and Get It" is certainly no exception to the rule . . . it is an absorbing, virile epic, the likes of which you seldom see.

—Marian Rhea, Editor Screen Play Magazine

Samuel Goldwyn's "Come and Get It" will go and get it anywhere.

—Ham Beall, Western Editor Fawcett Publications

Samuel Goldwyn

PRESENTS

EDNA FERBER'S

COME AND GET IT

with

EDWARD ARNOLD

JOEL McCREA • FRANCES FARMER

Mady Christians • Walter Brennan • Frank Shields

Andrea Leeds • *and a cast of thousands*

Directed by **HOWARD HAWKS** *and* **WILLIAM WYLER**

Released thru

UNITED ARTISTS

Ascap Session Draws 450 to Hear Reports

(Continued from page 1)

where they will meet today with representative Canadian exhibitors in an effort to work out a music tax agreement which will permit the continuance of the Canadian music licensing organization despite recent restrictions regulating the music tax rates which may be charged in the Dominion. Ascap asserts that the newly authorized rates will force the suspension of its Canadian subsidiary unless an agreement can be worked out with exhibitors there permitting a revenue increase. If the Canadian subsidiary should suspend, exhibitors in the Dominion would be obliged to negotiate individual music licenses from copyright owners for every picture shown or be liable for copyright infringement, Ascap states.

Arthur Schwartz of Schwartz & Frohlich, attorneys for Ascap, left for Washington last night for several days of conferences there with members of the Attorney General's staff in connection with agreements on stipulations of fact which are being entered in an effort to expedite adjudication of the Government's monopoly action against Ascap. Much work remains to be done before the stipulations can be submitted to the Federal court here. When completed, the court may decide the case on the basis of the stipulations or may order a resumption of the trial for additional evidence and testimony.

Florida Bank Night Case to High Court

(Continued from page 1)

Inc., operator of the Tampa, following a verdict for $1,583 granted to W. A. Rice in a lower court.

Texas Situation Cleared

DALLAS, Oct. 29.—Bank Night has been legalized in this state by a ruling of Chief Justice James McClendon in Third Court for Civil Appeals dismissing an injunction granted A. M. Morgan at Brady by a lower court against the Griffith Amusement Co. The court ruled that Bank Night lacked one of the three essentials of a lottery since an entrant was not required to buy a ticket to win.

While the case was pending Bank Night operated in the state without interference.

No Playwright Deal, Despite Financing

(Continued from page 1)

participation in a number of Gilbert Miller and George Abbott shows dates back to contracts made last year. Paramount is interested in "Red, Hot and Blue," while M-G-M is financially behind several of the Max Gordon shows, including "St. Helena."

M-G-M recently acquired the music rights to "Manon," the opera, but no decision has been made for use of the composition. The same company is negotiating for several stage plays, but only for screen purposes, it was stated.

Good Musical Might Have Been Better; Durante Fine

(Continued from page 1)

could have been considerably better.

Howard Lindsay and Russel Crouse had an idea. A perfectly nutty one, but broad enough to be good enough for musical comedy, reminiscent as it is, of "Of Thee I Sing" and not nearly so well turned. It takes Durante out of Lark's Nest Prison, where life is sweet and the polo good into the home of "Nails" O'Reilly Duquesne, played by Ethel Merman, whose interest in sociology and prison reform is matched only by her wealth. It seems Durante gets thrown out because he allows 10 pug uglies to break in.

Out of virtually nowhere at all develops a plan to run a giant lottery with Bob Hope the "lottery lover" seeking the "Baby" he had known as a child of four years along Riverside Drive.

"Baby," as foolish youngsters will in musical comedy, had parked that portion of her body which hits the seat first on a hot waffle iron. The country, thereafter, is turned upside down in the frantic search for the identifying mark. Hope learns to love Miss Merman and she him. So out of the way of the delicate plot must go "Baby" who grows up as Polly Walters. It happens, or didn't you surmise?

Supporting Cast Competent

There are lots of pretty young things in the girl line, bedecked right handsomely as they do their stint for Terpsichore. Wandering into the first act and out of it and then into the second are the Hartmans, a fine team of eccentric dancers, plus magician tricks; they furnished a highlight of the evening.

It was Durante, however, on whom the authors concentrated their fun and Jimmy came through with bang and an enthusiasm that earned him long and, let be said, proper applause. Miss Merman, arrayed in several startling and theatrical stage costumes, did well by herself and the songs Cole Porter provided. Porter's score, in no manner, ranks with the job he did for "Anything Goes" which may be asking too much. Neither did his tunes, always lilting if not outstandingly distinguished, match his own lyrics for the songs.

At the midnight hour with the deadline making faces at the typewriter, the most persistent of them rattling around in this reviewer's head is one called "It's De-Lovely." You'll be hearing it.

Some Toning Down Needed

Paramount opened the money bags for "Red, Hot and Blue." By the time it gets ready to put it before the cameras, there will be new lyrics necessary. There will likewise be required dry cleaning of the basic plot motivation, for waffle irons and the rear ends of girls are no go on the screen today. The dialogue also will have to be finecombed and the off-color lines—there are many—will have to go.

Then, there probably will be a picture. That is, after the writing department in Hollywood finds a story. All it will find in "Red, Hot and Blue" is an idea for one.

Versatility

Representative William I. Sirovich, sponsor of considerable legislation from time to time affecting the film industry, is an extremely versatile man.

In the midst of a political campaign requiring the delivery of four or five speeches nightly, Sirovich is writing a play, he revealed yesterday, dealing with the life of the great 17th century philosopher, Spinoza.

In other odd moments, Sirovich is penning additional chapters of a novel, on which 23 chapters already have been completed.

The play is going to be a good one, says Sirovich.

Majors Again Delay Trade Policy Move

(Continued from page 1)

lation, an alternative move advanced by the M.P.T.O.A. earlier, could make little headway before Congress meets in January, and requires no immediate action, it was said.

Distribution sources disclosed that four of the seven companies which plan favorable action on the exhibitor trade practice program have fully decided what concessions each will make, but no explanation is advanced of the delay in making them known. The remaining three companies are said to be awaiting final executive or legal approval of their decisions, delayed because of the absence from the city of these officials.

Kuykendall leaves for New Haven tomorrow and goes to Philadelphia from there on Sunday. He will return to his home at Columbus, Miss., to vote on Tuesday and plans no early return to New York because of conventions of regional M.P.T.O.A. units which he is scheduled to attend in various parts of the country during the next few months.

Turn in False Alarm

While "Ladies in Love" was being shown to a capacity audience at the Rivoli yesterday afternoon, somebody in the men's room turned in a false alarm. Through the alertness of Manager Ludwig, who notified the firemen upon arrival of what had happened, no patron left the theatre. In fact, while the firemen were investigating, a continuous line of ticket-holders was entering the theatre.

"History" Starts Nov. 2

HOLLYWOOD, Oct. 29. — Walter Wanger will start "History is Made at Night" Nov. 2. The cast is headed by Charles Boyer and Jean Arthur.

Church Film Campaign on In Argentina

(Continued from page 1)

Argentine Ass'n of M. P. Distributors as follows: President, Columbia; vice-president, Radiolux; secretary, Paramount; pro-secretary, Universal; treasurer, Twentieth Century-Fox, and alternate director, M-G-M.

* * *

Cordero, Cavallo and Lutaret, who recently announced plans for a large theatre, the Grand Teatro Opera, on the 800 block of Calle Corrientes, has added more land to the site by purchasing adjoining houses.

* * *

Carlos Alberto Pessano has been named honorary technical director of the Argentine M. P. Institute by decree of the President. He replaces Juan A. Brancamonte, who has been commissioned to organize and plan the functions of the institute in collaboration with the head of the National Cultural Committee.

* * *

Universal has just celebrated the 15th anniversary of the establishment of its agency here. It was one of the first North American firms to be started here. Leo Hersh, who came here as an accountant at the time of the start of the branch and shortly afterward was made manager, has been in charge ever since.

Fairbanks-Goldwyn Deal for One Film

(Continued from page 1)

Paramount over Gary Cooper's services, Fairbanks said: "That is not my worry. Cooper's contract is supposed to be with Goldwyn. I haven't given the matter any thought." Cooper is slated for the starring role in the picture, work on which is to be started next May for release in the fall of 1937. Some of the sequences will be made in China, Fairbanks said.

The picture is budgeted now at $1,500,000. A director has not been selected yet nor have the supporting roles been filled. Fairbanks will supervise production, but will have no part in the picture, he said. The idea for this version of Marco Polo's adventures was supplied by Capt. A. Pogson of London, and Fairbanks prepared the story from it. Robert E. Sherwood will do the screenplay.

Fairbanks sails for Europe on the *Queen Mary* next Wednesday and will go to Switzerland for skiing before returning here about Jan. 1.

Sells Chicago Circuits

CHICAGO, Oct. 29.—After selling away from B. & K. and Great States last year United Artists has finally made deals with these groups.

Current with this announcement was the report that "The Gay Desperado," a U. A. picture, will open at the RKO-Palace here Nov. 6. The deal was made in New York and has local executives puzzled as B. & K. usually get all U. A. product for first run.

Botsford Pact Renewed

HOLLYWOOD, Oct. 29.—Paramount today renewed the producer contract of A. M. Botsford.

Another "PASTEUR"

SAYS EMANUEL PUBLICATIONS



ACCLAIM!

"Well made, with the same selling angles as 'Pasteur,' this is worth attention. Players all turn in good performances."
—The Philadelphia Exhibitor

"Sincere, impressive and absorbing, this dramatic tale of the courageous battle waged by a few heroic souls against the dread yellow fever germ will interest all who appreciate serious films."
—Boxoffice

"The story is interesting and the acting for the most part is capable . . . It is a tribute to the medical profession in their successful efforts to conquer the dread disease."
—M. P. Herald

AWAKENING THE SLEEPERS
By Wolfe-Smith

"'YELLOW JACK'—The dread scourge of mankind! . . . Fever-crazed men endangering one of the great engineering feats of modern times—the building of the Panama Canal . . . Gents, that brief synopsis hardly does justice to a BIG theme. You must remember 'Arrowsmith' and so do your patrons. Well, you have the same type of thing to work with here. It's IMPORTANT! . . . There's dough in 'The White Legion,' if you go after it with the proper shovel."
—Independent Exhibitors Film Bulletin

EDWARD L. ALPERSON presents

"WHITE LEGION"

WITH IAN KEITH • TALA BIRELL

FERDINAND GOTTSCHALK • SUZANNE KAAREN
ROLLO LLOYD • WARREN RICHMOND • ROBERT WARWICK

A B. F. ZEIDMAN production

Story and Direction by KARL BROWN • Musical Setting Conceived and Directed by HUGO RIESENFELD

BFZ PRODUCTIONS LTD.

A GRAND NATIONAL PICTURE

Purely Personal

HARRY BUXBAUM will leave for Philadelphia today, JOE LEE and ARTHUR SEIGEL tomorrow. Purpose: to watch BUXBAUM's son, HARRY, JR., a member of the Penn U freshmen team, play against Princeton's freshmen. BUXBAUM, who picked St. Mary's to win over Fordham last week, is taking a lot of kidding as a result of his wrong choice. HARRY and LOUIS BRANDT have been distributing special throwaways on which appear a picture of ROBERT TAYLOR with a caption describing him as HARRY BUXBAUM and the following: "Do not patronize BUXBAUM's office—He is unfair to Fordham's football team."

•

MRS. J. J. O'CONNOR last night threw a surprise shower for JULIE NINCHERRIE, her husband's secretary, at their new home in New Rochelle. MISS NINCHERRIE is to be married Nov. 11, which is the O'CONNOR's third wedding anniversary.

•

LOUIS K. SIDNEY, head man at WHN, is in charge of the entertainment for "The Night of Stars" show which will be held at the Madison Square Garden for the United Palestine Appeal and Joint Distribution Committee.

•

CARLYLE BLACKWELL, star of silent films, looking like a juvenile; WILL HAYS, as brown as a berry; JACK McKEON, as debonair as ever. All in the neighborhood of Fifth Ave. and 46th St.

•

WINFIELD SHEEHAN, MARIA JERITZA, MISS B. WACHTEL and MISS L. HALFREICH will leave today in a party via TWA for Minneapolis. On Nov. 2, they will leave from Chicago for the coast.

•

BEN SERKOWICH and MADELINE WOODS have placed a story with the William Morris Agency for sale. They have it copyrighted under three titles —"Fit to be Tied," "If the Shoe Fits" and "Head Over Heels."

•

HARRY TERGAMENT, New York representative for United Theatres, Inc., left yesterday for Puerto Rico to confer with his principals, RAMOS COBIAN and EDOUARDO GONZALES.

•

WILLIAM K. HOWARD, JACK OAKIE, who drafted the plans for ALEXANDER KORDA's new Denham studios, and TAMARI DESNI are due Monday on the *Queen Mary*.

•

PATSY LEE PARSONS, five-year-old actress, has had her contract renewed by RKO and has started work in "They Wanted to Marry." LOU IRWIN handled the deal.

•

OLIVIA DE HAVILLAND is due at the Newark Airport this morning from the coast to attend the opening of "The Charge of the Light Brigade."

•

WILLIAM K. HOWARD is aboard the *Queen Mary* due to dock Monday. While in England he directed "Fire Over England" for London Film.

•

JOHN HAY WHITNEY, who left for the coast last night to attend the preview of "Garden of Allah" at the Chinese in Hollywood, is due back by air tomorrow.

•

LORLEN BENT'S "Boy Blue" has been acquired by SOL LESSER who has scheduled it for production shortly after the first of the year.

•

RICHARD DIX is due on the Century today for a brief vacation. He has just finished in "The Depths Below" with DOLORES DEL RIO.

•

EDWARD GROSS, general production manager for SOL LESSER, is due here this week to sign JOLLY GILLETTE, 10-year-old radio singer.

•

JACK SCHNITZER, RKO home office representative, has arrived at the Albany office from Boston for a periodical check.

•

LUCINDA REICHENBACH sails tomorrow for Buenos Aires and Rio de Janiero, where she will spend the winter.

•

J. J. MILSTEIN, general sales manager of Republic, returned yesterday from Washington and Philadelphia.

•

MICKEY HORNSTEIN has joined Joe Hornstein, Inc., in charge of the theatre rejuvenation department.

•

SCOTT KOLK and MISS M. NEWMAN will head for the coast today by plane for the Universal studios.

•

BRIAN AHERNE, who returned from abroad on the *Aquitania*, is at the St. Regis.

•

FRANK PHELPS of the Warner theatre department has gone to Boston on a brief business trip.

•

PHIL DUMAS, Columbia district manager, has returned to Chicago.

•

ALBERT WARNER and JOSEPH BERNHARD left yesterday for White Sulphur Springs for a vacation.

•

ELEANOR HOLM and ART JARRETT have signed a deal making LOU IRWIN their manager.

•

MARGOT GRAHAME will arrive from Hollywood this morning via American Airlines.

•

HAL WALLIS and FERNAND GRAVET will leave for the Warner studios on Sunday.

•

TONY SUDEKUM, in town for the past few days, returns to Nashville today.

•

DAVID LEWIS, M-G-M studio executive, is in town on a short business trip.

•

WILLIAM LAMBERT left yesterday by plane for the RKO coast studios.

•

DON MERSEREAU of *The Film Daily* left for Hollywood yesterday.

•

GRAHAM MCNAMEE left by plane for Chicago last night.

M. Gravet Meets the Press



Striking for something different, Warners yesterday used a big set of "White Horse Inn", the stage of the Center Theatre and young women of the chorus to dispense food and whatnot at a press reception yesterday for Fernand Gravet, French actor now here en route to Hollywood to launch his American film career. The stage was crowded but no casualities were reported, despite the yawning proximity of the orchestra pit, scotch, rye, Manhattans and the like.

The Cosmo-Sileo photographer was pretty busy, too. Here—left to right—he caught Gradwell L. Sears, Jack Alicoate, Red Kann, Jack L. Warner, Gravet, Harry M. Warner and Martin Quigley. That leaves the smiling profile and the woman in the background the only two without designation.

Chicago's Film Row Shifting Southward

CHICAGO, Oct. 29.—Chicago's Film Row, which is located along Wabash Ave., is gradually moving southward. The announcement of a new $150,000 fireproof building at 13th St. and Wabash Ave., to house the Universal, Columbia and United Artists exchanges, shows the trend.

The deals for space in this building, which is being erected by Herbert R. Butz, local financier, have been concluded with Universal and Columbia, but the United Artists arrangements are still pending. It is expected they will be agreed upon soon.

A. M. Brown is agent for the building which will be a two story structure. The lower floor will house the Universal and Columbia exchanges while the upper floor will take care of the U. A. offices and a projection room for Universal and also their poster room.

Construction is set to start March 1, and it is expected the building will be ready for occupancy by Sept. 1, 1937.

Midwestern Houses Use Political Film

KANSAS CITY, Oct. 29.—Approximately 65 to 70 per cent of the theatres in Indiana, Illinois, Missouri, Iowa and Nebraska are showing the short political films prepared by the Republican party, according to W. H. Hendren, Jr., manager for the United Film Ad Service, Inc. The company opened its distribution facilities to pictures of both parties, but only the Republicans have availed themselves of it so far. The films go into theatres at the prevailing price of advertising.

Only about 40 per cent of Kansas City subsequent run theatres are showing the film. Among these is Jay Means of the Oak Park and Bagdad, who has played such Republican shorts as "Don't Blame the Butcher."

"We have had a lot of phone calls from Democrats who objected to the pictures," Means commented, "even though they're preceded on the screen by the notice that they are paid advertisements, and though we tell people that we shall be glad to show partisan pictures for the Democrats at the same price."

"Adventure" Pulls $63,000 First Week

"Adventure in Manhattan" finished its week at the Music Hall with a tally of $63,000. The Roxy last night wound up a week's run of "Magnificent Brute" with approximately $42,000.

The Palace, with "Stage Struck" and "Daniel Boone," ended the run last night with about $10,000. The Criterion took in around $9,000 on "Follow Your Heart." The Capitol garnered close to $22,000 on the second week of "The Devil Is a Sissy," while the Rialto with "Big Game" tallied around $9,000.

"Charge of the Light Brigade" will open at the Strand tomorrow morning after a two-week run of "Cain and Mabel." The latter picture will wind up a fortnight's run this evening with approximately $40,000 for the two weeks.

Resume on "Maytime"

HOLLYWOOD, Oct. 29.—"Maytime" has resumed at M-G-M after five weeks' delay. Production was halted by the death of Irving Thalberg, and the interim has been spent in realigning staff and shooting schedules under Producer Hunt Stromberg. Edmund Goulding, who had been directing opening sequences, resigned, and has been replaced by Robert Z. Leonard. Also new are Oliver Marsh, cameraman; Joe Newman, assistant director, and Frank Messenger, unit business manager.

Besides the principals, Jeanette MacDonald and Nelson Eddy, the only cast members to date are John Barrymore, Virginia Reid, Russell Hicks and Joan Breslau.

Sign New Oberon Pact

Merle Oberon has been signed to a new contract for five years by Samuel Goldwyn and Alexander Korda. Her old contract on this joint basis had two and one-half years to run.

Robert Donat Re-Signed

LONDON, Oct. 29.—Robert Donat has been signed by Alexander Korda for three more films after "Knight Without Armour."

Short Subjects

"Opera De Paris"
(*DuWorld*)

A backstage view of the famous Paris Opera, this film, produced by Jean Monti-Jean Margueritte of France, should be found of general interest by intelligent audiences. A rather lengthy short subject, it presents a quick, entertaining picture of the making of opera and ballet performances, featuring in a sequence the work of Serge Lifar of the Diaghilev Ballet. The camera darts about, showing the ballet at practice, the vocal chorus at rehearsal, the leading singers at work, and a flash of actual performances of opera and ballet.

Reviewed without production code seal. Running time, 30 mins. "G."

"Steel"
(*Modern Talking Picture Service*)

Made to answer the queries put forward by an interested public, "Steel," an industrial item, has a ballet-like quality as the camera invades the steel mills and records with excellent photography the spectacular scenes within. There is a fine musical score which blends well with the scenario. The many remarkable processes in the making of the product are clearly and, in a manner, dramatically presented. An entertaining little offering which may be had without charge, but for the transportation. No production code seal. Running time, 11 mins. "G."

RCA Equipment Goes Into 64 Loew Spots

(*Continued from page* 1)

that the remaining half of the circuit will be equipped by Erpi with Western Electric Mirrophonic.

The contracts already closed with RCA Photophone call for installations of the new High Fidelity type equipment in 64 of the Loew houses, 34 of which are in the New York metropolitan area and the remaining 30 are located in 21 other cities in various sections of the country.

Claims New Erpi Record

All sales records in the history of sound equipment were shattered this week by Erpi, the greatest previous sales peak having been reached during the week ending Dec. 28, 1929, according to C. W. Bunn, general sales manager. This brings the total number of theatres contacting for Mirrophonic to 318 since the new sound was introduced to the trade less than two months ago.

Flash Preview

"Mysteries of Notre Dame"—DuWorld offers this imported production of Religious French Films in which is pictured the architectural beauty and detail of the famous Cathedral of Notre Dame in Paris.

This film will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Minsky Seeks Cine Roma

Negotiations are under way by Billy Minsky to acquire the Cine Roma from Warners for burlesque. The theatre is now being remodeled with the deal expected to be signed next week.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Wanted: Jane Turner"
(*Radio*)

HOLLYWOOD, Oct. 29.—A postal inspector is the hero of this crime and crook drama through which runs a vein of comedy and love interest. Carrying its complement of dramatic suspense, menace and danger, leavened by humor in dialogue and situations, the film is of the excitement-provoking character designed for mass reception. Entertaining in that atmosphere, it is also educational and instructive as it picturizes the manner in which the Government protects the mails and, when occasion arises, uses them to break up gangster activities.

Lee Tracy, assigned to capture a killing mail robber, feels that he is encumbered by the presence of Gloria Stuart, secretary, whom the Post Office Dep't has ordered to be his assistant. The crook's, Paul Guilfoyle's, trail leads to Los Angeles. Knowing that he has confederates, Tracy places inspectors at the general delivery window and also watches the personal columns in newspapers. A mysterious Jane Turner is expected to claim a letter. Two Janes, one an innocent outsider, the other an ally of Guilfoyle, show up. The complicated character of the situation builds to the climax which entails a lot of weird goings on until Miss Stuart shoots Guilfoyle and she and Tracy, who have been squabbling all through the story, decide they can work better in double harness.

The story is by John Twist, which he and Edmund L. Hartman adapted. Edward Killy directed.

Production Code Seal No. 2,602. Running time, 65 minutes. "G."

"Laughing at Trouble"
(*Twentieth Century-Fox*)

HOLLYWOOD, Oct. 29.—The title might convey the impression that comedy elements prevailed in this story. They don't. It is a grimly serious murder mystery done in reverse.

Instead of leading up to a trial for life as a climax it starts with the trial and a conviction, and the drama revolves around the efforts of a woman editor of a small town newspaper to unravel the crime so young romance can resume its normal course. The tension is sustained by the fact that the prisoner, Allan Lane, escapes and goes to the editor's house, and it takes about two reels for her to get him back in jail again with the aid of the sheriff.

Jane Darwell, as the editor, is vigorous and talkative, so talkative in fact that about 50 per cent of the dialogue is hers. That's not her fault, of course, the scenario department can be blamed. Even so, she does a good job.

The characters are well chosen, and they depict the petty jealousies, the intrigues and conflicting ambitions of village life understandingly. The picture will probably have its greatest appeal in small town and neighborhood spots.

Frank S. Strayer directed from the play by Adelyn Bushnell. The screen play was done by Robert Ellis and Helen Legan. In the supporting cast were Sarah Haden, Delma Byron, John Carradine, James Burke and Margaret Hamilton.

Production Code Seal No. 2,675. Running time, 70 minutes. "G."

"Make Way for a Lady"
(*Radio*)

HOLLYWOOD, Oct. 29.—This is good light entertainment, with an imaginative adolescent messing up the romance of her father and finally straightening it out. It has its serious and gay moments and an appeal for youngsters as well as adults.

The cast is top notch. Herbert Marshall, widower and publisher, living in a New York suburb with his young daughter, Ann Shirley, finds it necessary to be diplomatically nice to Margot Grahame, novelist. The complications set in when Miss Shirley finds a book by Miss Grahame autographed to Marshall and referring to "our" story. She immediately assumes her father is in love with the novelist, and, in a sacrificial spirit, tries to foster the romance.

In the meantime he is paying marked attention to Gertrude Michael, teacher. Although she adores Miss Michael she tells her she never can be her stepmother and nearly wrecks the romance.

It's light material, lightly treated, and staged and directed in a way to make it very pleasant entertainment.

David Burton did a good job with the directing. The screen play by Gertrude Purcell was from a novel by Elizabeth Jordan.

Production Code Seal No. 2,561. Running time, 74 minutes. "G."

Variety Club

Cincinnati

CINCINNATI, Oct. 29. — Major Bowes' anniversary amateur unit was brought to Tent No. 3 from the RKO Shubert to provide entertainment, under the direction of ARTHUR FRUDENFELD.

JOE OULAHAN won the playoff in the Variety Club golf tournament, defeating LARRY BENTON. Both had a score of 71 in the recent match, making the playoff necessary. Both barkers tied at exactly the same score last year, BENTON winning the playoff at that time.

HARRY J. WESSEL, chief barker, is rounding up a representative delegation to attend the house-warming of the Indianapolis Tent on Nov. 7.

Kansas City

KANSAS CITY, Oct. 29. — Variety Club will hold a Hallowe'en party Oct. 31 at the clubrooms for 100 couples. Prizes have been offered for the best costumes.

So far this fall, activities of the club have been limited to special affairs. However, Monday luncheons probably will be resumed later this fall, although they may not be held every week.

Omaha

OMAHA, Oct. 29.—The local Variety Club has installed a form of Bank Night for its weekly meetings.

Recent visitors to the club rooms were GLADYS GEORGE, LINA BASQUETTE and TED HEALY.

Rosenzweig-Cocalis To Build 3 Houses

Dave Rosenzweig, associated with Sam D. Cocalis in the operation of a number of theatres in Brooklyn, Bronx and Long Island, has completed plans with other associates for building three theatres, two in Brooklyn and one in Maspeth.

The Brooklyn projects call for a 1,200-seat structure at Liberty and Drew Aves., and the second a 1,700-seat house at Liberty Ave. and Van Wyke Blvd. The third unit will be at Maspeth and will seat 600.

Rosenzweig has owned the sites for the contemplated theatres for a few years. He is expected to have all units completed for next season.

May Variety Club Guest

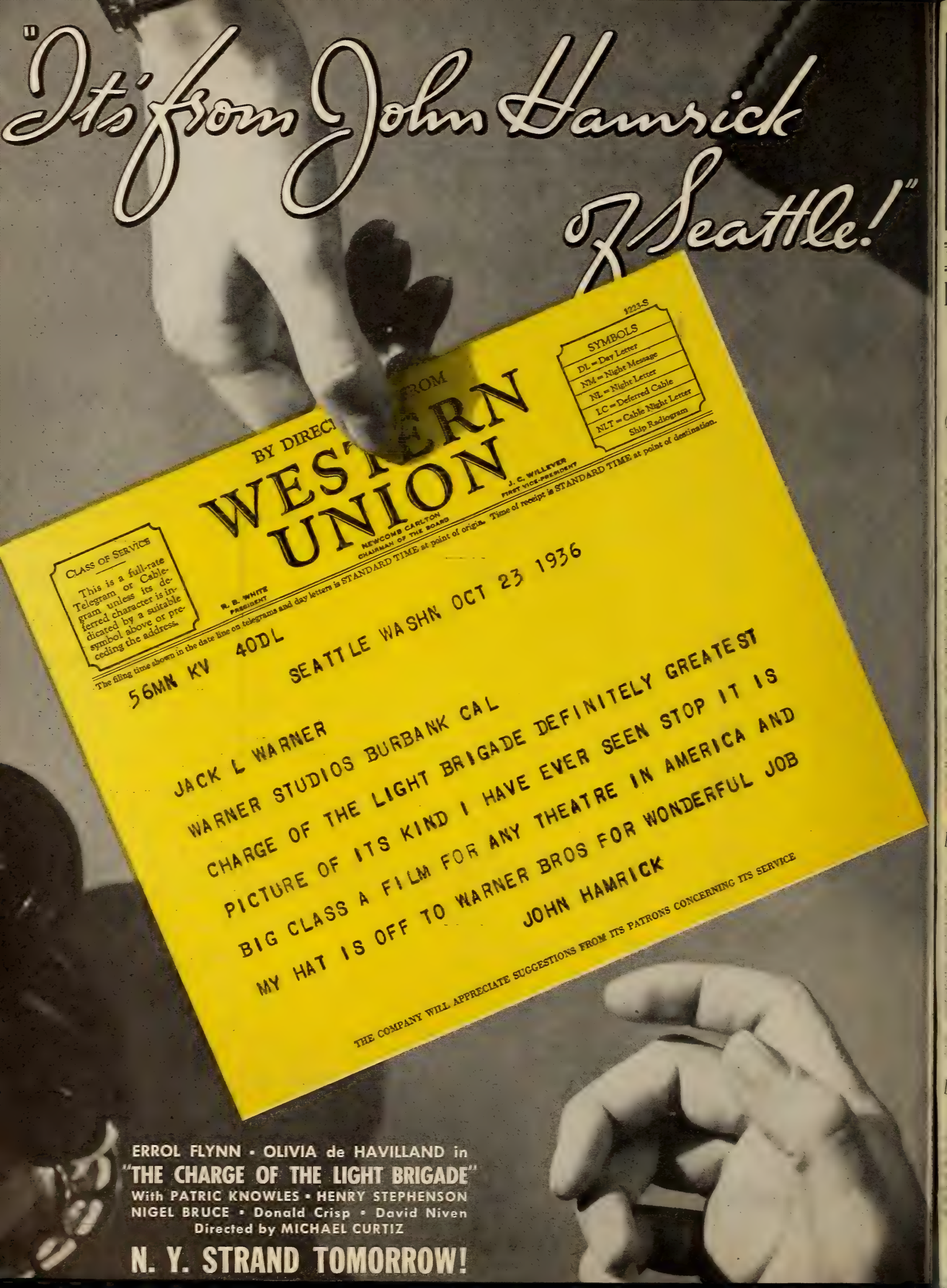
BUFFALO, Oct. 29.—John May, accountant for Schine Theatres, Inc., Gloversville, N. Y., and Republican candidate for state comptroller was honored at a luncheon held by the local Variety Club. Judge Rowe, Sid Samson and Ted O'Shea were the speakers.

Oscar Hanson to Rest

TORONTO, Oct. 29.—Oscar R. Hanson, president of Empire Films, Ltd., has been ordered to take a complete rest from business activities because of a heart ailment. He will be away from office activities for the next six weeks, it is expected.

Fire in British Studio

LONDON, Oct. 29. — Metropolitan Film Company's studio at Southall, near London, was badly damaged today by fire.


"It's from John Hamrick of Seattle!"
1223-S
SYMBOLS
DL = Day Letter
NM = Night Message
NL = Night Letter
LC = Deferred Cable
NLT = Cable Night Letter
Ship Radiogram
BY DIRECT FROM
WESTERN UNION
NEWCOMB CARLTON
CHAIRMAN OF THE BOARD
J. C. WILLEVER
FIRST VICE-PRESIDENT
R. B. WHITE
PRESIDENT
CLASS OF SERVICE
This is a full-rate Telegram or Cable-gram unless its de-ferred character is in-dicated by a suitable symbol above or pre-ceding the address.
The filing time shown in the date line on telegrams and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination.
56MN KV 40DL SEATTLE WASH OCT 23 1936
JACK L WARNER
WARNER STUDIOS BURBANK CAL
CHARGE OF THE LIGHT BRIGADE DEFINITELY GREATEST
PICTURE OF ITS KIND I HAVE EVER SEEN STOP IT IS
BIG CLASS A FILM FOR ANY THEATRE IN AMERICA AND
MY HAT IS OFF TO WARNER BROS FOR WONDERFUL JOB
JOHN HAMRICK
THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE
ERROL FLYNN • OLIVIA de HAVILLAND in
"THE CHARGE OF THE LIGHT BRIGADE"
With PATRIC KNOWLES • HENRY STEPHENSON
NIGEL BRUCE • Donald Crisp • David Niven
Directed by MICHAEL CURTIZ
N. Y. STRAND TOMORROW!

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 104 NEW YORK, SATURDAY, OCTOBER 31, 1936 TEN CENTS

Large Para. 3-Month Net Seen Certain

Griffis Expects Figure To Top Estimate

Paramount's third quarter report, which may be released in about two weeks, will reflect earnings even better than those anticipated at the close of the period a month ago, Stanton Griffis, chairman of the executive committee, said yesterday.

Griffis declined to make an advance estimate of the earnings, but the estimate of third quarter profit early this month was in excess of $1,000,000. Griffis said that the earnings report for the company's British subsidiaries is completed about 30 days later than the domestic report, and a decision by Paramount not to make public any preliminary or incomplete report accounts for the absence of a third quarter earnings statement at this date.

Asked to comment on reports that dividend action was a likelihood, Griffis said that they were not entirely unfounded. Indications are, however, that such action would not be taken until well along toward the end of the year. The November meeting of the board may be postponed until a December date because of the probability

(*Continued on page 3*)

Hicks and European Film Figures Arrive

John W. Hicks, Jr., head of the Paramount foreign department; Carl F. Dixon, European representative for the home office accounting department; Dolly Haas, English star; Hans Brahm, British director; Clifford W. Smith of Western Electric; C. J. Tevlin, representing Imperial Pictures on English deals, and John and Mrs. Hodge, son-in-law and daughter of S. R. Kent, arrived yesterday on the *Manhattan*.

Hicks has been away six weeks on his semi-annual visit to England, France and Italy. He said Para-

(*Continued on page 3*)

Decide Moss Cannot Disturb Zoning Law

A decision of the Appellate Division of the N. Y. County Supreme Court yesterday ruled that Paul Moss, commissioner of licenses, has no right to upset zoning laws and that in ruling on sites for film theatres he is to limit his consideration to public health and safety. This decision was handed

(*Continued on page 3*)

Ford Company Makes Offer For Air Use of MGM Stars

The Ford Motor Co. awaits decision from M-G-M on an offer to pay the company $25,000 a week for an hour's broadcast once a week for a full year over the coast-to-coast Columbia Broadcasting System network for the exclusive radio appearance of the film company's starring and featured player roster.

Looming as one of the most sweeping deals engineered in radio, the automobile company is prepared to launch the series early in January with indications it will replace its Sunday night program of concert players and symphonic music which runs from 9 to 10 P. M. Eastern Standard Time through a 94-station outlet over the CBS system with the M-G-M arrangement, if and when completed. Behind this important potential shift in air shows is reported a desire of Ford to more closely match in popular entertainment the Major Bowes' Amateur Show, now Chrysler-sponsored, on the same hour Thursday evenings over the same network and the same number of station outlets.

The plan had its origin with Abe Lastfogel, coast general manager of the William Morris Agency, who approached and sold it to N. W. Ayer and Son, Inc., advertising agency for Ford. The agency, in turn, sold it to its client and M-G-M then was approached with the decision so far in doubt. It ties in also with the most significant effort to date on the part of the William Morris office to invade the radio talent agency field in a move designed to establish for that

(*Continued on page 4*)

Ostrer Moves To Slash G.B. Studio Costs

By BRUCE ALLAN

London, Oct. 30.—Mark Ostrer, G. B. executive, in an official statement today, said that costs at the Shepherd's Bush studio of G. B. will be cut.

In explanation of the move, he asserted that with five big pictures completed and few in preparation "our immediate program can be handled by two units, without any lowering of the standard which won for us an international market."

G. B. has had six units working. The decision looks like the first stage in the production economy campaign which was foreshadowed in the company's recently issued financial report.

Ostrer's statement followed stories

(*Continued on page 3*)

Frederick Lonsdale Is Sued by M-G-M

HOLLYWOOD, Oct. 30. — Metro-Goldwyn-Mayer, through its attorneys, Loeb, Walker and Loeb, today filed suit in Superior Court to recover $50,000 advanced to Frederick Lonsdale on a contract signed in 1930.

The complaint charges that Lonsdale refused to deliver, to the producers' satisfaction, two originals and a sequel to "The Last of Mrs. Cheney" after having received an advance of $25,000 on each original.

Phila. Unit Will Picket Grand Nat'l

PHILADELPHIA, Oct. 30.—At a stormy session today the United M. P. T. O. gave authority to its board of managers to start picketing Grand National because of allegedly high rentals asked by the company, particularly in competitive spots. Authority also was given to picket houses of exhibitors who play Grand National product.

The meeting was held at the Hotel Broadwood. The organization went on record with the declaration that it did not want to boycott, but was using picketing as a definite means of protest. Recalled was the picketing of Warners here a few years ago over "Gold Diggers."

The exhibitor group also set in

(*Continued on page 4*)

Peskay Named Head Of Sales for G. N.

Edward J. Peskay, local theatre operator, yesterday was appointed vice-president in charge of distribution for Grand National, succeeding Carl M. Leserman, who has resigned to join another company. Leserman will take a two-month vacation abroad. His successor will begin his new duties on Monday.

Last week Harry Allan was added to the executive sales setup as Canadian representative. He is now in

(*Continued on page 3*)

Negotiate Air Program From Sound Stages

General Mills Seeks to Broadcast Daily

HOLLYWOOD, Oct. 30.—General Mills, manufacturers of Gold Medal Flour and other kitchen products, is negotiating with major studios here through a Chicago advertising agency for the daily broadcast of a 15-minute program direct from the studio sets, the programs to be put on the air over a national network.

According to present plans the broadcasts will be dramatized in the March of Time fashion, giving the news from the sets while it is actually occurring. A different studio will be used each day.

It is understood that the film companies here are reacting favorably to the idea. However, the negotiations have been referred to the Hays office for definite action which will probably be taken next week.

Astaire's Contract Renewed by Packard

HOLLYWOOD, Oct. 30. — Packard Motor Car Co., through Young & Rubicam, today renewed for 13 additional weeks the broadcasting contract of Fred Astaire. As the current Astaire contract does not expire until Dec. 8, today's move nullified reports that the actor's pact would not be renewed.

The air program will continue with the same cast as heretofore.

Majors Silent on Trade Concessions

No statements defining the trade practice concessions which seven major companies have declared they will make in furthering the M.P.T.O.A. 10-point program of industry self-regulation were made up to last night, when the period within which leaders of the national exhibitor organization expected them closed..

Ed Kuykendall, M.P.T.O.A. president, who came here this week in anticipation of several of the statements being issued, leaves for New Haven this morning and from there will return to his home at Columbus, Miss., following a stopover at Philadelphia. Kuykendall declined to comment on the failure of the distribution companies to act within the expected time and, likewise, refused to discuss any

(*Continued on page 3*)

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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Davis Will Not Appeal

LONDON, Oct. 30.—Bette Davis will not appeal from the recent decision of the King's Bench Court here, which held that she may not perform in England for three years, or until the expiration of her existing contract with Warners. The actress will return to the United States and the Warner studio, planning to leave here on the *Aquitania* on Nov. 24.

Mailing Ban Holds

DALLAS, Oct. 30.—Karl Crowley, solicitor general of the Post Office Dept., said here today that the Texas court ruling favorable to Bank Night would not affect the mailing ban on advertising of Bank Night.

Approve Empire Changes

The amended petition on the reorganization plan of Empire Theatre Supply Corp. was approved yesterday by Referee Oscar W. Ehrhorn.

English Pass "Carnival"

"Carnival in Flanders" has been passed by the English censor board, according to the operators of the Filmarte, where the film is playing here.

Says W. E. Sound in 1,950 British Spots

Approximately 1,950 theatres in England are now equipped with Erpi sound, Clifford W. Smith, who has been in charge of the British office for six years, stated yesterday on his arrival on the *Manhattan.* He will assume new duties at the home office with W. A. Bach taking over the assignment in England.

Seven studios in England and as many on the Continent are using the compay's recording equipment, he said. The number of theatres on the Continent with Erpi reproducers now total 700. Prior to his transfer to the London office, Smith was in charge of French activities with headquarters in Paris.

"Business is good in England, but not so good on the Continent," Smith observed. "The political and financial unrest are responsible," he said. "The Continental countries are still trying to solve the problem of producing pictures in their own languages.

"They are struggling to force production in their languages by quotas and other means. The pictures have little value in outside countries; and because of the limited playing time within their own territories, local production does not pay, no matter how good the pictures may be."

Hode Backs Slapstick

The suitability of slapstick comedies for children was emphasized yesterday by Hal Hode of Columbia in an address before the Long Island and Queens units of the N. Y. State Federation of Women's Clubs at the Jamaica Y. M. C. A. Mrs. Paul Wolfskehl was chairman and Arthur De Bra of the M.P.P.D.A. was master of ceremonies.

Move G. N. in Chicago

CHICAGO, Oct. 30. — After getting offices furnished and ready for business the Grand National exchange was notified to vacate headquarters in the Warner Bldg. No reason was given local executives for the change in plans and Earl Silverman of the local Grand National office is now looking for a new location. He expects to announce the new address by Nov. 1.

Singer Reopens Liberty

Mort Singer yesterday reopened the Liberty, New Orleans, which has been closed since he acquired it for extensive repairs.

Singer will leave today for Chicago after spending a few days in conference with RKO home office executives. Joseph M. Berne, Cleveland attorney associated with Singer, also will head for his headquarters in Ohio today.

Shapiro to Make Tour

HOLLYWOOD, Oct. 30.—Victor Shapiro, chief of publicity for Major Pictures, will accompany Mae West on her personal appearance tour which opens Nov. 6 in Chicago. Dates for other engagements have not been set, but Miss West will be gone for at least four weeks.

Embassy to Use Cartoon

The Embassy will feature a cartoon subject starting next Thursday for the first time. It will be a Krazy Kat cartoon burlesquing Lowell Thomas, Ed Thorgersen, Lew Lehr and Louise Vance.

Censor Takes Tour

New Orleans, Oct. 30.—Elias Irwin, head of the state censor board, is on a trip upstate to talk to exhibitors who have forgotten that such a board exists, he says.

Warner Washington Has House Opening

WASHINGTON, Oct. 30.—Warners opened the new Uptown at Connecticut Ave. and Newark St. last night with a number of Government officials present.

Among those present were: Melvin C. Hazen, chairman of the District of Columbia Commissioners; Harry C. Grove, president of the Cleveland Park Citizens' Ass'n; Audrey Sieber, mistress of ceremonies at the Earle; Albert Warner and Joseph Bernhard.

This makes the 14th theatre for Warners in this territory under the supervision of John J. Payette. Walter Carsley is manager of the new house.

Lina Pictures Sues Principal Pictures

In a suit for $10,000 damages filed in Supreme Court yesterday by Lina Pictures Corp. against Principal Film Exchange the plaintiff charges that its assignor, Principal Distributing Corp., released prints and sound records through the defendant and that the defendant has failed to return them in accordance with an agreement so to do.

The Lina Pictures Corp. at the same time discontinued an action for $3,000 in city court against the same defendant.

Gogniat-Universal Trial Set

The trial of the suit alleging plagiarism of songs brought by Georges A. Gogniat of United Music Co. against Universal Pictures was set down yesterday for trial before Federal Judge Woolsey on Dec. 14.

Selznick Buys "Variety"

HOLLYWOOD, Oct. 30. — "Variety," the silent film which starred Emil Jannings, will be remade by Selznick-International. E. A. DuPont, who directed the film, has sold the dialogue rights to Selznick, and negotiations are now on with Paramount for the silent film rights. DuPont will direct, with Edward Arnold starred.

Minelli to Paramount

HOLLYWOOD, Oct. 30.—Paramount has signed Vincente Minelli, New York stage producer and director. He will act as general adviser to producers on musicals.

Closes with Tri-States

George W. Weeks has closed a deal with Tri-States Theatres for the entire 1936-37 G. B. lineup.

Weeks is now in St. Louis for conferences with the exchange staff.

Two Plays Discontinue

"Sweet River," which opened at the 51st St. Theatre Wednesday night, closes tonight.

"Iron Men" which made its debut at the Longacre Oct. 19, also folds.

Police Guard Posted In Bombed Theatres

Following the gas and tear bombing of eight theatres, seven being operated directly or indirectly by Brandt Bros. and the eighth by Consolidated Amusements, Mayor LaGuardia yesterday ordered a special squad of policemen and police women to cover the houses affected and others that might meet with similar explosions as a result of labor differences. From the Windy City the Mayor telephoned Police Commissioner Lewis J. Valentine and ordered an investigation.

Considerable damage was caused in some theatres, while in others many persons were injured. Allied M. P. Operators and Local 306 for weeks have been cross-picketing independent and major circuit theatres in every borough. Harry Brandt is an important factor in Allied and several times has stated his theatres would not employ Local 306 under present conditions. Negotiations for merging the two unions have been on and off for months. Relations between the two groups were broken off during the summer and shortly after the pickets again began to exhibit their signs.

Audiences Returned

In most instances where tear bombs were set off, patrons returned to theatres after the smoke and gas cleared. The theatres affected by the latest bombings include the Liberty, Times, Park, Times Square, Audubon, Central and Globe; the Sanders, Brooklyn, and the Colony, Jackson Heights, L. I.

Several months ago considerable damage was done to the Globe, Park, Colony, Times Square and Central when bombs exploded. Following the incident, eight suits were filed by the I. T. O. A. against Local 306 seeking $650,000 damages and charging "intimidation, coercion and terrorism."

Kay Francis Is Ill

HOLLYWOOD, Oct. 30.—Kay Francis is suffering from toxic poisoning and is temporarily out of the cast of "Another Dawn," now shooting at Warners. The company is shooting around her part, but her illness will delay the ending of the picture for at least a week.

Shirley Temple Better

HOLLYWOOD, Oct. 30.—Shirley Temple has returned to the studios entirely recovered from a cold which kept her at home for several days.

Rites for Mrs. Bronfin

NEW HAVEN, Oct. 30.—Funeral services were held today for Mrs. Fanny Bronfin, mother of Mrs. I. J. Hoffman. Mrs. Bronfin died upon her arrival in Florida, where it was expected she would spend the winter.

Ragnor, Graziano Sail

Lord Ragnor and Victor Graziano, members of the board of B.N.P. of American, Ltd., will sail today on the *Georgic.* They plan to start two productions in this country in the spring, they said. One will be a musical.

"Racing Lady" New Title

HOLLYWOOD, Oct. 30.—"Racing Lady" has been selected as the final title for "All Scarlet," the Damon Runyon story to be filmed by Radio.

Purely Personal

JOSEPH STEINER, general sales manager for American Tobis Corp., next Tuesday will leave by air for a tour of key cities, including Boston, Buffalo, Chicago, Minneapolis, Denver, San Francisco, Los Angeles, Dallas, New Orleans and Atlanta.

•

WALTER ABEL forsakes films and RKO long enough to become leading man opposite KATHARINE CORNELL in "The Wingless Victory," her next stage play.

•

JOSEPH I. SCHNITZER, president of Western Costume Co., and MRS. SCHNITZER, will leave for Hollywood today by boat after two weeks in New York.

•

BENJAMIN MIGGINS, European manager for Twentieth Century-Fox, will arrive from London on the *Queen Mary* on Monday.

•

ROY SIMMONDS, publicity director for Twentieth Century-Fox in England, plans a visit to the coast before Christmas.

•

DON STEWART of the MYRON SELZNICK office will take the American Airlines to the coast this afternoon.

•

GEORGE DEMBOW flew to the coast last night. MRS. JACK COHN also left by plane for Hollywood yesterday.

•

KEN CLARK, M.P.P.D.A. press aide, returns today from a month at the coast Producers Ass'n office.

•

JAMES DAVIDSON of Grand National will leave today for Toronto and Buffalo. Due back Monday.

•

JULES LEVY was due to return last night from a tour of Pittsburgh, Detroit and Toronto.

•

JOHN GIELGUD, appearing in "Hamlet," has turned down several film offers.

Majors Silent on Trade Concessions

(*Continued from page* 1)

probable course of action which might be pursued by the M.P.T.O.A. in the event the distributors' statements are not forthcoming in the immediate future.

Kuykendall is scheduled to address regional affiliations of the M.P.T.O.A. at their local conventions during the next two months and, in consequence, plans no return trip to New York for some time.

Large Para. 3-Mo. Net Seen Certainty

(*Continued from page* 1)

that Barney Balaban, Paramount president, and Griffis may not be back from their projected coast visit by Nov. 26, the scheduled date for the board meeting. Balaban left for Chicago yesterday and will be joined there next Wednesday by Griffis. The two will go on to the Paramount studio for two or three weeks.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"King of Hockey"

(*Warners*)

HOLLYWOOD, Oct. 30.—In the sequences which show players in action, this holds attention, but the trite story and situations all but overcome any advantage the picture might otherwise have had. The plot which centers on Dick Purcell as a star hockey performer with a swelled head is too familiar.

Purcell becomes involved with George E. Stone, a gambler, forces his attentions on Anne Nagel and has other difficulties which lead to his being fired from the team and made temporarily blind as well. He is cleared at the end and with his sight restored wins the championship for his club.

Other performers who help carry this slim story thread include Marie Wilson, Wayne Morris, Joseph Crehan and Ann Giles, a child actress. The direction by Noel Smith fails to arouse excitement except in the game sequences and the original screen play by George Bricker seems like a rush job. An interesting picture with professional hockey can possibly be made but this is not it.

Production Code Seal No. 2,449. Running time, 56 minutes. "G."

Decide Moss Cannot Disturb Zoning Plan

(*Continued from page* 1)

down in connection with the appeal of Robert Walton Goelet from a ruling of the Supreme Court which denied Goelet's petition to direct Moss to grant a license for a theatre site on Park Ave. and 53rd St.

Moss had originally refused the license on May 8 and counsel for Goelet took the matter to the Supreme Court, where Moss was upheld. Goelet filed an appeal with the higher court, which unanimously reversed the decision of the Supreme Court and granted $20 for costs and disbursements.

The Appellate Division's ruling also referred to the application of the Henry Phipps' estate which had asked the commissioner for a license to construct a theatre on the northeast corner of Madison Ave. and 62nd St. It was proposed to build a 500-seat house. The Supreme Court granted the petition for the license in the Phipps' case and the license commissioner appealed to the Appellate Division. In handing down the decision on this appeal, the Appellate Division unanimously affirmed the order of the Supreme Court granting the license and assessed $20 costs and disbursements against the license commissioner.

Peskay Named Head Of Sales for G. N.

(*Continued from page* 1)

Toronto looking over the situation.

Peskay currently operates 10 theatres, two in Greenwich, two in Stamford, Conn., two in Peekskill, one in Cornwall and three others. Paramount supervises the two Peekskill houses, which are included in a local pool.

George Rich, who has been handling the Connecticut group, will include the others as operating head for Peskay Enterprises. Edward L. Alperson, president of Grand National, stated yesterday that the company is not interested in the theatres. A report was current and denied some time ago that Grand National may take over Peskay's houses as a nucleus for the formation of a new national circuit.

Peskay has been identified with the business since 1913. He first met Alperson in 1913 when he was P. D. C. branch manager in Kansas City. Peskay was on the distribution end for 10 years, after which he entered exhibition with the Skourases in St. Louis and New York.

Leserman closed one of the most important deals during his Grand National association yesterday when he signed the Loew circuit with 68 theatres in the local area.

Ostrer Will Slash G. B. Studio Costs

(*Continued from page* 1)

here to the effect that drastic cuts in G. B. production were contemplated and that Michael Balcon and many department heads were slated to go.

On good authority it has been learned that Balcon has been asked to accept a 50 per cent cut and that he is likely to end his contract immediately, although it has about a year to go.

Mark Ostrer admits that the program has been cut from 16 to 10 or 12, but asserts he will maintain the standard for America and says that G. B. has taken £1,000,000 from America.

"The organization is at the disposal of all British producers and we invite them to offer Americans their pictures through us," he said.

A mystery buyer is asking private holders of G. B. ordinaries to state a price for their holdings and deals on 5,000 shares at 13 shillings and three pence and 120,000 at 14 shillings against a market price of 10 shillings, three pence are rumored.

Offers asked by today suggest a deal before the G. B. meeting Monday. This may be a Maxwell-Ostrer move to stave off criticism at the meeting by strengthening their position.

Lee and Campbell on Coast

HOLLYWOOD, Oct. 30.—Arthur A. Lee and James Campbell arrived here today for conferences on the G. B. sales drive. They will remain a week.

Hicks and European Film Figures Arrive

(*Continued from page* 1)

mount has not made any plans to withdraw from the Italian field; also, no personnel changes have been made of any kind.

Miss Haas, who said this was her first trip over, is anxious to see America and Hollywood and has set aside two months to do it in. Within the next two or three days she will leave for the coast, making stopovers en route. She denied being interested in any offer to appear in pictures in Hollywood. She is under contract to the Myron Selznick agency.

Tevlin stated he had been in England for two months working on distribution deals for Imperial product and also negotiating to bring over a number of British films. A deal for England is practically set, he said, and two of the parties interested came over on the same boat with him. Six British films are being sent over for screening, but Tevlin refused to mention the titles.

John Hodge is here on a three-week vacation with his wife, daughter of S. R. Kent, who is due to arrive from England on the *Queen Mary* on Monday.

Ohio ITO Asks for Details of Buying

COLUMBUS, Oct. 30.—Circulars have been sent to members of the I.T.O. of Ohio asking them to fill in tabulated blanks showing how much they are paying for pictures of all the majors under the new season schedules, whether they were forced to buy all features, pay score charges, how many are on percentage and other details.

Because members in the past have been reluctant to reveal this information for their competitors the blanks are not to be signed.

Studies of the tabulated answers will be discussed at a meeting of the I.T.O. to be held here Dec. 1-2.

Wall Street

Small Losses On Board

	High	Low	Close	Net Change
Columbia	38⅛	38	38	— ½
Consolidated	4⅞	4⅞	4⅞	— ⅛
Consolidated, pfd.	18½	18¼	18½	.....
Eastman	173½	172	173½	+1⅝
Gen. T. Equip.	28⅛	27½	27½	— ¼
Loew's, Inc.	57½	57⅛	57½	+ ⅝
Paramount	17½	16⅞	17	— ¼
Paramount 1 pfd.	126	124	125¾	+ ¾
Paramount 2 pfd.	16¼	15¾	15¾	— ⅛
Pathe Film	8	7¾	7¾	.....
RKO	8	7¾	7¾	— ⅛
20th Century-Fox.	33⅝	33⅛	33⅛	— ⅛
20th Century, pfd.	41½	41¼	41¼	.....
Universal, pfd.	102	102	102	+ ½
Warner Bros.	15⅛	14⅝	14¾	— ¼

Trans Lux Up ½ Point

	High	Low	Close	Net Change
Grand National	3½	3¼	3⅜	— ⅛
Sentry Safety	⅝	⅝	⅝	.....
Sonotone	2	2	2	.....
Technicolor	23	22¾	22¾	.....
Trans-Lux	4½	4	4½	+ ½

Bonds Gain Slightly

	High	Low	Close	Net Change
Keith B. F. 6s '46	97	97	97	+ ½
Loew's 6s '41 ww deb rights	99⅛	99	99⅛	+ ⅛
Paramount Pict. 6s '55	98½	98	98	— ½
Warner Bros. 6s '39 wd	97	96½	96½	— ⅛

(Quotations at close of Oct. 30)

Ford Seeking Exclusive On MGM for Air

(Continued from page 1)

organization as important a spot in radio as it once occupied in the field of vaudeville.

The proposed hourly program would divide itself into dramatizations and condensations of current and coming Metro attractions, the first to be an ether version of "Parnell" with Joan Crawford and Clark Gable essaying the leads. The remainder of each broadcast would be musical, concentrating on past, present and future songs from Metro attractions and the catalogue of the Robbins Music Co., which M-G-M controls. Pete Smith, now in charge of short subjects for the studio, has been mentioned as the master-of-ceremonies.

Policy Entirely New

Considerable interest manifested itself yesterday among those who were familiar in some detail with the proposed series. It was pointed out that this would be the first instance where the starring roster of any major producing company would be delivered to a radio sponsor in its entirety and exclusively. It was further pointed out that any such deal as the one broached by Ford would mark a departure in general policy at M-G-M where the control of the air appearances of its topflight personalities has been more rigorously guarded than in any other studio in Hollywood. Currently, Gable is understood to have arranged with the studio to make four of five radio appearances each year. This applies to Miss Crawford, while Wallace Beery is cited as holding permission to appear on two programs, the sponsors varying with the deals as they are closed.

The exclusive angle is viewed as not only interesting, but of great importance. Louella Parsons, who conducts the "Hollywood Hotel" program, sponsored by Campbell's Soups, as well as nation-wide Hollywood column in the Hearst and other newspapers, already is reported to have wired Nicholas M. Schenck, president of Loew's, and M-G-M, a protest for the obvious reason that a solo deal with Ford will remove from her programs of the future all Metro personalities.

May Affect Theatres

The 9 to 10 P. M. hour which is being considered carries with it a theatre angle as well. Many exhibitors view this time as the best 60 minutes of the week and the assumption which parallels that belief is a questionable attitude with which many of them are apt to view such strong competition as the discussed Ford-M-G-M arrangement would offer.

Ford currently also sponsors two other radio programs each week. Fred Waring and His Band appear on both.

If the arrangement with M-G-M is closed, it is not considered remote that Ford will buy an additional 30 minutes during the week and rearrange Waring's schedule accordingly. If, on the other hand, Sunday night should be the broadcasting period, it is understood the current symphonic program will be abandoned.

Sponsored Daytime Program Gaining, NBC and CBS Show

It wasn't so long ago that daytime periods on the air were filled, willynilly, with sustaining programs of small merit. But no more. With sponsors finding it increasingly difficult to buy evening time, the day spots have come into their own. As an indication of the growing importance of sun-up periods, here are a few figures compiled for Motion Picture Daily by the statistical departments of NBC and CBS:

Based on a six-day week, Columbia reports as follows:

1933 the average sold daytime time was 1 hour, 59 minutes, per day.

1934 the average was 2 hours, 19 minutes per day.

1935 the average was 2 hours, 37 minutes per day.

1936 covering the October period, the average was 2 hours, 55 minutes.

NBC, going back to September, 1935, reveals that its networks carried 341 daytime sponsored programs for the month. This year, for September, the networks sent out 568 sponsored daytime programs, a gain of 66 per cent. The October tabulation has not yet been completed.

9 New Bands for Mutual

Beginning Monday and continuing over a period of two weeks, nine new bands will be added to Mutual's nightly dance schedule. Monday's additions include the orchestras of George Hamilton, from New York and Little Jack Little from Chicago.

On Wednesday, Mutual adds the bands of George Sterney, New York; Frankie Dailey, New Jersey; Herbie Kay, Cincinnati; Leon Belasco, Cincinnati. Archie Blyer and Art Warren, New York, complete the influx on Nov. 15.

Irene Dunn Deal Out

The whys and wherefores remain a mystery, but Irene Dunne is out, and the "Three Men on a Horse" picture cast is in, for Friday night's (Nov. 6) "Hollywood Hotel" broadcast. Joan Blondell, Guy Kibbee and Frank McHugh will contribute a scene from their forthcoming picture. Dick Powell, of course, remains as m. c. and vocalist.

Miss Dunne was to have offered a sequence from her soon-to-be released picture, "Theodora Goes Wild."

Set Federation Dinner

The annual radio dinner to be held by the radio, music, refrigeration and allied industries division of the Federation for the Support of Jewish Philanthropic Societies will be held at the Waldorf-Astoria on Nov. 22. Screen, radio and stage stars are expected to contribute their services.

Gladys George in Crosby Show

Gladys George's current road tour culminates in Hollywood on Nov. 5, when she will guest star on Bing Crosby's Kraft Music Hall Program, along with Warren William. Bing will interview the stars.

Gibson, Moran as Guests

Jackie Cooper, heard twice weekly over WOR, 8 to 8:15 P.M., EST, will present as his guest Hoot Gibson and Polly Moran the coming week. Hoot guests Monday night, while Polly follows on Wednesday.

Bowe, the Bakers, et al

Short Shots: Morton Bowe has been signed to do the vocals on Jack Pearl's new program . . . Manhattan Merry-Go-Round tomorrow night celebrates its 5th year on the networks . . . The Phil Bakers will be heard around Easter time . . . Eddie Cantor and his entire company start east Nov. 9. They will do one broadcast from New York before returning to Hollywood . . . Ruth Etting will be Ben Bernie's guest on Nov. 10 . . . O. Soglow is now doing promotion cartoons for Mutual . . . Frank Forrest, Caravan tenor, begins a series of concert dates in December . . . Lily Pons and Adolphe Menjou will do "Conversation Piece" on the Vallee program Nov. 16 . . . Robert Benchley making the rounds of the agencies, trying to sell a program idea . . . Gene Conrad signed to write the scripts for a "wax" series by NBC . . . Virginia Rea and husband, Edgar Sittig, have closed their country home and are now residing in city . . . Thomas J. Lipton Tea will renew Ralph Kirberry's contract when it runs out Nov. 20 . . . Beth Wilson is Vincent Lopez's new vocalist.

Crosby on Store Program

Hollywood, Oct. 30.—Bing Crosby will appear as a special guest artist on the California chain store hour Nov. 1 on a loan arrangement with his Kraft sponsors. The program is a Sunday feature over KHJ and the Don Lee network and is devoted to amateurs singled out from a certain California city.

After Nov. 1, the program, which has Conrad Nagel as master of ceremonies, will salute the various universities of California instead of the towns up and down the coast.

Bernard Joins WWL

New Orleans, Oct. 30.—After approximately 10 years of stage trouping, phonograph recording, radio singing and song writing, Al Bernard, "The Gentleman from the South" is back and is being heard regularly with the Dixie Dandies over WWL. He plans to put his own version of the song "Staving Chain" on his program. John A. Lomax, creator of folk songs for the Library of Congress in Washington, has launched a nation-wide search for a character.

Tampa Has Radio Tieup

Tampa, Oct. 30.—The Tampa has a tieup with the local broadcasting station for 15-minute broadcasts of organ music by Eddie Ford at noon each day. The announcer sits in the front row of the balcony and gets in a plug for coming attractions.

Crosley, Jr., Entertains

Cincinnati, Oct. 30.—Powell Crosley, Jr., executive head of WLW and WSAI, was host to several hundred rifle experts from various sections of the country in a muzzle-loading rifle contest, held at his country estate near the Ohio-Indiana line.

Phila. Unit Will Picket Grand Nat'l

(Continued from page 1)

motion a plan for a strike against an unnamed company, asking exhibitors to refrain from giving dates to the company for 30 days at a time. The plan was referred to a committee for further development as a weapon to be used in the rental war.

Contact, the organization bulletin, became a weekly instead of a semimonthly with the current issue, and will be used in the fight. A first page story, in which Al Lichtman was named as responsible for M-G-M's high rentals, was read.

Segall Denies Bolt

The organization, still in a belligerent mood, advised members not to settle individually with the bill posters' union which has been picketing theatres. The legal aspects of the case have been investigated and it was reported that there is no precedent in Pennsylvania courts for collective action in such matters.

Charles Segall today denied a story appearing in Motion Picture Daily that a statement had been made in New York at the I. T. O. A. meeting on Wednesday about a new group of independents breaking away from the United M. P. T. O. here.

He stated he was the only Philadelphian at the meeting and the matter had not been mentioned.

Exhibitors reported announcements from the American League Against War and Fascism, asking theatres not to renew Hearst Metrotone News contracts, threatening to take action if they did. Some exhibitors reported that the M-G-M exchange had cancelled issues of the news and that the Hearst name had been deleted from recent issues.

Pizor Calls for Cooperation

Lewen Pizor, president, made a fiery plea to members for concerted action in all these drives and told them to "forget themselves as individuals and work collectively." He stated that the organization could take credit for the reduction of "Anthony Adverse" rentals from 50 to 40 per cent. Pizor also announced that more than 600 exhibitors and friends would attend the harmony banquet Sunday night at the Bellevue Straford Hotel.

An exhibitor who attended the Wednesday meeting told Motion Picture Daily later that Philadelphia exhibitors, believed to comprise a group who did not join the new United M. P. T. O., would support the I. T. O. A.'s plans for developing a new national independent exhibitor organization. No names were mentioned.

E. B. Hatrick, in charge of film activities for W. R. Hearst, could not be reached yesterday for confirmation of reports that the Hearst name had been dropped from recent issues of the Metrotone News.

Stars at Trade Show

Merle Oberon, Brian Aherne and Douglas Fairbanks were among the Hollywood personalities who attended a trade show of "Come and Get It" at the Astor yesterday morning.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 105 NEW YORK, MONDAY, NOVEMBER 2, 1936 TEN CENTS

Canada Music Deal May Need Gov't Sanction

High Rates Involved Are Cited as Reason

TORONTO, Nov. 1.—Government approval may be required before the agreement among representative Canadian exhibitors, Ascap and the British Performing Right Society for the continuance of the music tax rates for theatres which have prevailed in the Dominion heretofore can be placed in effect, according to legal opinion here.

The probability of a Government scrutiny of the agreement arises from the fact that the old rates which it proposes to continue are considerably in excess of those which the Government commission prescribes under the new Dominion legislation regulating music taxes. It was pointed out here that while the government undoubtedly would not attempt to restrain exhibitors who are parties to the agreement from paying rates in excess of those prescribed by its commission, it would move to protect the interests of any exhibitor not a party to the agreement who declined to pay the higher rate. The larger theatre interests, however,

(*Continued on page 8*)

Loew Buys by Rubin Reported by S. E. C.

WASHINGTON, Nov. 1.—The acquisition on Sept. 14 of 7,890 shares of Loew's common stock by J. Robert Rubin, New York, and the sale the same day of 7,800 shares was disclosed tonight by the Securities and Exchange Commission in its semi-monthly report of the trading activities of corporation officers and directors. On Sept. 25, the report showed, Rubin acquired a further 200 shares, increasing his holdings during the month by 290 shares to a total of 3,090 shares. At the close of the month, also, Rubin's holding company was shown to have 350 shares of Loew's $6.50 cumulative preferred.

Also filed with the commission was

(*Continued on page 6*)

Expect $20,000 Net At Pathe on Quarter

Pathe's third quarter financial report, due Wednesday, is expected to show a net profit of $20,000, or better, after taxes and other expenses. The company is still writing off losses from First Division, which are said to have reduced the profits considerably.

Plummer Hopeful for Film Industry in Hectic Spain

Harry Chapin Plummer, writer of the article below, is an American newspaper man, who has just returned to this country from Spain, where he has been the correspondent for MOTION PICTURE DAILY *and* Motion Picture Herald, *with headquarters in Barcelona.*

His careful and complete reporting of the revolutionary situation in war-torn Spain, as it affected the film industry, set a high mark in trade journalism.

Plummer left Spain when it was no longer possible for him to continue accurate reporting of the news, following the virtual collapse of cable communication, and the serious hampering of ordinary mail.

The following article represents his view, in retrospect, of the situation in which the industry finds itself in Spain.

By HARRY CHAPIN PLUMMER

It was Bismarck who once said of the Spaniards: "The people who ever have sought ruin, but never have found it." I would amend that historic phrase by saying, rather: "The people who ever have faced ruin." It is decidedly presumptuous of me to claim a better acquaintance with my subject than the Iron Chancellor. However, upon the occasion of his sojourns in and about Biarritz and the French country within sight of the Spanish frontier, he could have had no more than fleeting visits into the neighboring Vasco region of Northwest Spain and so must have depended for acquaintance with the Spaniards upon those whom he met outside the confines of their country—a land of infinite beauty and of physical and economic resources vastly greater than the world has given it credit for.

I have only this one advantage over the molder of the destinies of the Germanic State. I have lived for three years among the Spanish people, in all parts of Spain and Morocco, and among the Catalan and Vasco components of their nation. I have lived among them, worked for and among them, shared their joys and their sorrows and, alas! I came to suffer with them in the last dark, tragic three

(*Continued on page 8*)

Grand Jury Probe Of Bombings Seen

A grand jury investigation into the bombings of eight theatres late last week loomed as a result of a police raid on Local 306 headquarters, it was intimated over the weekend. More than 30 men and seven women were released by police after being taken into custody and questioned.

Lieut. James Pike, who led the raid on union headquarters with Asst. Chief Inspector John J. Lyons would not comment on the results of the raid and investigation.

After the hearing, Matthew W.

(*Continued on page 8*)

Production Slips; 39 Films in Work

HOLLYWOOD, Nov. 1.—Production slipped to the lowest level in several months last week, with actual camera work dropping off to 39 features and one short subject. There were 41 features and one short in work the previous week. Activity continued to gain in the cutting rooms, with 62 features and 12 shorts being edited, indicative of a rush of new product to

(*Continued on page 8*)

G. B. Will Reduce All Sales Forces

By BRUCE ALLAN

LONDON, Nov. 1.—The G.B. economy campaign has gone a step further, with the appointment of a supervisor to tour all the distribution branches in the country, who is charged with the task of reducing the sales staff in each branch office by at least one salesman.

An initial economy step was taken earlier this week, when Mark Ostrer declared that the production staff at the Shepherd's Bush studio will be reduced to two units only.

Photophone to Have Indianapolis Plant

A new sound equipment manufacturing plant will be opened at Indianapolis by RCA Photophone to take care of increased sales of both recording and reproducing sets which have overtaxed the company's plant at Camden, Edwin M. Hartley, RCA Photophone division head, said on Saturday.

Hartley said that Photophone had experienced a 100 per cent increase in theatre installations of its equip-

(*Continued on page 6*)

Rush for Film Names on Air Is Looked for

M-G-M Dicker, Warners' Moves Narrow Field

Competition for topflight Hollywood names over the air will take on added fury if the Ford deal for exclusive use of M-G-M stars and talent is consummated, in the opinion of advertising agency executives available on Saturday.

Account executives have been signing up coast talent where they could get it and the field, in a general sense, has been wide open thus far. Under the Ford proposal which calls for an hour's broadcast weekly for a full year at $25,000 a broadcast, the pivot of the arrangement is the exclusive use of the Metro's personalities, thereby obviously curtailing possibilities for other national advertisers. Further, this would be the first time that any major producer had entered upon such an arrangement insofar as radio is concerned.

Agency men, at the same time, are looking further afield and submitting to as close examination as the sparse facts thus far allow the Warner plan for a new national network. That company's headquarters are generally silent on the development, one Warner executive describing MOTION PICTURE DAILY'S coast dispatch of Friday as "taking liberties." This was the story

(*Continued on page 5*)

Carl Leserman Goes Back to Warner Job

Carl Leserman, who resigned Saturday as general sales manager of Grand National, will rejoin Warners today as assistant general sales manager, according to Gradwell L. Sears, general sales manager.

He left the company six months ago while Grand National was being formed. At that time he was assistant to Sears, then in charge of distribution in the south and west.

McCarthy to Handle National Statistics

Walter McCarthy, until recently identified with Fox West Coast under Charles Skouras, has been named head of a new film statistical department for all National Theatres' units. He is making his headquarters at the company's office at Twentieth Century-Fox.

Heretofore, all theatre divisions of

(*Continued on page 8*)

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Legion Approves All Of 14 New Pictures

The National Legion of Decency, in its list of new pictures for the current week, has approved all of the 14 new films reviewed. Eight were approved for general patronage, and six for adults. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"The Charge of the Light Brigade," "Easy to Take," "Empty Saddles," "Four Days' Wonder," "House of Secrets," "Ranger Courage," "Tarzan Escapes," "Tugboat Princess." Class A-2, Unobjectionable for Adults—"Along Came Love," "April Romance", "Barcarole" (German), "Legion of Terror," "The Luckiest Girl in the World," "A Woman Rebels."

Laemmle, Jr., to Leave

With negotiations for distribution of his productions to be continued on the coast, Carl Laemmle, Jr., will leave for Hollywood tomorrow, accompanied by Jerry Horwin.

Laemmle has been looking over a number of plays and scrips here.

Insiders' Outlook

By RED KANN

IT was only the other day when Bill Boehnel, film critic on the *World-Telegram* and a persistent theatre first-nighter for all that, sprinkled about some star dust. A sensible piece sent up to the tune of no lofty and theoretical airings, Boehnel recognized at the outset that stars remain because the customers are willing and "apparently because so-called 'nameless' films haven't the same draw as those studded with stars." His conclusion, thereafter, was that the system "must be satisfactory and no one, least of all the writer, should protest." So far so good. "But the fact remains that there must be something wrong with a system which depends on names rather than the merit of the story," writes he then. . . .

▼

Let's poke around a bit and see what comes out. Boehnel should realize, and we are certain he does, that this industry does not establish the system, but executes it and you needn't get funny about it. Too slavishly, no doubt; and with a too great reluctance from time to time about stepping forth briskly and daringly into unexplored channels. The system, if you will, is traceable to the public, obviously. It is where the customer manifests his approval or no, which is to say the box-office, that the system continues to flourish and to make known its preferences. With it, the producer has occasionally tried tricks, including the familiars which scorched his fingers pretty badly.

▼

The star system long ago established itself as an integral part of the celluloid structure. As a matter of fact, it is this same part that causes much of the troubles, plus headaches. But even a headache is mild if you can at all diagnose what ailments might trail efforts designed to change that which the buying customer wants. You can like it or you cannot, and that sounds a great deal like something we've read in this column more often than is good for the column; but stars will remain much longer than the Theatre Guild's show of the same moniker. The industry will curse the system over its levies and drool with extreme pleasure over its returns, but will hold on to it with all claws buried because it is good business to do so. . . .

▼ ▼

A delightful cable out of Moscow, via the Associated Press wires, tells:

Three executives who "went Hollywood" in Russia were sentenced to labor camps today. The men, former executives of the Eastern Film Trust, were convicted of frittering away State money for the production of movies.

The manager was sentenced to serve four years, the director to two years and a bookkeeper to one. They were charged with purchasing a bad scenario, countenancing excessive production expense and with wasting money searching for talent.

We are all for liberty and the pursuit of happiness, but this does automatically and at once set us off along paths which, perhaps, had better remain in the think tank and off the printed page. A hint, however. It parallels and has to do with Hollywood's Hollywood, things that have a habit of happening there and what might be done about some of them along similar and somewhat related lines. If you want to go frolicsome and further, you could recall that there is an enterprise, Government-initialed as the WPA, which has a theatre project bouncing up and down the land. You're on your own from this juncture forward. . . .

▼ ▼

Those two suits brought in the New York Supreme Court against officers and directors of Paramount Publix by the trustees before reorganization. A throwback to 1934, which is quite something in this business, the possibility is around, albeit remote at this stage, that settlement may be reached out of court. Of memory none too dulcet for those involved, you may remember these were the actions seeking accountings and recovery for Paramount of an estimated $20,000,000 in alleged "excessive compensation" paid to some of the defendants from 1927 to 1930; profits realized by defendants on participation in the company's so-called employes' stock purchase plan; losses realized by the company in transactions in its own securities, and losses incurred through the repurchasing of its own stock at guaranteed redemption prices from persons to whom it was issued during the company's theatre acquisition and expansion years. There it is in one long and complicated sentence and the interested parties include Sidney R. Kent, Jesse L. Lasky, Adolph Zukor, Jules Brulatour, Felix E. Kahn, Daniel Frohman, Gilbert W. Kahn, Sam Katz, Ralph A. Kohn, Elek J. Ludvigh, Maurice Newton, Sir William Wiseman and some others. . . .

Universal Party to Draw Throng Tonight

The Universal Club, organization of home office employes, will hold its annual dinner-dance at the Waldorf-Astoria tonight, with numerous prominent figures in the industry scheduled to attend.

Among those expected are Robert H. Cochrane, president of Universal; J. Cheever Cowdin, chairman of the board; James R. Grainger, general sales manager; Willard S. McKay, secretary; Charles B. Paine, treasurer; William Pierce, studio executive secretary.

Also, Herbert Wilcox, producer-director of General Film Distributors, Universal English company; Woodham Smith, General's counsel; Harry Joe Brown, Warner producer; Dr. A. H. Giannini, president of United Artists; Jules Brulatour, Herbert J. Yates, Consolidated Film president; W. G. Van Schmus, managing director of the Music Hall; Merlin H. Aylesworth, RKO board chairman; Irene Dunne, Anna Neagle, Martha Sleeper, Sally Eilers, Clayton Bond and George Balsdon of Warners.

Orders Securities Sold in St. Louis

ST. LOUIS, Nov. 1.—Judge Charles B. Davis in U. S. District Court here has ordered that $110,000 in debentures and 1,100 shares of preferred stock of Paramount-Publix, received by the voting trustees of the Missouri Theatre Bldg. Corp. in settlement of a rent claim on the building must be sold for cash.

The proceeds are to be turned over to the Boatman's National Bank as trustee under a deed of trust securing $1,917,500 in bonds issued by Missouri Bldg. Corp. The order is in connection with the reorganization plan for the Ambassador, Missouri and New Grand Central, which the court construed as having application to the Missouri Theatre Bldg. The bank petitioned the court, asking that the proceeds of the sale be turned over to it as security for a new mortgage.

Notables on Queen Mary

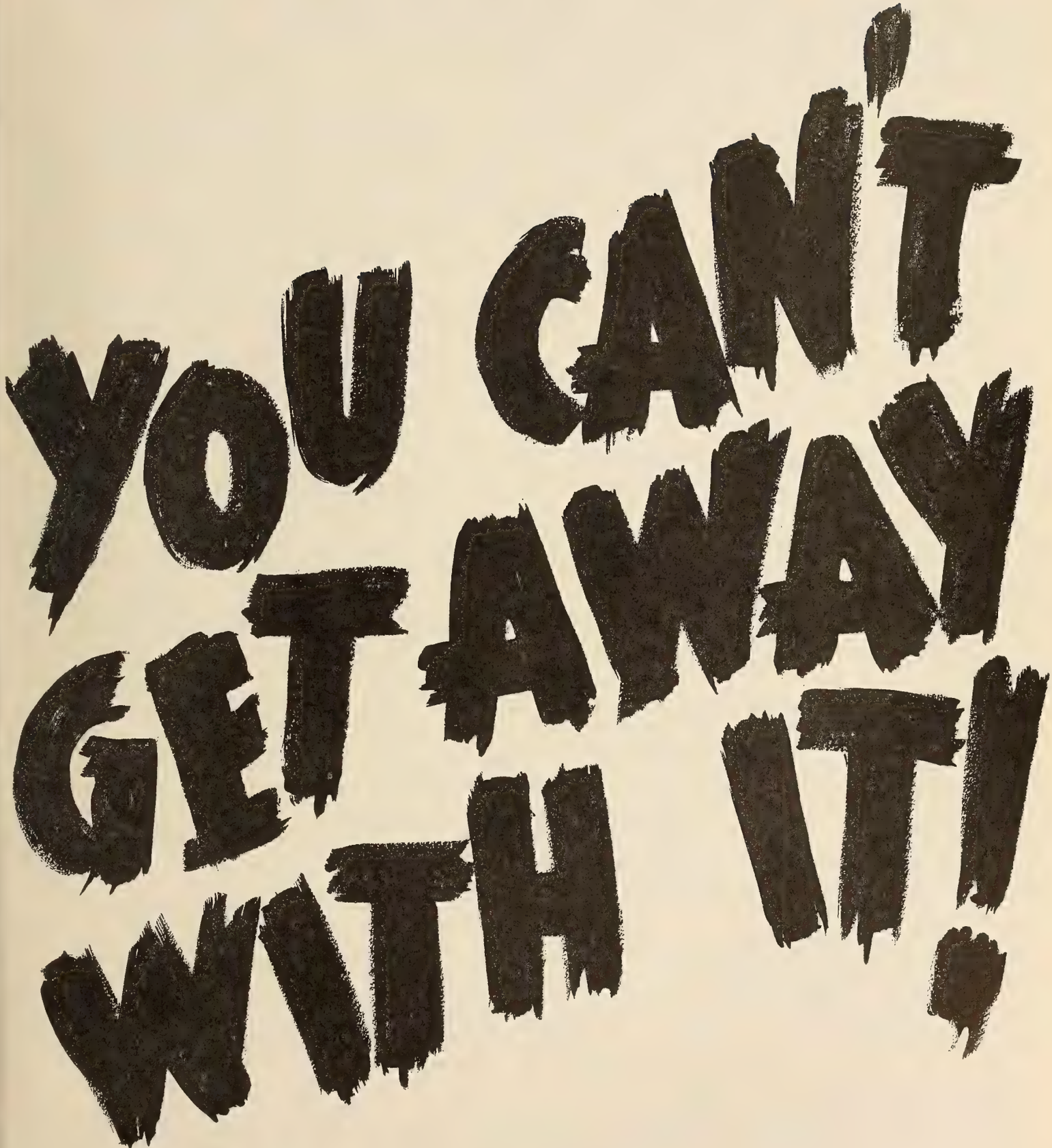
With perhaps the season's longest list of notables from the entertainment and film fields, the *Queen Mary* arrives today with Sidney R. Kent, Herbert Wilcox, Percy Phillipson, William Randolph Hearst, Hugh Walpole, Dudley Nichols, Constance Cummings, Tullio Carminati, Sally Eilers, Anna Neagle, Marion Davies, Nigel Bruce, Ricardo Cortez, Jack Oakie, Buddy G. De Sylva, Max Thorpe, William K. Howard, Benjamin Miggins, European manager of Twentieth Century-Fox and Tamari Desni. Bette Davis is reported to be aboard.

Clarke Quits Power Post

CHICAGO, Nov. 1.—Harley L. Clarke, at one time head of Fox Film Corp., has retired from the presidency of the Utilities Power and Light Corp. which he founded over 20 years ago. He will continue as a director.

Close Cleveland Deals

Bert Stearn, U. A. district manager, has closed with the Lefkowich-Fine, Lefkowich-Greenberger and Associated Theatre circuits in Ohio. The three circuits are the most prominent in Cleveland.


YOU CAN'T
GET AWAY
WITH IT!

Haven Takes Post as Arkansas Unit Head

LITTLE ROCK, Nov. 1.—L. F. Haven of Forrest City, Ark., has assumed the presidency of the I. T. O. of Arkansas following the resignation of Ray Morrow, who recently sold an interest in his theatre in Malvern to Robb and Rowley. Haven was first vice-president.

The executive board of the group revealed that the winter business session and convention will be held here Nov. 8 and 9. Governor-elect Carl E. Bailey of Arkansas and Attorney General-elect Jack Holt will be second day speakers and honor guests at the ball to be held as the final feature of the convention.

Present at the executive meeting, in addition to Morrow and Haven, were B. V. McDougall of Monticello, "Hy" Saunders of Little Rock; Jesse Norman of Malvern, secretary-treasurer; and W. B. Mailin of Augusta. Morrow is the second president of the unit to resign before expiration of his term in as many years. T. W. Sharp, whose unexpired term Morrow filled in 1935, resigned after the sale of his four local theatres to Saunders and Wheeler. Morrow was elected at the spring convention here this year.

New Academy Casting List to Have Photos

HOLLYWOOD, Nov. 1.—The Academy has completed plans to publish a casting directory with photos accompanying an alphabetical listing of players. Rates for the service will be extremely low, it is understood, with the same space rate applying to all players.

The directory will be published every two months and the Academy has had assurances of cooperation from several studios and talent agencies.

Canadians to Dance

TORONTO, Nov. 1.—All problems and differences will be laid aside by the film folk in Ontario for the annual ball which is to be held at the King Edward Hotel Nov. 6 under the auspices of the M. P. Distributors' and Exhibitors' Ass'n.

The committee on arrangements includes: Harry Ginsler, Iola; Harry Lesterm, Bonita; Sam Bloom, B. & F. circuit; Raymond Allen, Premier; Ben Cronk, F. P. Canadian Corp.; Dorothy Wilson, Regal Films; W. J. O'Neill, Paramount, and Harry Bailey, Twentieth Century-Fox.

Warnerites at Ping Pong

KANSAS CITY, Nov. 1.—The Warner Club is sponsoring a ping pong tournament for theatre and film men Nov. 6-7 on the third floor of the Warner Bldg. Elmer Dillon, office manager and city salesman, is in charge.

Plan Seattle Opening

HOLLYWOOD, Nov. 1.—The premiere of Samuel Goldwyn's "Come and Get It" will be held in the heart of the logging belt, Seattle, at the Liberty on Nov. 4. Jack Proctor is in the northern city working on the campaign.

Sue Carol Married

HOLLYWOOD, Nov. 1.—Sue Carol and Howard Wilson, young actor, were married Friday at the Hollywood Congregational Church.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Garden of Allah"

(Selznick International-U. A.)

HOLLYWOOD, Nov. 1.—A delicate, intimate theme is treated with intelligent discretion here. Bringing to the screen the full essence of Robert Hichens' study of two tortured souls, "The Garden of Allah" tells a powerful, penetrating story of immutable spiritual allegiance in conflict with predestined human love. It is produced on a lavish scale with expert Technicolor application making each frame a beautiful picture and with the musical accompaniment just as much a part of the film as the dialogue and action. The story is directed with consummate good taste by Richard Boleslawski and acted with sympathetic understanding by Marlene Dietrich and Charles Boyer as well as the rest of the cast.

As Miss Dietrich rises to the heights and delivers a superlative performance, Boyer further establishes himself among the screen's leading actors. Both have an ideal vehicle in which to display their respective and considerable talents.

Boyer, a Trappist monk succumbing to the earthly temptations of the flesh, breaks his holy vows and flees the monastery. Miss Dietrich, God-fearing, heeds the advice of Lucille Watson, a nun, that she will find happiness in the sanctuary of the desert. She and Boyer meet on the edge of the Sahara, where a vividly executed passion dance by Tilly Losch sets the souls of both afire. They are married by C. Aubrey Smith. In the desert-fabled Garden of Allah their ecstatic love is consummated, only to crash in the dust when earthly forces, represented by Alan Marshall and Basil Rathbone, cause Boyer to confess his monstrous deception. Their great joy turns to horrible tragedy which for the moment impels both to defy the laws of man and God. But there is no bitterness in Miss Dietrich's being, only sublime joy. Boyer, his soul washed clean of sin to God and woman, returns to the monastery. Both envision greater happiness together in another life to be lived in some future world.

Although the leading roles dominate the picture, the work of Marshall, Rathbone, Smith, Joseph Schildkraut, John Carradine and Charles Waldron is of the highest caliber. The transcription of the Hichens' story to the screen by W. P. Lipscomb and Lynn Riggs is sincere and dignified, wholly in keeping with the most exacting standards.

Once before with "Little Women" David O. Selznick measurably influenced screen trends. While this may be considered daring by some, as it concerns topics which the industry in recent years has been careful to avoid, the honest straight-forward manner in which he has handled the subject indicates that he may do so again.

Production Code Seal No. 2,405. Running time, 80 minutes. "A."

Looking 'Em Over

"Mysteries of Notre Dame"

(DuWorld)

An architect of some distant tomorrow, when time or war have leveled the magnificent Cathedral of Notre Dame in Paris, who is a specialist in ecclesiastical architectural styles, may well refer to some vault and this film, and learn in minutest detail, through the camera eye, the structural beauty and sculptural detail of the edifice.

This film, produced by Religious French Films, in France, is an historical document in its careful pictorial description of the cathedral, one of the world's finest. Of considerable assistance in holding audience attention is the symphonic musical score in accompaniment by the great organ and the cathedral choir.

The picture is at once of some historical value and a high tribute to those concerned in the erection of the cathedral, but it is not entertainment in any generally accepted sense of that term. For special audiences, under particular circumstances, it will serve a purpose, but is not for general theatrical use. The statuary, within and without, the details of the bronze paneling, the magnificent exterior, the almost inspiring interior, are all pictured, but an essential is lacking, perhaps necessarily. That is the human occupation of the cathedral, which would attach to the film a far greater significance and interest than it now posesses.

Reviewed without production code seal. Running time, 63 minutes. "G."

Short Subjects

"Wanted—A Master"

(M-G-M)

HOLLYWOOD, Nov. 1.—Pete Smith's comment, which here expresses the thoughts of a homeless dog, and the acting of the pup, make this an unusual dramatic subject. The dog, lovable and pathetic, finally acquires a home just as the clock ticks the final minutes before the deadline when all stray pups must be brought to the pound. Gunther von Fritsch and Arthur Ornitz directed. Production Code Seal No. 2,662. Running time, 11 mins. "G."

"Oklahoma As Is"

(Vitaphone)

Cal Tinney, reputed to be well known for his humor and writing, acts as guide in a novelly presented variety of travelogue which covers the town of Oolalah, Okla. The quaint, rustic characteristics of the hamlet are shown and many gags are introduced. Much realistic local color and a few timeworn but still serviceable jokes are also given. It does, however, strike an odd and amusing note. Production Code Seal No. 01,112. Running time, 9 mins. "G."

"Olympic Ski Champions"

(M-G-M)

HOLLYWOOD, Nov. 1.—Pete Smith has here collected the best newsreel shots of the winter Olympics, and presents them with interesting comment. Events shown include the 40-kilometer relay race, won by Finland; the high jumps won by Birger Ruud of Norway, and the fireworks display which ended the winter games. Production Code Seal No. 2,711. Running time. 9 mins. "G."

"Vaudeville Is Back"

(Vitaphone)

Johnny Perkins, rotund master of ceremonies, introduces a number of snappy acts among which are Joe and Jane McKenna, the Four Creedon Girls and The Maxellos. Their performances are diverting and pleasantly entertaining. Production Code Seal No. 01,243. Running time, 10 mins. "G."

Theatre Trailer Is Set for 20 Places

With the appointment of Max Wintraub, independent exchange man, as Omaha and Des Moines representative; Joe Lee and S. A. Arnold for Memphis and Indianapolis territories; Max Heiner, Detroit, and Ashby T. Ball, Kansas City, Walter Freudenberger, general sales manager for Theatre Trailer Service, has closed 20 situations with a number of other deals in negotiation.

The company does not plan to extend its activities to the coast until it is ready to open an office of its own, Freudenberger said. This is expected within the next six months.

A. J. Cohen Made Editor

HOLLYWOOD, Nov. 1.—Albert J. Cohen has been signed as story editor for the Irving Briskin unit at Columbia. The post has been newly created.

Rush for Film Names on Air Is Looked for

(*Continued from page* 1)

pointing out that KFWB, the Warner station in Hollywood, had reached out and made deals with KMPC in Los Angeles and KFXM in San Bernardino in what the wires declared to be an initial step toward the formation of a Warner network from coast-to-coast. An integral part of the dispatch made it clear that arrangements, perhaps tentative at this stage, are under way for the extensive use of Warner players. The first are to be Beverly Roberts and Rosaline Marquis in a Nov. 3 broadcast of "The Gold Diggers of 1937." The impression in New York over the weekend was that, if and when the Warner chain is developed, efforts will be made to hold Warner stars and players exclusively for the company's own network on lines identical with those discussed under the impending Ford-M-G-M deal.

This, agency executives recognize, will remove from the competitive lists the rosters of two of the largest producing companies in the film field and make the race for remaining talent, which is regarded as considerable despite the prowess of the Metro and Warner aggregations, even more keen. Prices, they declared, will jump with the bidding.

"Hank" Wharton Dead

MEMPHIS, Nov. 1.—H. D. ("Hank") Wharton, well-known Arkansas exhibitor and official of exhibitor organizations in this territory from their beginnings, is dead of pneumonia at his home in Warren, Ark. Wharton had attended the MPTO of Arkansas, Mississippi and Tennessee here early last week and was apparently in the best of health.

Operator Dies of Burns

NEW ORLEANS, Nov. 1.—Joseph Kuriger, operator at the Istrione, Jackson, Miss., was fatally burned by a film explosion in the booth Friday. He died six hours later.

The audience filed out with slight panic, but the damage did not spread to the house. Manager Marion Ferrera pulled Kuriger from the booth.

Bucklers Drowned

HOLLYWOOD, Nov. 1.—John and Hugh Buckler, father and son film actors, were drowned Friday night when their automobile plunged off a road into Malibu Lake. The mishap occurred in a downpour of rain.

Sterling Goss Killed

SAN FRANCISCO, Nov. 1.—Sterling Goss, San Francisco theatre man, died here this week from injuries sustained when the car in which he was riding collided with another machine. Four others were injured in the crash.

Rites Held for Kalbfell

ST. LOUIS, Nov. 1.—Funeral services were held here for Charles A. Kalbfell, 68, owner of the Pauline, who had operated the theatre for about 20 years.

Waring's 3-Year Deal with Ford Expiring December 25

Following closely on the heels of the negotiations between Ford and M-G-M for a new coast-to-coast CBS program featuring the exclusive radio appearances of the film company's topflight players, MOTION PICTURE DAILY on Saturday learned Fred Waring's contract with Ford comes up for renewal on Nov. 25, and if not acted upon at that date, expires on Christmas Day.

The Waring unit has been broadcasting exclusively in behalf of Ford for almost three years. At present the Pennsylvanians are heard over CBS on Tuesdays, and on the NBC-Blue Network on Fridays. The contracts for both programs run concurrently. N. W. Ayer, advertising agents for Ford, did not participate in the deal between Waring and Ford. Waring acted as his own agent.

It has been estimated that the cost for the proposed M-G-M program would approximate $25,000 weekly. The Waring unit is currently the highest paid act in radio, receiving $13,500 per week.

Waring and his "gang" are due in Detroit this week to perform for the 7,000 Ford dealers meeting there on the new auto season Nov. 5-6. It is taken for granted Waring will confer with Ford officials upon his arrival in the auto city. Perhaps then some definite word will be received as to whether or not Waring's present status with Ford will be affected by the new program if the deal is consummated.

Gable on Caravan Time

Clark Gable, whose M-G-M contract permits him to make a limited number of radio appearances a year, has three down and two to go. Naturally, every important sponsor with a Hollywood program has been trying to snare him for one or both of the remaining air allotments permitted him. While no announcement has been made, MOTION PICTURE DAILY over the weekend learned that he has given options to R. J. Reynolds, sponsor of the Caravan program, for his two remaining mike stints.

Gable's inaugural offering under his present contract was in behalf of Lux in "The Legionnaire and the Lady," with Marlene Dietrich. When Camel premiered early this spring he did "Men in White." Two weeks ago he offered the much-discussed portrayal of George Washington in "Valley Forge."

The Caravan dates or vehicles have not been set as yet.

Will Broadcast from Road

This seems to be the open season for road tours. On Jan. 1 Nelson Eddy leaves Hollywood to make an extended series of concert appearances. On or about the same date, Helen Hayes leaves Broadway for a cross-country jaunt of "Victoria Regina." Within the next few weeks Phil Baker begins a personal appearance run. In each instance the stars will take their radio companies traveling with them and broadcast en route.

Lorre-Vallee Date Set

Peter Lorre will be Rudy Vallee's feature guest Thursday evening. Lorre will do one of his "horror" characterizations in an original specialty titled "Prelude to Murder." Cab Calloway, Sheila Barrett and Eddie Conrad complete the guest talent for the broadcast.

Morris Signs Lola Lane

Lola Lane, erstwhile of the films and sister of radio's Priscilla and Rosemary, has been signed under exclusive contract for radio by the William Morris office. Her first air appearance probably will be on the Ben Bernie program.

Bulova Signal Drive On

Regina Schuebel, of the Biow agency, leaves New York next week on a business trip in behalf of Bulova Watch Co. Her stopovers will include Omaha, Denver, Salt Lake City, San Francisco and Los Angeles. The trip is understood to involve the sale of Bulova time signals to radio stations in the above cities.

Gorin: Igor and Charles

Warners and the sponsors of "Hollywood Hotel" have come to a definite decision on the billing of Igor Gorin. On "Hollywood Hotel" he will retain that name, but in pictures he will be known as Charles. Incidentally, Igor, or Charles, will begin his first concert tour on or about Nov. 23.

New Series for Wrigley

Wrigley's gum will sponsor a new series over the Columbia network beginning Nov. 9. Mondays through Thursdays, the program will be known as "Poetic Melodies," and will feature Franklyn MacCormack in poetry readings and Jack Fulton as vocalist.

On Friday the program will be known as "Mortimer Gooch," and will consist of a company of actors in humorous skits. Both offerings will be heard at 7 P. M. E.S.T.

Lady Esther in Spanish

The Lady Esther Serenades, starring Wayne King's orchestra, soon will be available to radio listeners in Spanish-speaking countries, according to word received from Chicago. Tryouts are now being held for a candidate to handle the Lady Esther role in Spanish. When she is found the programs will be recorded for use by broadcasting stations in Central and South America.

Fitzgerald Transferred Here

John D. Fitzgerald, formerly head of Columbia's public events and special feature departments in Chicago, has been transferred to New York as assistant to Paul White, local special features head. James Pratt, formerly with KMBC, Kansas City, Mo., replaces Fitzgerald in Chicago.

O'Brien Signed by Lux

Pat O'Brien stars for the first time on the Lux program of Nov. 9 as the lead of the famous crook meller, "Alias Jimmy Valentine." Featured with him will be Allen Jenkins, film "tough guy."

The story is a repeat on the Lux Radio Theatre, Dick Barthelmess having played the lead last summer.

Gilman in from Coast

Donald Gilman, vice-president in charge of NBC west coast operations, is in New York on official business. He will remain over for NBC's 10th anniversary celebrations.

Cooking School Feature Stays

The Pet Milk Sales Corp's daytime cooking school, featuring Mary Lee Taylor, will be heard over 61 CBS stations for another year through a contract renewal effective Nov. 5. The program has been broadcasting over the CBS web without interruption since 1933.

Friday to Thursday Shift

Tea Time at Morrell's, the daytime variety show which made its debut over the NBC-Red network two months ago, will be heard over the same network on Fridays at 4 P.M. instead of on Thursdays, as heretofore.

Tibbett, Hildegarde, Et Al

Short Shots: Lawrence Tibbett returns to the airwaves on Nov. 6, when he will sing arias from "Rigoletto" on the San Francisco Opera Co. program at midnight. . . . Hildegarde, NBC singer, booked for London in May for the King's coronation festivities. . . . Milton Berle renewed for 13 additional weeks on the CBS Community Sing. . . . Andre Kostelanetz celebrates the beginning of his 8th year in radio on Wednesday. . . . Five Star Revue, a new CBS program, will feature Ray Sinatra, Morton Bowe, Merni Bell and Bill Johnstone. . . . Mary Eastman, of the opera, will sing the songs from the film, "The King Steps Out" on the "Your Pet" program over CBS on Nov. 7. . . . And Helen Jepson, also of opera, will guest on the Show Boat program Thursday night. . . . Jimmy Kemper, NBC singer, seriously ill all summer with a throat ailment, returns to the airwaves this week. . . . "Welcome" Lewis now auditioning for a new sponsor. . . . Ditto Lazy Dan.

Ask Johnson City Permit

KNOXVILLE, Nov. 1.—General Broadcasters, owners of WROL, have filed an application with the Federal Communications Commission for authority to establish another radio station at Johnson City, Tenn. It would broadcast with a frequency of 1,370 kilocycles and a power of 100 watts night, 250 watts day. Unlimited operating hours are sought.

Start Denison, Tex., Station

DENISON, Tex., Nov. 1. — Station KRRV has been formally dedicated with a special program. Studios are in the Hotel Denison with Maurice Wray and Mrs. Wray in charge.

Open WGRC at New Albany

LOUISVILLE, Nov. 1.—A new station, WGRC, has opened in New Albany, Ind., across the Ohio River from Louisville. Studios are in the Indiana Theatre, owned and operated by Switow Bros. The station operates on 100 watts power, 12 hours broadcasting time, daytime operation.

Don Becker Resigns

CINCINNATI, Nov. 1.—Don Becker, assistant general manager of Crosley's WLW and WSAI for more than 10 years, has resigned, to head a new organization in the east.

Deny Toledo Application

TOLEDO, Nov. 1.—For failure to file an appearance, the Federal Communications Commission has denied application of I. M. Courtney for a new station to be operated weekdays on 560 kilocycles, with 250 watts.

Purely Personal

GEORGE P. SKOURAS on Saturday threw a surprise party for JOE SEIDER, who has just opened his new home at Bayside. JOHN EBERSON and HARVEY B. NEWINS arranged the details. Attending, in addition to those mentioned, were IRWIN WHEELER, WILLIAM SUSSMAN, W. A. SMITH, JR., WILLIAM A. SCULLY, CHARLES MOSES, ISADORE SEIDER, WILLIAM A. WHITE, GEORGE GARVIN, DR. SCOTT JOHNSON, WILLIAM A. ROBBINS, JOHN SLATTERY and EDWARD RUGOFF.

•

KENYON NICHOLSON and CHARLES ROBINSON plan to leave for Hollywood on Wednesday for a short conference having to do with "Fly by Night" which Paramount is considering for BING CROSBY.

•

ARCHE MAYERS, general sales manager of DuWorld, is back in town after a tour of the country's principal cities. While on the coast he opened a Hollywood office.

•

ELIZABETH JENNS, English girl, who is to play in "A Star Is Born" for Selznick International, has left for Hollywood. She arrived in this country on the *Ile de France*.

•

LILIANNE KERKES, 18-year-old Detroit girl, and F. JOHN M. BEATTLE, of Deerfield, Mass., winners of G. B. screen tests, sail next Wednesday on the *Manhattan*.

•

HAL WALLIS and FERNAND GRAVET left for the coast yesterday after conferring with JACK L. WARNER. JANE RENOUDART, wife of GRAVET, accompanies him.

•

IKE LIBSON and his associate in RKO Midwest Corp., H. HEIDINGSFELD, are in town for home office conferences and will leave for Cincinnati today or tomorrow.

•

ALBERTO MONROY, independent film distributor and editor of Mundo Cinematographico, has arrived from Mexico City.

•

OLIVIA DE HAVILLAND is in from Hollywood for a short vacation. MARGOT GRAHAME, RKO star, came in on the same plane.

•

HENRI ELLMAN, independent exchangeman, returned to Chicago after a brief visit here.

•

FRED MEYERS is due today from a weekend trip Gloversville where he visited the Schines.

•

HARVEY B. NEWINS moved his office Saturday from the 17th floor in the RKO Bldg. to the 22nd floor.

•

HARRY BUXBAUM, JOE LEE and ARTHUR SEIGEL are back from Philadelphia.

•

ERROL FLYNN, of "The Charge of the Light Brigade," is expected some time this week.

•

DR. A. H. GIANNINI has his plans set to depart for the coast Saturday.

Iowan Gets Nervous

Des Moines, Nov. 1.—Iowa has sent a nervous man out to be Mae West's guest for eight days.

He is LeRoy Kling, 28, manager of a seed and coal firm.

Twenty thousand letters received by the Des Moines *Sunday Register* in a contest to pick the state's most eligible bachelor and three unmarried women judges selected him.

Loew Buys by Rubin Reported by S. E. C.

(*Continued from page* 1)

a report by James E. MacPherson, New York, showing the disposition in September of 3,700 shares of Consolidated Film Industries common stock, apparently his entire holdings of that class, and the acquisition of 1,400 shares of $2 cumulative participating preferred.

Disposition of 4,000 shares of $1 par common stock of Grand National Films was reported by Edward L. Alperson, New York, who at the close of the month still held 22,546 shares, while a report on International Cinema showed that Regan Day, Inc., held 240,000 shares of common.

Belated reports covering several months were filed by officers and directors of Twentieth Century-Fox. An August report by Chase National Bank disclosed that it sold 5,946 shares of common under an escrow agreement and held at the close of the month 381,431 shares, and has sold, also under an escrow agreement 11,892 shares of $1.50 cumulative preferred, of which it held 762,862 shares at the close of the month. March, 1936, reports showed that Felix A. Jenkins held one share of common, and that A. R. Jenkins, his wife, acquired 20 shares of $1.50 preferred, while William C. Michel acquired 88 shares of common and 176 shares of the preferred.

Consolidated Move Held Up by a Stay

WILMINGTON, Nov. 1.—Chancellor Josiah O. Wolcott has issued an order restraining Consolidated Film Industries, Inc., from filing with the Secretary of State any certificate of amendment purported to have been adopted recently by either directors or stockholders and has issued an order for the company officers to appear Nov. 13 to show cause why a preliminary injunction should not be granted.

The action was taken on a bill filed by Norman Johnson of New York, preferred stockholder. Howard Duane of Wilmington represents the complainant. The bill alleges that 150,000 shares of an issued 524,973 shares of common stock owned by Setay Corp., which, it is alleged, is controlled by Herbert J. Yates, president of Consolidated, and directors of Consolidated are largely interested in the common stock and the purported amendment was proposed by the directors to improve the position of the common stockholders at the expense of the preferred stockholders, the complainant charges.

"Ladies Love" On Dual Best Coast Grosser

LOS ANGELES, Nov. 1.—"Ladies in Love," on a dual with "All-American Chump," was the only high grosser of the week. It garnered $17,000, up by $3,000, at Loew's State, but failed to get going at the Chinese and finished $1,000 under par on a take of $11,500 there.

"Valiant is the Word for Carrie" went $1,250 over the line on a take of $4,500 at the 4-Star. "Don't Turn 'em Loose" and "The Girl on the Front Page" were a little better than fair at the Hillstreet with $8,300, but they turned in a weak $6,500 at the Pantages.

"The Big Broadcast of 1937" pulled $16,380, with the help of a stage show at the Paramount, in its third week. This was $6,380 to the good.

Total first run business was $89,880. Average is $107,950.

Estimated takings for the week ending Oct. 28:

"ROMEO AND JULIET" (M-G-M)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 4th week. **Gross:** $8,700. (Average, $17,000)

"LADIES IN LOVE" (20th-Fox)
"THE ALL-AMERICAN CHUMP" (M-G-M)
CHINESE—(2,500), 30c-55c, 7 days. **Gross:** $11,500. (Average, $12,500)

"VALIANT IS THE WORD FOR CARRIE" (Para.)
4 STAR—(900), 30c-55c, 7 days, 2nd week. **Gross:** $4,500. (Average, $3,250)

"THE RESORT FLIRT"
GRAND INTERNAT'L—(750), 35c-40c, 7 days. **Gross:** $2,200. (Average, $1,200)

"DON'T TURN 'EM LOOSE" (Radio)
"THE GIRL ON THE FRONT PAGE" (Univ.)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $8,300. (Average, $8,000)

"LADIES IN LOVE" (20th-Fox)
"THE ALL-AMERICAN CHUMP" (M-G-M)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $17,000. (Average, $14,000)

"DON'T TURN 'EM LOOSE" (Radio)
"THE GIRL ON THE FRONT PAGE" (Univ.)
PANTAGES — (3,000), 30c-65c, 7 days. **Gross:** $6,500. (Average, $8,000)

"THE BIG BROADCAST OF 1937" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days, 3rd week. Stage: F. & M. revue, Ted Claire, Rube Wolf and orchestra. **Gross:** $16,380. (Average, $18,000)

"A MIDSUMMER NIGHT'S DREAM" (W.B.)
WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 7 days. **Gross:** $7,000. (Average, $14,000)

"A MIDSUMMER NIGHT'S DREAM" (W.B.)
WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 7 days. **Gross:** $7,800. (Average, $12,000)

Name Dixey Directors

LONDON, Nov. 1.—Twenty nominations have already been made by provincial theatre men for the four directorate posts reserved for exhibitors on the board of Capt. A. C. N. Dixey's Independent Exhibitors' Distributing Co. Further exhibitor meetings in aid of the scheme, organized independently of the Dixey offices, are to be held in Newcastle, Nottingham, Cardiff and Bristol.

French Films Show Gain

TORONTO, Nov. 1.—The number of French language films imported into Canada during the past fiscal year was 104, according to government statistics, an increase of 24 over the previous year's total.

Photophone to Have Indianapolis Plant

(*Continued from page* 1)

ment this year, in addition to closing new orders for recording equipment with Twentieth Century-Fox, Columbia and Warners. The new factory, he said, would furnish 165,000 square feet of space and would be air-conditioned throughout. Public address and stage sound reenforcement apparatus also will be produced at the Indianapolis plant. A complete engineering staff is being established at the new manufacturing center.

Photophone recently closed with Loew's for the re-equipping of one-half of the company's entire theatre circuit. This is the first time its equipment has been used by Loew's.

Combine RCA Offices

KANSAS CITY, Nov. 1.—The RCA Mfg. Co. is moving its district offices from St. Louis to Kansas City, and Kansas City offices will be combined with them in larger quarters in the Davidson Bldg.

H. T. Stockholm, district manager, will have headquarters here after Nov. 15, when the move will be completed. Harry A. Somerville is district service manager for the Kansas City area, and Don Davis, district sales manager. Service and sales managers at St. Louis and Omaha will continue.

Form New Schine Firm

ALBANY, Nov. 1.—Yateswood Corp. of Gloversville, N. Y., has been chartered here by J. Meyer Schine, Louis W. Schine and John A. May of the Schine circuit in Gloversville.

"Allah" to M. H. Nov. 19

"The Garden of Allah" has been dated into the Music Hall for Nov. 19. John Hay Whitney, who flew to the coast to attend the preview, is back.

Wall Street

Slight Losses on Board

	High	Low	Close	Net Change
Columbia	38	37¼	37¼	— ¾
Consolidated Film	4⅞	4⅞	4⅞	.....
Consolidated, pfd.	18¼	18	18	— ½
Eastman Kodak	171½	171½	171½	—2
General Theatre Equipment	27½	27¼	27½	.....
Loew's, Inc.	57⅞	57½	57¾	+ ¼
Paramount	17¼	16⅞	17	.....
Paramount 1 pfd.	125½	124¼	124½	—1¼
Paramount 2 pfd.	16¼	15⅝	16⅛	+ ⅜
Pathe Film	7⅞	7¾	7¾	.....
RKO	8	7⅝	8	+ ¼
20th Century-Fox	33⅛	32⅝	32⅝	— ½
20th Century, pfd.	41⅛	41	41	— ¼
Universal, pfd.	102¾	102¼	102¾	+ ¾
Warner Bros.	14⅞	14⅝	14¾	.....

Fractional Curb Movement

	High	Low	Close	Net Change
Grand National	3½	3⅜	3⅜	— ⅛
Sentry Safety Control	⅝	⅝	⅝	.....
Sonotone	2	2	2	.....
Technicolor	22¾	22½	22¾	— ¼
Trans Lux	4⅞	4¾	4¾	+ ⅛

Paramount Bonds Gain

	High	Low	Close	Net Change
Keith B. F. 6s '46	97	97	97	.....
Loew's 6s '41 ww deb rights	99	99	99	.....
Paramount Broadway 3s '55	66	66	66	+ ¾
Paramount Pictures 6s '55	98½	98	98½	+ ½
Warner Bros. 6s '39 wd	96½	96	96	— ½

(Quotations at close of Oct. 31.)

RECORD BREAKER

EIGHTEEN months ago Eastman Super X Film was introduced as a special film for a special purpose. Today it stands as the world's leading all-purpose negative. Breaker of records, it is a notable contribution to a record-breaking era in the motion picture industry. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, New York, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

Canada Music Deal May Need Gov't Sanction

(Continued from page 1)

were represented in the agreement and it is from these that the music licensing society derives the bulk of its Canadian revenue.

Under the agreement the Canadian Performing Right Society will continue in operation, according to E. C. Mills, general manager of Ascap, and Leslie Boosey of the British Performing Right Society, whose organizations control the Canadian music licensing unit. Attending the rate conference here at which the agreement was adopted were David Bernstein of Loew's; Col. John A. Cooper of the M. P. Distributors and Exhibitors of Canada, the Hays organization affiliate in the Dominion; Matt Taylor of the Canadian Performing Right Society; Arthur Thompson and T. J. Bragg of Famous Players Canadian, Mills and Boosey. The latter will leave from New York on his return trip to London aboard the *Queen Mary* on Wednesday.

The exhibitor interests were given an option on a four-year contract with the Canadian society at slightly increased rates which may be exercised later.

Grand Jury Probe Of Bombings Seen

(Continued from page 1)

Levy, attorney for Local 306, criticized the invasion into the organization's headquarters. He said:

"I deprecate as much as anybody the unlawful and vicious acts of bombing, because those acts are against the law. By the same token, I deprecate the unlawful and vicious acts of the Police Department in going up to the union's headquarters without a scintilla of evidence and without a search warrant, and seizing personal papers, and arresting, not arraigning, everybody in the union's offices."

McCarthy to Handle National Statistics

(Continued from page 1)

National had been compiling their own statistical data. Under the new arrangement, the material is sent to New York and handled by McCarthy.

Spyros Skouras and Edward Zabel are due back from a tour of all key operating points this week. Irving Barry, now on the coast, will stop over at Salinas, Kan., from which point he will drive in by car. Skouras and Zabel will fly all the way from the coast.

New Sound for Para.

HOLLYWOOD, Nov. 1.—The Paramount studio is being re-equipped with new Western Electric Mirrophonic recording apparatus of the push-pull type in line with deals recently closed by the company with Erpi. The studio plans to use the new equipment first for original recordings of musical sequences, according to Franklin D. Hansen, sound director, and T. Keith Glennan, studio operations manager.

Plummer Hopeful for Film Industry in Hectic Spain

(Continued from page 1)

months. For, from the volcanic eruption of July 19 to the night of Oct. 15 I lived in Barcelona, the Cradle of Spain's Revolution and a breeding-ground of anarchy even in Bismarck's time, but, in its sane and normal aspects of life one of the handsomest and finest cities in Europe. It is slightly larger than Boston.

The final adjustment and outcome of the anarchy, chaos and strife into which that glorious land is today plunged will depend upon the rank and file of the Spanish people and upon the Catalan and Vasco contingents of their population of 23,000,000. Most surely the deciding factor in the eventual *denouement* of the drama now being enacted over the Peninsula will be that element of the 23,000,000 which is referred to by its present tyrants with alternating contempt and fear as the *"bourgoisie"*—they who enjoy a moderate degree of prosperity derived from small independent enterprises or from the wage of a relatively high class of labor. Very typical of that *bourgoisie* element is the rank and file of officials and employes of the motion picture trade in Spain, one of the most flourishing and progressive of the country's many and varied industrial and mercantile activities.

U. S. Leads in Film Trade

As the 1936-37 issue of the *Motion Picture Almanac* presents a comprehensive survey of the different phases of the trade in Spain, it is not necessary to more than stress here the fact that the American representation in that industry and trade is the dominant factor. Eight major distributing houses of the United States—Metro-Goldwyn - Mayer, Universal, Radio, Fox, United Artists, Paramount, Warners, First National and Columbia, maintain large offices and distributing outlets in Barcelona, the largest city and seat of film operations, and good-sized branches of those eight in Madrid, Sevilla, Bilbao, Valencia and the Canary and Balearic Islands.

The Metro main establishment in Barcelona comprises one of the most modern and completely equipped "dubbing" plants outside of Hollywood. The capital investment of this American group represents probably 80 per cent of the entire film industry of the country, including the native Spanish producing and "dubbing" studios, laboratories and exchanges and the many French, British, German, Italian and Russian offices and agencies.

Nine Major American Firms

There are about 400 theatres on the mainland of Spain. So the official and working personnel of this really great and important division of Spanish industry represents an army of people, of which easily 2,500 are to be accounted for by the forces of the Spanish affiliate companies of the eight American importing houses—or nine, if we include the representation of the Western Electric Co. of Spain and the two model "dubbing" studios with which that unit maintains a quasi-proprietory contract.

Still another native studio, that of Trilla y La Riva, in Montjuich Park, Barcelona, which has complete producing facilities and in which some of the most important of recent Spanish pictures have been filmed, is now under contract to Warner-First National for "dubbing" purposes only, a clause in the contract prohibiting the filming or "dubbing" of any pictures without Warners' consent. Of course, under the present overturn of legal principles and standards these contracts are being constantly violated at the pleasure of the C.N.T., the controlling Anarcho-Syndicalist group, and its creature subsidiary dominating the film industry, the Comité Económico de Espectáculos Públicos.

The staffs of officers and employes of these several entities of American affiliation will serve to illustrate this brief, hasty analysis of the character and qualities, the human psychology of a cross-section of the Spanish and Catalan *bourgoisie* directly and seriously affected by the political and economic upheaval in Spain—more than that, whose future and whose happiness, whose liberty and even whose lives are directly and seriously menaced by that upheaval.

Up-to-Date Business Men

When one enters one of the film offices in Spain there is an atmosphere of brightness and snap—we'd call it "pep." This does not proceed altogether from the clean and wholesome physical environment nor from merchandising and salesmanship technique. That brightness and snap are inherent in the nature of the personnel—in the nature of the individual man and woman, and more than that, in the nature of his or her atavistic background. As one tarries upon the threshold, he may note that one of the staff approaches another with a query or an item for consultation and he will be struck by the intuitive courtesy and kindness with which the man or woman approached looks up and enters upon the business in hand.

All are dressed correctly in the prevailing mode and in quiet, good taste. They would compare favorably with any crowd of officials and employes reporting at the Fox or Paramount or Metro offices in New York, Hollywood or Chicago. Address an inquiry or a greeting to anyone and a smiling, courteous and intelligent response is to be had. Whether it be the manager, the sub-manager, secretary, accountant or film inspector, one will sense an innate kindness, a willingness to serve, to accommodate, in their acknowledgment of one's salutation or in the answer to one's question. If perchance one brushes past without the traditional "Buenos dias!" or "Buenos tardes," a sense of disappointment, of hurt, is registered.

Future in Hands of Youth

Spain is a land of youth, of virile youth, of indomitable spirit, of the *joie de vivre* and the hope of crushed and bleeding Spain today lies in that virility of youth, in that indomitable spirit, in that joy of living, that has been struck down and trampled upon, but not vanquished.

In the relations between employer and employe in Spain and particularly in the Spanish distributor houses, *force majeur* counts for little or nothing, but reason and common sense and frankness accomplish wonders. If the *esprit de corps* characteristic of the units of representation of the American industry there which prevailed before the present disturbances has continued through and despite the otherwise confounding and demoralizing influences of the last three months, it has been due in good part to the fundamental, sound common sense of the rank and file of the employes—that, coupled with a sense of humor, which never fails the Spaniard.

This rather rambling tribute to an element which has borne the brunt of one of the most devastating collapses of government and authority in history leads me to the point I wish to stress. That is that the average level of the Spaniard and the Catalan in personal honesty and integrity is high, very high; that his standards of schooling are infinitely higher than they have been given credit for; that his spirit of cooperation is one with his fine and winning courtesy and his sense of sportsmanship, which comes to the fore in any dispute.

Philosophy the Salvation

It has taken personal courage of a high order, stout hearts, resilient nerves and quick intelligence to meet the demands made alike upon each and every employe of the film companies in Barcelona since that fateful July 19, when Red Revolt swept the Peninsula from the French frontier to the Portuguese and almost to Gibraltar. Had the employes indiscriminately followed the alluring cues given them by the Anarcho-Syndicalist leaders of the Revolt untold confusion and hardship would have resulted. But understanding, and a true spirit of co-operation growing out of the respect, the good will and, in not a few instances, out of the positive affection existing between the staff members and their executives, thus far have saved the day.

Production Slips; 39 Films in Work

(Continued from page 1)

the exhibitor in the very near future.

Twelve features were completed last week and eight new films were started.

New films in the current lineup were: "A Slug For Cleopatra" at Columbia, "Headin' for the Rio Grande," Grand National, "Trail Dust," Harry Sherman production for Paramount release, "They Wanted to Marry," Radio, "The Chinese Orange Mystery," "The Old Corral" and "Beware of the Ladies," Republic, and "Singing Buckaroo," a Monarch production, in the independent field.

Columbia had five features shooting, four in preparation and scheduled for cameras within two weeks and eight editing. Samuel Goldwyn had zero, zero and two; M-G-M three, zero and 12; Paramount six, four and six; Republic three, three and five; Roach two, one and one; Selznick-International zero, one and zero; Twentieth Century-Fox five, two and seven; Universal two, two and two; Walter Wanger one, one and zero; Warners six, one and nine; independents two, two and three.

The sole short subject in work was at M-G-M, which also had two shorts in preparation and four in the cutting rooms. Radio had one preparing and two editing. Roach one and one; independents one and zero.

Mexico Starts Censoring

MEXICO CITY, Nov. 1.—Censorship of films entering or leaving Mexico went into effect yesterday.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 106 NEW YORK, TUESDAY, NOVEMBER 3, 1936 TEN CENTS

Pathe Out of G.N. so Kolbe Leaves Board

Firm Intends to Limit Activity to Laboratory

Pathe has disposed of its stock holdings in Grand National Pictures, ending the interest it has had in the new film company since its formation, it was learned yesterday following the resignation from the Grand National board of Frank F. Kolbe, a director and former president of Pathe. The company's Grand National holdings were disposed of in the open market over an extended period of time, it was said.

A large block of Grand National stock was issued to Pathe on the formation of the new picture company in return for Pathe's interest in First Division Exchanges, which was taken over by Grand National. Pathe's liquidation of its First Division and now of its Grand National holdings has been in line with its declared policy of withdrawing from production and distribution interests to concentrate on its laboratory operations. Arrangements were completed recently by Pathe for the retirement, as well, of obligations of the Van Beuren Corp. which it holds.

Kolbe said that he would continue on the Pathe board, but would devote

(Continued on page 4)

Name Winn-Edwards To G. N. Sales Jobs

Edward Peskay, general sales manager of Grand National, yesterday named James Winn as western sales manager and Sol Edwards eastern sales head. Winn has been with the firm since June without official title.

Winn returned yesterday from Chicago after touring the country for two months. He will leave Monday for the coast by plane with E. L. Alperson, president.

Jack Barnstyn yesterday officially started his duties as head of the foreign department.

Progress Continues In RKO Reorganizing

Further progress toward completion of an RKO reorganization plan was reported yesterday by factors in the proceedings who, however, declared that the date on which the plan would be submitted to the Federal court here still was indefinite.

Hamilton C. Rickaby, of Simpson,

(Continued on page 4)

Score Directors at Annual G. B. Stockholder Meeting

By BRUCE ALLAN

LONDON, Nov. 2.—The annual stockholders' meeting of G.B. here today developed into a heated series of attacks on the directorate with reference to the alleged inadequacy of the financial report and the breaking off of negotiations on the Twentieth Century-Fox-M-G-M deal for the purchase of G.B.

After one hour and a half of sharp criticism, the meeting ended abruptly with the passage of a resolution for adjournment for two weeks or until the directors can present a complete consolidated balance sheet of the company and its subsidiaries.

About 300 attended the session in the G.B. private theatre. An earlier amendment to appoint a committee to investigate the company's affairs lost

(Continued on page 4)

Daily Television Starts in London

LONDON, Nov. 2.—Daily television broadcasts were inaugurated here today with the formal opening of the Alexandra Palace Television Service.

The program included speeches by R. C. Norman, chairman of the British Broadcasting Co.; Major G. C. Tryon, Postmaster General, and Lord Selsdon, chairman of the television advisory committee. The entertainment program included vocalists, the Negro Syncopaters and British Movietone News.

The press witnessed the inauguration on a Cossor receiver at Broadcasting House, first on Baird equipment, then on EMI. The latter, by

(Continued on page 2)

"Allah" Set Back

The trade show of "The Garden of Allah," slated for the Astor Theatre at 11 A.M., tomorrow morning has been set back by United Artists due to the request of a number of exhibitors who have found it inconvenient to come into New York so soon after the Election Day holiday.

United Artists will show the film later.

Wilcox Here To Get U. S. Distribution

Herbert Wilcox, British producer, arrived on the *Queen Mary* yesterday to arrange distribution of four or five of his recent pictures and bringing word with him that he is also organizing a new producing company to make 12 next season along international lines. The new group will be made by a company about which details are promised in a couple of days. The series of 12 will cost $5,000,000.

Wilcox is the executive producer of General Film Distributors, Ltd., of which C. M. Woolf is chairman. The Woolf company figured in the purchase of Universal from Carl Laemmle and is understood to rate first consideration from "U" on distribution of

(Continued on page 4)

New Play Shy on Tunes and Comedy, Long on Dullness

The gloomy and reflective rafters of the New Amsterdam last night looked down on tunes and girls far less glorified than many they could have told about, had they been of the mind. They saw a lot of this and that in a piece called "Forbidden Melody" for reasons not quite apparent and equally as unimportant. They saw and heard book and lyrics by Otto Harbach and music by Sigmund Romberg and they must have wondered, as did others, in what kind of an off moment those two old hands tossed this one off.

They saw Carl Brisson make his American stage debut in a story about Carol and Roumania, intrigue and counterplot, Bucharest and Budapest, mistresses and the real thing in as tinsel-like an assortment of situations that ever banded together in the name of musical comedy.

Maybe they did not, but those venerable rafters might well have wondered about other activities far below

(Continued on page 2)

20th-Fox Will Oppose G.B. Shift—Kent

Will Not Approve Ostrer Sale and Won't Sell

Twentieth Century-Fox will not approve the proposed sale by the Ostrers of their 5,100 "A" shares in Metropolis & Bradford Trust, holding company for G.B., to John Maxwell and associates, Sidney R. Kent, president, declared yesterday on his arrival on the *Queen Mary* after spending five weeks abroad, principally to negotiate a deal with the Ostrers.

Neither will Twentieth Century-Fox sell any of its 4,900 "A" shares in M. & B., he said. "As far as our company is concerned and as far as I know, that's the way things will lay," Kent added.

Under the original trust agreement entered into by William Fox at the time Fox Film Corp. purchased the 4,900 "A" shares, Twentieth Century-Fox has the right to veto any deals for a transfer of the "A" stock, which carries voting power.

"Because of their attitude, we won't approve the proposed sale of the 5,100 shares on which Maxwell holds an option. Naturally, we will try to enforce our veto power.

"We are still friendly," Kent added, "but as far as the disposition of the

(Continued on page 4)

Kent Will Act Soon On Trade Practices

Twentieth Century-Fox will make known this week the trade practice concessions which it is prepared to grant in accordance with the M. P. T. O. A. program of sales policy reforms, Sidney R. Kent, Twentieth Century-Fox president, said yesterday.

Kent said that the company had decided upon its stand some time ago, but that the list of concessions which it is prepared to grant has not been

(Continued on page 4)

Sears Promotes Men In Completing Setup

Gradwell L. Sears, Warner general sales manager, has completed his new setup with a series of promotions from the ranks.

Robert Mochrie will be in charge of eastern and Canadian sales and Herbert J. Ochs will be in charge in the south and west. Carl Leserman, as

(Continued on page 2)

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Distribution from Coast

HOLLYWOOD, Nov. 2.—Both production and distribution of M-G-M short subjects will henceforth be concentrated at the studio here, Fred C. Quimby stated today. Metrotone News, said Quimby, will remain in New York.

Rifkin Dinner Nov. 5

BOSTON, Nov. 2.—The dinner to be tendered Herman Rifkin, president Republic Pictures Corp. of New England, will be held Nov. 5, not Nov. 6, as stated in MOTION PICTURE DAILY.

Philadelphians Dance

PHILADELPHIA, Nov. 2.—That harmony has been achieved, temporarily at least, by exhibitors here was indicated by a dinner-dance held Saturday night by the U.M.P.T.O., at the Bellevue-Stratford. It was a success.

Breen on Way Here

HOLLYWOOD, Nov. 2.—Joseph I. Breen will entrain tomorrow for New York where he will confer with eastern executives of M.P.P.D.A.

New Play Shy on Tunes and Comedy, Long on Dullness

(Continued from page 1)

them. It may have occured to them here was a perfectly beautiful job of stage design by Sergei Soudeikine and competent stage direction by Macklin Megley with superb lighting, but no music and no comedy to grace their effectiveness, which is a very sad state of affairs for a comedy in music.

They could have gone on ad infinitum. They might, for instance, have speculated dolefully over the dialogue direction of Jose Ruben, who knows (or knew) a thing or two about the theatre; why Brisson interrupted his performance by persistently mopping his brow and straightening his hair; about the doubtful comedy histrionics of Jack Sheehan; that there were no voices to sing the little music and lots of aimless conversation to add to the dullness which came along very regularly and at long stretches between frequent musical numbers which were pretty dull in themselves.

Couple of Good Tunes

There was one good number and to be fair and square about it, this reviewer failed to get its name. All right, then, to make up he'll throw in another to a grand total of two. Not enough to keep any show going an entire performance as last night proved all too well.

Ruby Mercer as the girl who taught Brisson how to stop being nomadic did a nice job in a small way, but Joseph Greenwald in a comedy role turned downright annoying before the first act was over. Brisson got by, without distinction and with much perspiration. One of his numbers called "Just Hello" reached out to these eardrums as "Just Alone" or something akin. You can't tell. Brisson and "Forbidden Melody" are quite apt to be.

"Don't Look Now!"

Tangled in a barrage of words there are some amusing situations, some smart lines and the basis of a satirical film story in "Don't Look Now!" After a listener becomes tuned to the speed of the word-flow he begins to catch the wisecracks on the wing, as it were, but chuckles get no chance to develop into guffaws. The dialogue is in the way.

This new comedy by John Crump opened last night at the Bayes with Joseph Buloff featured.

It's the story of a film producer who seems goofy, but is shrewd enough to know that the only way he can get a wandering star back on the set to finish a picture is to give her what she wants, even if it happens to be a husband. In this case the prospective bridegroom is engaged to the backer of his play, but he solves that problem by having one of his writers make love to the fiancee.

Buloff dominates the show, as a high-powered Hollywood producer should. His temperamental flights are something to write home about, but the author—or perhaps it was the director—keeps him talking so fast that the laughs are about 50 words behind.

A tall blonde girl, Beverly Phalon, does a neat piece of acting as the film star in search of a mate. She gets a chance to change her mood—often. She glides from the stormy star defying the world—meaning Buloff—to the cooing temptress, and the scheming feminine, jealous of a rival.

Some of the other roles are handled well, too—Edward Marr, as a press agent; Robert Shayne, as a playwright for whom the film star is on the make; Oscar Stirling, as a butler, and a gangling six-footer named Jack Harles, as a young drunk.

As it stands now it's good for a series of quick laughs and holds the attention as the story intrigue develops. Pruned of some of its excess verbiage and given some careful timing it might go places as a mirth-provoker on the screen.

Music Rates Up to Canada Commission

TORONTO, Nov. 2.—The Canadian commission for regulation of music tax rates would be called upon to decide the rate which could be charged any theatre in the Dominion which declined to pay the tax schedule agreed upon at a meeting here last week between representatives of the larger theatre circuits and those of the Canadian Performing Rights Society, it was stated on good authority today.

The function of the commission, it was pointed out, is to intervene only when a user of copyrighted music refuses to pay a levy fixed by the society and protests the rate as unreasonable to the commission. Under the new Canadian law the commission then may specify what it finds to be a fair rate.

Schwartz Back from Capital

Arthur Schwartz of the law firm of Schwartz & Frohlich returned yesterday from weekend conferences in Washington with representatives of the Attorney General's staff on the preparation of stipulations in connection with the Government's monopoly action against Ascap. Schwartz's firm is counsel for Ascap.

Consolidated Gets Stuart as Manager

Herschel Stuart, well known in exhibition circles, yesterday joined Consolidated Amusements as general manager. He will relieve Lawrence Bolognino, operating head, of duties in the field. The circuit has 23 theatres in the Bronx and on Eighth Ave.

For eight years he was chief aid to Harold B. Franklin at Paramount, for four and a half years general manager of Fox Poli and in 1933 joined RKO as general manager of the circuit. He made a survey for Paramount in 1934 and in the same year became publicity, advertising and exploitation head for Columbia. Within the past year, he has handled a few shows for Al Rosen, Hollywood producer.

Universal Club Frolics

The Universal Club held its annual dinner-dance at the Waldorf last night with a goodly crowd on hand to dance and absorb a show staged by Milton Schwarzwald.

Sears Promotes Men In Completing Setups

(Continued from page 1)

previously announced, will be Sears' aide.

Charles Rich, Pittsburgh manager, comes to New York as exchange manager for the metropolitan district. Harry Seed, Buffalo branch manager, goes to Pittsburgh, effective Nov. 16, and Ray Smith goes from the Albany exchange to Buffalo. Norman Ayres, salesman in the Washington exchange, succeeds Smith as Albany manager.

In making the appointments known Sears said it was the established policy of the company to give men in the field a chance to widen their activities.

Daily Television Starts in London

(Continued from page 1)

direct transmission, was definitely better than the Baird intermediate film, giving a result on an 8 by 10 screen which was up to a fair film standard, with a notable steadiness and absence of flicker.

The Baird lines were much more visible and the pictures had much weaker definition and background details.

Hold Services Here For Joseph K. Emmet

Funeral services for Joseph K. Emmet, 70, manager of the Capitol and once a matinee idol, who died Saturday at Doctors' Hospital after an operation, were held yesterday at the Church of The Blessed Sacrament. Burial will be in the family mausoleum at Albany, and will be private.

Lebensburger Funeral Held

CLEVELAND, Nov. 2.—Funeral services were held yesterday for Maurice A. Lebensburger, 46, distributor here for the past 23 years. He died Saturday after a four-month illness.

Sam A. Perry Dies

HOLLYWOOD, Nov. 2.—Sam A. Perry, Universal musical director, died at his home here yesterday. He was 52, a native of Austria and held a degree from the Royal Academy of Music at Vienna.

Buckler Funeral Today

LOS ANGELES, Nov. 2.—Funeral services for Hugh and John Buckler will be held tomorrow at a double ceremony in the Shierry & Walling Chapel, Canoga Park.

Edgar Dodd Passes

SPARTANBURG, S. C., Nov. 2.—Edgar Dodd, announcer at radio station WSPA, died at a local hospital yesterday.

Local 306 Disavows Bombing Connection

Joseph D. Basson, president of Local 306 of the operators' union, declared yesterday that his organization had nothing to do with the bombing last week of eight theatres in New York. He said also that the explosions in the theatres have seriously impeded the negotiations looking toward the absorption by Local 306 of Allied M.P. Union and the Empire State P.M. Operators' Union, which operates chiefly in Brooklyn.



"Look, Ma—Pa's sleepwalking again!"
"Sleepwalking, my eye! He's going to see the Mae West picture."

MAE WEST in **"Go West Young Man"**
with WARREN WILLIAM, RANDOLPH SCOTT, ALICE BRADY, Elizabeth Patterson, Lyle Talbot, Isabel Jewell, Margaret Perry • Directed by HENRY HATHAWAY • Dialogue by Mae West • An EMANUEL COHEN Production • A Paramount Picture

Wilcox Here To Get U. S. Distribution

(*Continued from page* 1)

British product in this market. Approval, however, rests with Universal.

More than 20 film personalities arrived by British boat, most of them returning from business and vacation trips.

S. R. Kent, president of Twentieth Century-Fox, headed the list of notables, which included Percy Phillipson, president of General Register; Truman Talley, producer of Fox Movietone News; Benjamin Miggins, Central European manager for Twentieth Century-Fox; Julian Bermann, traveling sales supervisor for M-G-M; Max Thorpe, general sales manager for Columbia in England; Anna Neagle, British film star; Ricardo Cortez, Warner player; William K. Howard, director; Jack Oakie, who drafted the plans for the Denham studios; Hugh Walpole, novelist; Philip Astley, British real estate man and husband of Madeleine Carroll; Dudley Nichols, director; Tamari Desni, British film star; Buddy G. De Sylva, producer; Marion Davies, Sally Eilers, Tullio Carminati, Mary Carlisle and Nigel Bruce.

Flash Previews

"Theodora Goes Wild"—A farce comedy-romance, crowded with surprising and amusing twists, rollicking along at a merry pace, "Theodora Goes Wild" seems headed for important box-office figures.

"Flying Hostess"—Drama, romance, comedy, suspense, melodrama and exciting thrill action are the materials which this film uses in its glorification of the air hostess.

These films will be reviewed in a coming issue of MOTION PICTURE DAILY.

Wall Street

Losses Dominate Board

	High	Low	Close	Net Change
Consolidated	4⅞	4¾	4¾	— ⅛
Consolidated, pfd.	17⅞	17⅞	17⅞	— ⅛
Eastman 173	171	171	— ½	
Eastman, pfd. ...163½	163½	163½	.....	
Gen. T. Equip....	27⅛	26⅝	26¾	— ¾
Loew's, Inc.	57⅝	56¾	57¼	— ½
Paramount 17	16⅜	16¾	— ¼	
Paramount 1 pfd.125	123⅛	123	—1½	
Paramount 2 pfd.	16⅛	15½	15⅝	— ½
Pathe Film	7¾	7¾	7¾	.....
RKO	7¾	7⅝	7⅝	— ⅛
20th Century-Fox.	32¾	32½	32¾	+ ⅛
20th Century, pfd.	40½	40⅜	40⅜	— ⅛
Universal, pfd ..103	103	103	+ ¼	
Warner Bros. ...	14⅝	14¼	14½	— ¼

Curb Gains Slightly

	High	Low	Close	Net Change
Grand National ..	3⅜	3¼	3¼	— ¼
Sentry Safety ...	11/16	11/16	11/16	+1/16
Sonotone	2⅛	2	2⅛	+ ⅛
Technicolor	23⅛	22⅜	22⅞	+ ⅛
Trans-Lux	4¾	4¼	4¼	— ½

Bonds Off

	High	Low	Close	Net Change
Keith B. F. 6s '46	97	97	97	.....
Loew's 6s '41 ww deb rights	99¼	99	99	.....
Paramount B'way 3s '55	65¾	65¾	65¾	— ¾
Paramount Pict. 6s '55	98½	97¾	97¾	—1

(Quotations at close of Nov. 2)

Will Air "Born to Dance" After Its Preview Nov. 13

A bit of Hollywood's celebrated preview hoopla will seep into broadcast channels on Friday, Nov. 13, when M-G-M's "Born to Dance" will be offered on the CBS "Hollywood Hotel" program direct from the stage of Sid Grauman's Chinese theatre immediately following the preview of the picture. Attendance at the broadcast will be by written invitation only.

Eleanore Powell, Frances Langford, Una Merkel, Virginia Bruce, Buddy Ibsen and Sid Silvers will comprise the radio cast. Dick Powell and Louella Parsons will be heard, as usual. Tunes will be confined to those heard in M-G-M pictures, beginning with the original "Broadway Melody" and ending with the "Born to Dance" score.

Golden Heads Theatre Radio

Plans for a promotional radio hour for the theatre are now in the hands of John Golden, producer, who originated the idea and is endeavoring to make it possible, it was stated yesterday following a meeting of the council of Actors' Equity Ass'n, which has agreed to cooperate in its sponsoring.

Equity would authorize appearances of its members on the program without pay and would contribute in other ways to the project, it was said.

Cole, Cassel, et al

Short Shots: Hilda Cole of Fred Waring's press staff leaving to free lance. . . . Walter Cassell became the father of a baby girl. . . . George Hall's orchestra clinched the year's two major college dates—the campus dance preceding the Yale-Harvard game on Nov. 20, and the Rutgers Military Ball in December. . . . Eleanor Howe, on CBS "Homemakers Exchange," flies in from Chicago each week for the program. . . . Mary Eastman this week takes up residence in New York. . . . Bill Frawley has been added to the "Alias Jimmy Valentine" Lux cast for the Nov. 9 broadcast. . . . Rachel Carley, of "Manhattan Merry-Go-Round" to be screen tested by 20th Century-Fox. . . . Don Wilson has been named to do the Rose Bowl game on New Years Day. . . . Sammy Fain back on Broadway, after finishing score for "Convention in Cuba."

Authority Starts in Canada

OTTAWA, Nov. 2.—Canadian Broadcasting Corp., newly organized Governmental organization for the control of broadcasting and the licensing of studios in the Dominion, commenced operations today with Murray Gladstone as director.

The corporation is answerable to Parliament through the Minister of Transport. The establishment, maintenance and operation of studios as well as the making of agreements with private broadcasting companies are authorized. The new organization's operations will be financed by licensing fees on receiving sets and by parliamentary appropriation.

Bing Crosby Withdrawn

HOLLYWOOD, Nov. 2.—Bing Crosby has been removed from the Monday night broadcast of the California Chain Stores Hour as guest artist on Station KHJ, Don Lee coast network. The chain stores organization has been campaigning against the proposed chain stores tax. Independent stores and other proponents of the tax amendment threatened to boycott Kraft products if the company allowed Crosby to appear. The withdrawal followed.

G.B. Directors Are Hit by Stockholders

(*Continued from page* 1)

on a show of hands when Mark Ostrer declared he had 3,000,000 proxies, including 110,000 from public shareholders, while the votes at the meeting totaled 51,000. The directors could not use the proxies on the adjournment motion, and were overridden by the shareholders present.

Ostrer, in the course of a speech, said, in reference to the Twentieth Century-Fox-M-G-M deal for G.B. control, that the arrangement would have been excellent, but was reluctantly abandoned because "the question of the possibility of foreign control had not been completely covered."

Maxwell May Scrap Studio

LONDON, Nov. 2.—Reports were current here today that John Maxwell may scrap the G.B. Shepherd's Bush studio, and is considering enlarging the B.I.P. studio at Elstree or possibly acquiring the plant of Amalgamated Studios, Ltd.

Tauber Sues Hochreich

A $100,000 suit alleging fraud and deceit was filed in N. Y. Supreme Court yesterday by Samuel Tauber against the Vocafilm Corp. of America and its president, David R. Hochreich. The complaint charges that in December, 1935, Hochreich represented to Tauber that he was president of Vocafilm and that he was working on a plan for organization of a company to be known as the Exhibitors' Franchise Corp., which was to take in several other film companies. Tauber charges that Hochreich further represented that he was to become president of this new corporation in addition to securing for Vocafilm a settlement of the $5,500,000 suit which is pending against A. T. & T., W. E. and Erpi. Tauber says he was to become Hochreich's personal representative in all public and personal matters and prepare plans for this enterprise. He stated further that he had a three-year contract at $500 a week and that he performed services up to last June 16, but received no compensation.

Hochreich entered a complete denial to the charges.

Kolbe Quits G. N. as Pathe Sells Stocks

(*Continued from page* 1)

less time in the future to actual film work than he has heretofore. He is identified with the brokerage firm of Young & Kolbe. He resigned the presidency of Pathe several months ago after occupying that post for about three years and was succeeded by O. H. Briggs.

20th-Fox Will Oppose G.B. Shift—Kent

(*Continued from page* 1)

Ostrers' 'A' shares in M. & B. is concerned, that's another thing."

Asked if G.B. planned to withdraw from Twentieth Century-Fox exchanges in view of announcements made recently that Maxwell intended to release other products in addition to B.I.P. in this country, Kent said he was not aware of any plans by G.B. to move out. The president of Twentieth Century-Fox held that the company's exchanges were not equipped to handle more product than currently being distributed since there is no room available for it.

Maxwell a few weeks ago concluded negotiations with the Ostrers for 250,000 "B" shares in M. & B. On this angle, Kent said Twentieth Century-Fox had no voice in the sale.

Robert T. Kane, producer for New World, British producing unit for the company, recently completed "Wings in the Morning" in Technicolor and has started the second, "Under the Red Robe." The four pictures made by this company will be distributed in the American market, Kent said.

Kent Will Act Soon On Trade Practices

(*Continued from page* 1)

made public because of his cabled request to the home office to withhold the announcement until he had had an opportunity to examine it. He said that this would be done at the first opportunity and that the statement would out in "two or three days."

Kent declined to discuss the nature of the concessions which his company would make and, in reply to a question, said that he did not know what the attitudes of other major companies were toward the M. P. T. O. A program but "believed their positions would be somewhat different" from that of his company.

Kent's is the first statement from a major company head indicating definite action on the exhibitor program of trade practice reforms and indications are that the Twentieth Century-Fox statement will be the first to be issued. The major features of the M. P. T. O. A. program involve the granting of an unrestricted cancellation program, elimination of the score charge, adoption of the short form of contract and establishment of local conciliation boards.

Progress Continues In RKO Reorganizing

(*Continued from page* 1)

Thacher & Bartlett, counsel for Atlas Corp., which is directing the RKO reorganization, told Federal Judge William Bondy at a recent RKO hearing that efforts were being made to complete the plan by some time this week, but that unforeseen developments might delay it an additional week or 10 days. It was stated yesterday that the objective remains the same but that there still is no certainty of a filing date.

The Leading Daily Newspaper of the Motion Picture Industry

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Says English Are Building 150 Theatres

Outlook Bright, States Percy Phillipson

English interests are building on the average of 150 new theatres a year and there is no sign of this figure waning, Percy Phillipson, president of General Register, said yesterday in commenting on the outlook in Great Britain. He arrived Monday on the *Queen Mary* to spend six weeks here on his usual business trip.

Average seating capacities of the theatres is 1,500, Phillipson stated. He did not estimate the latest total of theatres in England, but indicated optimism over the progress made in the last year.

Truman H. Talley, producer of Movietone News, asserted while abroad he conferred with Russell Muth, new European manager for the newsreel, who succeeded Benjamin Miggins, also a passenger on the boat. Miggins is now Continental European sales manager for Twentieth Century-Fox and said this was his first trip

(*Continued on page* 9)

G. B. Will Release All 24, States Lee

G. B. will definitely release the 24 features it announced at the beginning of the season, Arthur A. Lee said yesterday on his return from a tour of midwestern and western exchanges.

Seventeen of the 24 have been completed already, with plans for the production of the additional seven well advanced, Lee said.

W. B. Stockholders Meet December 14

Warners have set Dec. 14 as the day for their annual stockholders' meeting in Wilmington. Five directors will be elected at that time. Those whose terms expire are: Samuel Carlisle, Stanleigh P. Friedman, Charles S. Guggenheimer, Sam E. Morris and Morris Wolf. All are expected to be renamed for another three years.

Ivan Culbertson, Joseph Hazen and Carlisle have been empowered to act as a committee for the representation of proxies.

The annual financial report for the fiscal year ending Aug. 29 will be completed about Nov. 15, according to a letter sent to stockholders and signed by Robert W. Perkins, secretary.

20th-Fox In Circuit Buy In Australia

Purchase Insures Outlet For Its Product

By CLIFF HOLT

MELBOURNE, Oct. 13 (*By Air Mail, Via London*).—Official announcement has been made of the purchase by Twentieth Century-Fox (Australasia, Ltd.), Charles E. Munro and Stanley S. Crick of a substantial interest in Amalgamated Theatres, Ltd., of New Zealand, thereby giving Twentieth Century-Fox a guaranteed outlet in the 65 theatres which are owned or controlled by Amalgamated.

Walter J. Hutchinson, foreign manager of Twentieth Century-Fox, who is now touring the Commonwealth, said that the scheme was similar to that which his company undertook with success in 1930 with Hoyts. "The arrangement," he emphasized, "provides there will be no foreign domination majority, control remaining in the hands of British subjects."

M. J. Moodabe will continue as general manager and chairman of the

(*Continued on page* 8)

Chance Games Stir Canada Exhibitors

TORONTO, Nov. 3.—Theatre interests in various parts of Canada are actively concerned over the growing popularity of Bingo, Keno, Housie-Housie and other games of chance under club auspices in halls and other quarters in opposition to film houses.

At Winnipeg an issue has developed between theatres and the club operators and the battle has been brought before the Board of Police Commissioners with representatives of both sides giving evidence at the recent

(*Continued on page* 10)

Players Ask Return To Ranks of Equity

Overtures for reinstatement of several actors and actresses who were placed on the suspended list recently for failure to join the Screen Actors Guild have been received by Actors Equity Ass'n, it was stated yesterday.

Inquiries concerning the procedure to be followed in moving for reinstatement have been received but Equity declined to identify those concerned until they have actually taken the steps required for reinstatement. One of the first essentials in the procedure, it was said, would be to apply for membership in the Screen Actors Guild.

Dixey Plan Set

London, Nov. 3.—The plan of Capt. A. C. N. Dixey for the development of the Independent Exhibitors' Distributing Co., will get under way actively within three week with 250 members, it was said at a meeting of London exhibitors here today.

At present London is the weakest area of the country in point of membership in the organization.

Skouras Returns on Subsidiaries' Plans

With Spyros Skouras, operating head of the circuit, back after a general checkup on divisional units in Kansas City, Salt Lake City, Portland, Seattle, Denver, Milwaukee, San Francisco and Los Angeles, discussions are expected to get under way by National Theatres' executives on proposed plans to dissolve subsidiary corporations.

In many situations, National has partnership deals, which because of their complexity may not be included in the new arrangement. This angle and others relating to new structural setups will be aired at special meetings to be held for the purpose.

The National executive committee usually meets on Thursday, while board sessions are slated once a month.

Indicating that new companies will

(*Continued on page* 10)

Final Hearings Set On Two Fox Circuits

KANSAS CITY, Nov. 3.—A creditors' hearing on the final report of Herbert V. Jones, trustee, concerning the bankruptcies of Fox Midland Theatres and Fox Rocky Mountain Theatres has been set for Nov. 17.

Unless there is objection to the report and accounting by a creditor, subsequent to Nov. 17, Judge Albert L. Reeves of the U. S. District Court will discharge the trustee, and the litigation begun by voluntary bankruptcy

(*Continued on page* 9)

La Guardia to Probe Bombing of Theatres

As a result of a second series of bombings which occurred Monday night at six of the eight Harry Brandt theatres, Mayor La Guardia has promised a personally conducted investigation to uncover the interests or individuals guilty of the act.

The six bombed for the second time were the Globe, Central, Times Square, Liberty, Audubon and Park.

After reading the statements by

(*Continued on page* 9)

Expect Upturn In Grosses as Election Ends

Theatres Hit Badly in Political Battle

An immediate resumption of gains at the box-offices of the nation, which were noticeably affected during the last 10 days or two weeks of the political campaign, is anticipated by exhibitors now that the national election is behind them.

The consistent gains made generally by theatres since early in the year, and which persisted to give the industry one of its best summers in recent years, suffered an estimated setback of from five to 15 per cent in grosses during the closing days of the campaign, theatre men estimate. The business recession is attributed entirely to intense interest in the Presidential candidates which kept large segments of the theatre-going public away from the box offices, particularly as the campaign was drawing to its close. For this reason, the recovery of recent attendance losses is expected by theatre men to be instantaneous and the continuance of the gains begun earlier is looked for.

Public interest evidenced in the campaign just closed is regarded in industry circles as unique in many respects and explanatory of the effect it

(*Continued on page* 7)

See Approval Today Of Loew-Penn Deal

PITTSBURGH, Nov. 3.—Loew's is expected to conclude negotiations tomorrow with the preferred stockholders of the Penn on a new term lease. Discussions have been under way for some time and are expected to come to a head Wednesday.

The date for turning over the theatre and details in connection with Loew's resuming a pool with Warners also will be worked out tomorrow.

Hearst Name Stays On Reels—Hatrick

The name of Hearst will not be removed from the Hearst Metrotone News, Edgar B. Hatrick, general manager for Hearst's film enterprises, stated yesterday in denying reports such a move was contemplated.

Hatrick added that he knew of several instances where exhibitors have been supplanting their own titles without Hearst's name to lead off the newsreel, but this was not general.

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Goldwyn Signs Writers

HOLLYWOOD, Nov. 3.—Samuel Goldwyn today signed Beatrice Kaufman as eastern story editor and Thomas B. Costain as studio story editor. Miss Kaufman resigned from *Harpers Bazaar* to take the new position.

The Goldwyn production schedule for the coming season comprises twelve films.

"Romeo" Down to $8,930

"Romeo and Juliet" in its 11th week at the Astor tallied $8,930, the lowest take since the picture opened.

"Lloyds of London" will follow the Shakesperean film in the next few weeks.

"Theodora Goes Wild" will open at the Music Hall on Nov. 12.

Sheehan in Hollywood

HOLLYWOOD, Nov. 3. — Winfield Sheehan arrived today from New York.

Weingarten Re-Signed

HOLLYWOOD, Nov. 3. — Lawrence Weingarten was signed today to a new M-G-M producer contract.

Insiders' Outlook

By RED KANN

THE nationalistic drums, sounding off at Whitehall, make plenty of racket from London these days. They beat in steady crescendo and their volume will increase as the days drop from the calendar. You find evidences of it in the Gaumont British upset and you must have noticed it in the recent resolution of the general council of the Cinematographic Exhibitors Association opposing the further acquisition of British theatres by that arch villain, "foreign interests" . . .

▼

This sort of circumstance telescopes strangely into the American point of view and, because it is unfamiliar, it is also lacking in clarity and reasons why. Having spent exactly sixteen days in London this summer and, of course, now qualifying as an expert on British characteristics, we are here to tell you on this post-election morning that matters having to do with the national interest are important on the other side and many autocratic gestures undertaken in its name. Conceivably, it could even serve as an excuse to wiggle out of a deal in favor of another which happens along on sweeter terms for the seller. . . .

▼

Those who kept both optics on the staggers of the Twentieth Century-Fox - Loew transaction for Gaumont British may have overlooked the part the English government has played from the wings. Never appearing openly, since that would never do, the reasons seem substantially strong now to credit that government with killing off the purchase which the Schenck brothers had every right to conclude was theirs. The proof? Well, now wait a minute and have a heart. We are in no position to produce it and, as a matter of fact, it may never be produced by this purveyor or any other of that scene.

▼

Yet the evidences of any such proof could take several forms. It could, to go specific, display itself in the form of a grateful state, in whose name much has been committed in the past, knighting one of the outstanding figures in its film industry. In other words, Sir John Maxwell. It might, to go on with this, take the form of plenty and easy financing for Maxwell and his augmented holdings through a word, slipped quietly, mind you, to the City, which is British for Wall Street, and it might very well make not the slightest difference whether Twentieth Century-Fox approves the sale of the "A," or voting stock, by the Ostrers to Maxwell. Now or ever. There are instances in British corporate history where amalgamations, completed by private industry, were kicked squarely in the pants because the government there held such deals contrary to the national interest. Really, a very handy something to have around in case. . . .

▼

All of this has its amusing angles, much outweighed by the serious. One of them is the importance which the American picture plays in the British scheme. Everyone in London admits readily that Hollywood, six thousand miles removed, regularly supplies British theatres with the backbone product without which any contemplation of the future would be dolorous in the extreme. For the penalty of maintaining this steady supply of theatre profits, not to overlook the job done in keeping the employment index there from falling lower than it might otherwise, the American distributor for almost ten years now has been punched regularly on his schnozzle, through official subsidy referred to as the quota with every likely prospect that the blows in the future will be harder and arrive more frequently. Some of his money, moreover, is compelled to go into quota pictures which is another cute angle of the idea in that it instructs the British producer how to become a producer with part of the expense borne by the competitor which the former one day hopes to reduce to obscurity. . . .

▼

Bringing the situation across the Atlantic now and under scrutiny closer to the comprehension of the domestic exhibitor, you find Gaumont British operating in this market and getting deals with no Federal restrictions except the routine as it has to do with import taxes and the like. And that is entirely proper. G.B. and all others should be permitted to enter an open market to rub shoulders with native merchandise on a free wheeling basis and to take their chances on the results. Competition should provide for no less when it is fair and untrammeled. The unfortunate truth is that the sort of competition thrown across the path of the American industry when it reaches the Isles is neither fair nor untrammeled, but selfish, unreasonable and, we are afraid, completely unbeatable. . . .

Seek a Washington Statue for Rogers

OKLAHOMA CITY, Nov. 3.—Proposal to place a statue of Will Rogers in Oklahoma's niche in the Hall of Fame at Washington will be urged before the next legislature, Gov. Marland states.

He said that the plan is to erect a replica of the statue on the capitol grounds in Oklahoma City. State appropriations would be sought to pay for both.

At the same time Marland revealed that a P. W. A. grant will be sought to help build a $250,000 Will Rogers museum on a 20-acre tract near Claremore, offered by Mrs. Betty Rogers.

Marland said he had been informed that Oklahoma's half-share of funds raised nationally for Will Rogers memorials would amount to about $128,000. Another $25,000 will be given by Oklahomans who are waiting until a project is definitely decided upon.

Leitsteen Contempt Papers Go to Court

ATLANTIC CITY, Nov. 3.—Federal Referee Robert E. Steedle has forwarded to U. S. District Judge John Boyd Avis at Camden the papers certifying Herbert Leitsteen, Fox family bookkeeper in contempt of court for refusals to answer questions in the William Fox bankruptcy examination.

A hearing is scheduled for Thursday morning in New Jersey Chancery Court here when counsel for the All-Continent Corp. will ask a modification of the temporary restraint against disposing of any assets.

This restraint was granted Oct. 14 by Vice-Chancellor W. Frank Sooy.

Kendricks Gets Another

ST. LOUIS, Nov. 3.—Harry Kenricks, who is managing the Missouri for F. & M., also is handling the recently reopened Shubert-Rialto.

Charles Daniels is managing the Grand Opera House, reopened last Friday. Vaudeville and pictures will be the policy of this second run house. It is not being operated by F. & M.

NEW ORLEANS, Nov. 3.—Noel D. Smith, former treasurer of the Orpheum, is the new manager of the Liberty, reopened last week by Mort Singer after a complete renovation.

Ohio Eliminations Jump

COLUMBUS, O., Nov. 3.—During the five-week period in October, the censors reviewed a total of 714 reels and ordered eliminations in 49.

The above record compares with 460 reels reviewed in September, from which there were 13 eliminations ordered.

Foreclose on 3 Houses

The Theatre Masque, the Golden and the Majestic, all located on the block bounded by 8th Ave., 9th Ave., 44th and 45th Sts., will be offered at an auction sale at the Vesey St. Salesroom on Nov. 23.

Plan Doyle Rites Today

HOLLYWOOD, Nov. 3.—Arrangements will be made by Del Lord tomorrow for the funeral of Laird Doyle, 29, Warner contract writer, who died yesterday in a plane crash.



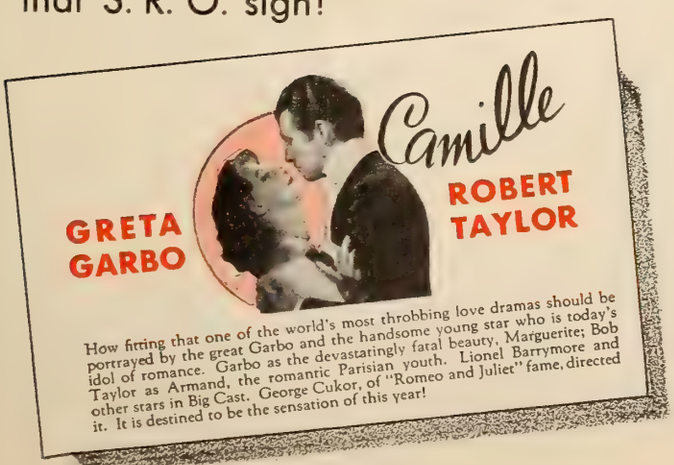
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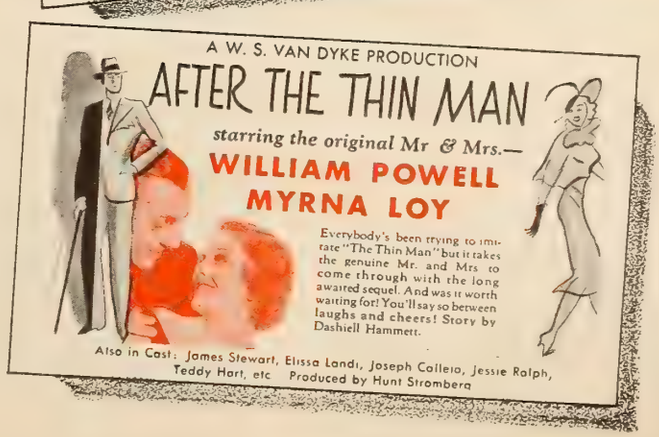
This is a tip-off to M-G-M exhibitors to keep the old S. R. O. sign handy after they have finished playing "Great Ziegfeld", "Gorgeous Hussy", "Libeled Lady" and other Fall Season hits from M-G-M!

There's more on the way as you can see on this page. And, oh mister, how you're going to need that S. R. O. sign!









A Double Veto

Paul White, head of the special events department of CBS, yesterday instructed Ed Murrow at Hyde Park to arrange a final air talk by President Roosevelt at 7 P. M., E. S. T. Later in the day, John Royal of NBC heard of it and hurried Carleton Smith, assigned to Hyde Park, to beat CBS with a similar talk at 6 P. M.

Upshot: the President cancelled out on both.

Loew Station to Act as a Talent "Farm" in CBS Deal

WHN, independent station owned and operated by the Loew circuit, will act as a talent "farm" for artists now being coached by the artists' bureau of the Columbia Broadcasting System, according to arrangements now being completed by Ralph J. Wonders, manager of the CBS artists' bureau, and Louis K. Sidney, manager of the Loew station.

While it has been a common practice for new talent to try out over local stations before attempting to make the networks, this is the first time that two major radio units have arranged for a systematic development of promising talent.

Benefits of the plan are expected to be reciprocal. Sidney sees in it a better calibre of talent and higher standard of radio shows for the WHN listeners. On the other hand, increased air time will be available to Columbia for the introduction and tryout of new aspirants. Heretofore, because of the crowded CBS schedule, many aspirants who successfully passed rigid auditions faced the possibility of not getting beyond the audition room. The additional broadcasting time opened up by the new arrangement is expected to solve this problem. Active participation in the plan is expected to begin within the next few weeks.

8 Auto Show Programs

Eight special Automobile Show programs will be broadcast over the Columbia network between Tuesday, Nov. 12 and Wednesday, Nov. 18. Among those who have been invited to speak are William S. Knudsen, executive vice-president of General Motors; A. J. Chanter, president of Pierce Arrow; Myron C. Foy, president of DeSoto; Paul G. Hoffman, president of Studebaker; and A. E. Barrit, president of Hudson. The schedule of programs follows:

Tuesday, Nov. 10, 1:45 to 2 P. M.; Wednesday, Nov. 11, 1:15 to 1:30 P. M. (to be broadcast direct from the floor of the automobile show): Thursday, Nov. 12, 1:45 to 2 P. M.; Friday, Nov. 13, 1:15 to 1:30 P. M.; Saturday, Nov. 14, 12:15 to 12:30 P. M.; Monday, Nov. 16, 4:30 to 4:45 P. M.; Tuesday, Nov. 17, 1:45 to 2 P. M.; Wednesday, Nov. 18, 1:15 to 1:30 P. M. All programs are Eastern Standard Time.

The NBC schedule for broadcasting the auto events during the week of the show are as yet incomplete. However, John B. Kennedy, veteran announcer and commentator, has been assigned to broadcast the opening of the exposition on Nov. 11. In addition, NBC will describe a race between autos of ancient vintage from the Tavern-on-the-Green to Rockefeller Center on Nov. 10. The time and network for both NBC programs are still indefinite.

Case of Public Tuning Out

One of the rare instances of network broadcasting under commercial sponsorship for exclusive dealer promotion will be represented in the new William Wrigley, Jr., Co. program opening Nov. 9 over Columbia.

The public will be pointedly invited to tune out the program, which it will be informed is designed as a forum for dealer sales and promotion ideas. The script will be fictional, and will have a dramatic background. The background will comprise the adventures of "Mortimer Gooch," a high-powered chewing gum salesman. Chewing gum sales will get only general treatment. Dealers throughout the country, whether handling confections or furniture, will be invited to submit sales and promotion ideas to be presented on the program.

With more than a million retailers in the country, the audience for the program will not be as limited as supposed. The Wrigley company expects to cash in from goodwill created by discussing retailers' problems and successes.

"Mortimer Gooch" will be a Friday evening presentation. Neisser-Meyerhoff, Inc., Chicago, is the agency.

Reciprocity in Des Moines

As a result of a reciprocal promotion deal, all picture houses in Des Moines are now getting active boosts over stations KSO and KRNT. In return the theatres are using trailers to advertise the station features.

Attractions of independent theatres are featured in a daily half-hour show on KSO. The Tri-State chain offerings are broadcast mornings over the same station, while the Paramount theatre billings are heard over KRNT. In addition, a film gossip program hits KSO listeners daily. The theatres change the station trailers every two weeks. When screen "names" come to Des Moines, the stations get them on the air for interviews and performances.

On the Carpet

Developments in the Ford-M-G-M radio hookup under which the sponsor would have exclusive air use of the Metro starring roster are expected in about a week or 10 days.

William Morris returned from the coast yesterday, but refused to comment on the status of the deal. It is understood, however, the negotiations are still actively under way.

Concert Notables for Ford

The Ford Sunday Evening Hour has contracted for an imposing list of concert and operatic artists for the fall and winter seasons. The guest artist schedule follows: Nov. 15, Jose Iturbi; Nov. 22, Richard Crooks; Nov. 29, Ezio Pinza; Dec. 6, Marjorie Lourena; Dec. 13, Lawrence Tibbett; Dec. 20, Lauritz Melchoir; Dec. 27, Jascha Heifetz; Jan. 3, Lucretia Bori.

New General Food Show

General Foods, Inc., has contracted for a new series of programs to be heard over the NBC-Blue network each Sunday from 3:15 to 3:45 P.M., E.S.T., beginning Nov. 15. The program, a script "meller," will be known as "Cape Diamond Light," and will plug Diamond Crystal Salt. Benton and Bowles is the agency.

Sign More Picture Names

Two last minute picture personalities have been added to the week's network offerings. Tomorrow night Olivia De Havilland joins Peter Lorre on the Vallee Variety Hour, while Madge Evans will be heard on the CBS "Lux Radio Theatre" bandwave assisting Pat O'Brien in "Alias Jimmy Valentine."

Sears, Roebuck Sign Film Star

Despite its Chicago point of origin, Sears, Roebuck seem to be holding their own in the radio scramble for picture names. Grace Moore is the latest to be signed for a guest appearance by the mail-order house. Miss Moore will be heard on Dec. 3.

Toomey, Elman, Et Al

Short Shots: Regis Toomey will be the "Morning Matinee" guest tomorrow on WOR. . . . Sidney Kingsley's play, "Dead End," will be offered on the Mobilization for Human Needs program over the CBS and NBC networks on Nov. 8 at 7 P. M. Mischa Elman set for the Nov. 26 Sears, Roebuck program. . . . Jack Johnson, former heavyweight champ, will sing an operatic aria, of all things, on Sunday's "We the People" broadcast. . . . Charles Crutchfield, WBT (Charlotte, N. C.) program director is mourning the loss of a sister. . . . Phil Regan arrived yesterday from Hollywood. . . . Curtis Mitchell, editor of *Radio Guide*, due in New York this week. . . . Jack Costello, NBC announcer, yesterday shocked unconscious by a wire break in a "live" mike. . . . Same morning in an adjoining studio, Nellie Revell slumped to the floor in a faint just as she was about due on the air.

KSFO, San Francisco Joining CBS Network

SAN FRANCISCO, Nov. 3.—The local radio picture will undergo several important changes in the next two months.

Late this month KSFO will be taken over as the northern California outlet of CBS, following the network's abandonment of the two Earl C. Anthony stations, of which the local one is KFRC, heretofore outstanding in the local field. KSFO, which has developed rapidly from a second-rate station, will handle all CBS network programs in future.

KYA, the local *Examiner* station, will have the new transmitter on the Bay Shore Highway finished some time in January, and KYA salesmen are making a strenuous drive for new commercials.

Marion Talley Switching East

HOLLYWOOD, Nov. 3.—Marion Talley will switch to New York for two Ry-Krisp broadcasts, one on Nov. 22 and the other on Nov. 29. Joseph Koestner, director of the program, will fly east to direct.

The main reason for moving for the two broadcasts is to give Miss Talley an opportunity to visit her ranch in Kansas. The broadcasts will be resumed from the coast the first Sunday in December.

"Wedding Bells" a Hit

KANSAS CITY, Nov. 3. — WHB's "Wedding Bells" program, in which "Daniel Cupid, Sr." interviews newlyweds or engaged couples about weddings and honeymoons, has proved so popular there are many more interviewees than time to interview them. The program, which was inaugurated recently, is sponsored by a furniture store. Those interviewed are presented appropriate wedding gifts.

Has Film Fashion Program

PITTSBURGH, Nov. 3.—A new 15-minute program called "The Hollywood Revue" has just been launched here over WCAE by Stephanie Diamond, wife of Harold W. Cohen, film and drama editor of the *Post-Gazette*. It is sponsored by a fur store and is broadcast every Sunday at 6:30 P.M. The program consists of transcribed music and Miss Diamond's news on the latest fashions worn by the stars.

Breen Joins WISN

MILWAUKEE, Nov. 3. — Thomas Breen, Jr., former member of the CBS production department in New York and more recently engaged in transcription development work on the coast, has been named announcer and assistant manager at station WISN here.

WHB Gives an Oyster

Kansas City, Nov. 3.—A tip for premium-hungry theatres: The Harris-Goar department store's "Voice of Kansas City" broadcast over WHB, a man-on-the-street interview type of program, last week gave to the person being interviewed on the program when a concealed alarm clock went off, an oyster.

This was no ordinary oyster, however. It was canned in sea water and had been treated according to Japanese oyster culture so that when opened it contained a pearl worth from $10 to $12. The can sells for $2 retail, and the canners guarantee the buyer will find a pearl worth $2 or more. The station plugged the giveaways and had one of the biggest crowds in the history of the program. One angle suggested was use of the can as a bridge prize, but the woman who won it promptly opened it and took out the pearl.

EXCLUSIVE!

ACCURATE CHECK-UP OF RECORD ELECTION TURN-OUT!...

15,385

Paid Admissions Yesterday at the New York Strand!

ERROL FLYNN • OLIVIA DeHAVILLAND

in

"THE CHARGE OF THE LIGHT BRIGADE"

With PATRIC KNOWLES • HENRY STEPHENSON

NIGEL BRUCE • Donald Crisp • David Niven • Robert Barrat

Directed by MICHAEL CURTIZ

Released This Week on the Heels of the Year's Biggest Advertising Barrage, By *Warner Bros.*

Expect Upturn In Grosses as Election Ends

(*Continued from page* 1)

had on theatre business. Unprecedented registration in most sections of the country testifies to the scope of this interest. The huge attendance figures reported for every appearance of the candidates and their supporting speakers, and the fact that a record $2,000,000 was spent by political organizations for radio time is indicative further of the command of public interest which the campaign held, much of it to the exclusion of the theatre, naturally.

Another manifestation, unique in this campaign, was the necessity for withdrawing newsreel shots of the leading candidates from exhibition in numerous theatres in order to avoid audience demonstrations and ill feeling among theatre patronage. Veteran exhibitors report that the need for curbing audience outbursts has never been so widespread as during the past campaign.

All Pictures Hit

Good pictures suffered with the poor in the past 10 days, according to box-office reports. Efforts to overcome the anticipated competition for public attention were begun early in the fall by the industry and, probably, had some effect in staving off attendance losses until the closing days of the campaign. The M.P.P.D.A., through publicity and advertising directors of major companies, conducted a planned drive to emphasize the number of good pictures being exhibited in the nation's theatres, and distributors themselves maintained release lists of uniform quality.

Excellent business was registered by most Broadway houses in yesterday's holiday atmosphere, which was apparent early in Times Square. Attendance was swelled throughout the city from early evening on as thousands took advantage of the election returns services which the great majority of theatres made available.

Hamrick to Open House

SEATTLE, Nov. 3.—On Nov. 6 John Hamrick's Music Hall here will be reopened under the Hamrick-Evergreen (F.W.C.) banner. A policy of double-feature class "A" attractions at a 40-cent top will prevail. James Q. Clemmer will be in charge of the house. On the same date, Hamrick's Orpheum will inaugurate a film-vaudeville policy, with class "B" dual product, and five acts of vaudeville. Top price will be 35 cents.

Drake on Coast Visit

Whitford Drake, executive vice-president of Erpi, will leave for the coast on Thursday to look over the company's coast office and confer with west coast representatives.

Sardi's Damage $100,000

HOLLYWOOD, Nov. 3.—Damage estimated at $100,000 was caused by a fire which razed Sardi's Restaurant here, popular spot for film personalities.

Purely Personal

HERBERT J. YATES, J. J. MILSTEIN and EDWARD SCHNITZER will leave for Boston tomorrow to attend the homecoming party for HERMAN RIFKIN, Republic franchise holder, who recently returned from an extensive tour abroad.

•

CLARK GABLE and HOWARD STRICKLING will fly back to the coast either today or tomorrow. GABLE, who is to play the part taken by ALFRED LUNT in "Idiot's Delight," saw the play the other night.

•

CYRIL VON BAUMANN, who was a member of ANDRE ROOSEVELT'S recent exploration trip in Ecuador, says that country is evidencing some interest in production. He adds he has been commissioned to make a survey.

•

PETER LORRE is in town ready for rehearsals and such on "Napoleon the First," SIDNEY KINGSLEY'S next play to follow "Ten Million Ghosts." It arrives here along about Christmas.

•

MAX REE, art director has returned from a vacation in his native Denmark. He saw real competition for Hollywood from English product in the future.

•

ERIK CHARELL will leave for a Havana vacation in two weeks, after which he will sail for London and Paris, returning around February to produce another show.

•

PHIL REAGAN got in by train yesterday from the coast where he has just finished "Happy-go-lucky" for Republic. He will resume his radio work.

•

OTTO KRUGER has been sent the script of "The Two Mrs. Carrolls," which will be sponsored on Broadway by B. A. MEYER.

•

CARLO RONCORONI has signed NINA HORNE, singer, to appear in "Carmen," which is to be produced in Italy next spring.

•

MRS. JOE VOGEL is due back on the *Normandie* Monday after a three-month vacation abroad.

•

JEAN HARLOW has cancelled her eastern trip. She had planned a vacation here.

•

STEVE PALLOS, general sales manager for Korda Films, is due from England in a month.

•

BARTLETT CORMACK'S play, "Hey Diddle Diddle," will be produced by ANNE NICHOLS and MORRIS GREEN.

•

VIRGINIA FIELD and JANE DARWELL have been given new contracts at Twentieth Century-Fox.

•

CLAUDIE LOMBARD, French stage and film actress, is due to arrive here by plane from Montreal on Friday.

•

SPYROS SKOURAS and EDWARD ZABEL have returned from the coast and a tour of National Theatres' units.

•

BERNIE BROOKS, Paramount salesman, will leave today for Liberty and surrounding country towns.

•

A. C. WONDERLICK has gone to the coast.

ARTHUR KELLY, vice-president of United Artists in charge of foreign distribution, has landed at Rio Buenos Aires from Rio de Janiero in the course of his current South American sales tour.

•

OLIVIA DE HAVILLAND represented the screen production of "Anthony Adverse" at the National Book Fair which opened last night in the International Bldg.

•

FELIX JENKINS, Twentieth Century-Fox attorney, and MRS. JENKINS leave for the coast by American Air Lines tonight.

•

WALTER GOULD, United Artists division manager for Latin America, is back from a five-month tour of his territory.

•

G. I. WOODHAM-SMITH, counsel for General Film Distributors, accompanied HERBERT WILCOX on the *Queen Mary*, which docked Monday.

•

DOUGLAS FAIRBANKS, his wife, the former LADY SYLVIA ASHLEY; MERLE OBERON and WILLIAM WYLER, sail today on the *Queen Mary*.

•

PHIL SMITH, Boston franchise holder for Chesterfield and Invincible, left yesterday for home after a two-day visit.

•

JOHN BAXTER of Baxter Films, London, will sail today on the *Queen Mary*. This is his first trip to this country.

•

ROLAND YOUNG plans to return from England for a role in Warners' forthcoming "Call It a Day."

•

MRS. LEWIS MILESTONE has arrived by plane from the coast for a short visit.

•

DOLLY HAAS and HANS BRAHM, English actress and director, visiting M-G-M headquarters.

•

GEORGE BATCHELLER, head of Chesterfield Pictures, will head for the coast today.

•

JACK TROP is in Hollywood for a couple of weeks. He traveled like the birds.

•

EARL CARROLL left for the Twentieth Century-Fox studios last night via American Airlines.

•

WALLACE BEERY, JOHN HAY WHITNEY and ROSCOE FAWCETT planed in from the coast yesterday morning.

•

JACK WASHBURN and DEAN DELTON are staying at the Warwick while in town.

•

ERIC PARTLAND, English actor in on the *Queen Mary*, is at the Warwick prior to leaving for the coast.

•

J. ARTHUR HIRSCH is in from Toronto on a periodical visit.

•

EDWARD GOLDEN will leave for Pittsburgh today.

•

DAVID LEWIS of M-G-M has arrived on coast via the air route.

•

LESLIE BOOSEY, head of the British Performing Right Society, sails on the *Queen Mary* today on his return trip to London.

•

CARL LAEMMLE, JR., will head for the coast today. JERRY HORWIN will accompany him.

•

. . . *Chicago*

AARON SAPERSTEIN has been named chairman of the Second Annual Movie Christmas Basket Party which is sponsored by the Chicago Amusement Publicists Ass'n.

EMMA ABPLANALP, secretary of the Film Board of Trade, is planning to move her office to a new location. A sudden increase in work necessitated the change.

HARRY K. SMYTHE has bought a part interest in the Iris in Austin.

•

. . . *Indianapolis*

ALLAN FROMOUTH, Paramount booker, is father of a boy.

NATHAN TAMLER has acquired the Rex, neighborhood house, from Louise Markun.

H. C. DRESSENDORGER is back in town again with the G. B. exchange.

•

. . . *London*

BEN GOETZ arrived on *Normandie*.

HERBERT MARSHALL here.

PHILLIPS HOLMES in for B. I. P. picture.

CLIFFORD SMITH of Western Electric got a complimentary banquet from 40 colleagues, a traveling suitcase, tankards and a silver tray, before leaving for New York.

•

. . . *Los Angeles*

JACK DILLON, head of the Twentieth Century-Fox exchange, presented a new desk and leather chair by his company, and desk accessories and flowers by his staff.

HARRY TAYLOR has arrived to take charge of the National Screen Service accessories office.

HERMAN ROBBINS, president of the National Screen Service who has been visiting here for the past week, plans to return east soon.

FELIX A. JENKINS, secretary of Twentieth Century-Fox is expected here Nov. 6.

•

. . . *Omaha*

RALPH GOLDBERG is installing a new front on the Town.

D. L. HILL has bought the Brady at Brady, Neb., from A. L. SCHNEIDER.

ROY DRESHER has bought the Boyd, Spencer, Neb., from Jones and Bradstreet.

ELMER SEDIN, RKO auditor, is visiting the local exchange.

•

. . . *Pittsburgh*

DONN WERMUTH is now living at the King Edward apartments, having given up his place at the Roosevelt Hotel.

MRS. HAROLD BLOOM is here from New York to spend a few weeks with her brother, JOE FELDMAN.

BILL SCOTT has been showing a slight improvement the last few days at the St. Francis Hospital.

Postpone ITOA Meet

Plans for the development of a new national independent circuit in addition to discussion of sales policies of the various major companies, scheduled for today by the I.T.O.A. at the Astor, have been postponed until tomorrow.

20th-Fox In Circuit Buy In Australia

(*Continued from page* 1)
board of Amalgamated. J. P. Moodabe and Munro will be joint managing directors, and Crick will be on the board. It is understood that the Hoyts circuit has no connection with the deal, except indirectly through the fact that Munro, who is managing director of Hoyts, and Crick, who is board chairman, have personal holdings and, it is supposed, will act as Twentieth Century-Fox nominees.

Completion of the deal places Twentieth Century-Fox in an almost impregnable position of the Australian and New Zealand markets.

* * *

Of international interest is the decision given by Chief Justice Sir Frederick Mann in the Practise Court here that the rights granted to J. C. Williamson, Ltd., to produce the musical play, "Rose Marie," include rights to prevent exhibition and distribution of a talking picture version of the play.

The question was before the court preliminary to the trial of an action brought by Williamson to restrain M-G-M from producing and distributing the talking picture, "Rose Marie," and claiming damages. Williamson claimed exclusive ownership of production rights in the Commonwealth, New Zealand and South Africa, except as a silent motion picture. The defendants contended that Williamson's rights did not include production by talking picture.

Differentiation Interesting

The judge said that in 1924, when Williamson obtained its rights, there were two classes of performance, namely, performances which people went to hear and performances which they went to see. The word "picture" in the phrase "motion picture film" conveyed the essential nature of the performance. An audible production of the words of the play was something generically different, and not included in the rights reserved for Williamson.

It is understood that upon receiving a copy of the judgment, M-G-M will consider further action in the matter. Meanwhile, the release of "Rose Marie" is delayed indefinitely.

Richard Dix Turns Down Stage Offers

Richard Dix, who is here on a 10-day vacation, has turned down two offers to appear in plays on Broadway. He will return to the coast next Monday.

Dix recently finished "Below the Depths" with Dolores Del Rio for Columbia. Miss Del Rio will be in his next picture, as yet unnamed. "Below the Depths" is the first picture on a two-year Columbia pact.

Flash Preview

"The Traitor" — An interesting western, featuring conflicts between Mexican smugglers and Texas rangers.

This film will be reviewed in a coming issue of Motion Picture Daily.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Go West Young Man"

(*Major Prod.-Paramount*)

Hollywood, Nov. 3.—A typical Mae West show, this is for the West clientele plus those who expect something spicily different when the glamorous personality is featured. Based on the legitimate play, "Personal Appearance," numerous changes in the original were made and additions have been written in by Miss West to give her ample opportunity to demonstrate her special talents.

Liberally sprinkled with characteristic Westian gags and wisecracks, and including two somewhat similar solos, the film is basically farce comedy and, while noticeably different from previous West features, it does not fail to deliver all that is expected.

While on a personal appearance tour, Miss West has a receptive eye for any attractive male, which presents Warren William, as her publicity manager, with a constant source of trouble. Tuning some hectic fun with action, Williams beats down his charge's first romantic invasion involving the all too willing politician, Lyle Talbot. Then the road party becomes stranded in a country hotel peopled by interesting characters and Mae sets her cap for a local automobile mechanic, played by Randolph Scott. She becomes a super-menace to the honest romance of Scott's local sweetheart, played by Margaret Perry, and William has to stage a faked kidnapping and call upon hordes of cops to prevent his star from making the unwilling but highly tempted Scott her victim and, to prevent similar recurrences, finally marries her.

Emanuel Cohen's production and Henry Hathaway's direction give the star plenty of opportunity for her particular type of performance, which is enhanced by the contributions of Isabel Jewell, Alice Brady, Elizabeth Patterson and Etienne Girardot.

Production Code Seal No. 2,788. Running time, 80 minutes. "A."

"Theodora Goes Wild"

(*Columbia*)

Hollywood, Nov. 3.—A farce comedy-romance, crowded with surprising and amusing twists rollicking along at a merry pace, "Theodora Goes Wild" seems headed for important boxoffice figures. Composed of gay and airy elements, all soundly blended, it is rich in the qualities which audiences like for fun-provoking entertainment and which exhibitors look for in the better type of feature.

Based on two unusually humorous premises, the Mary McCarthy original with the Sidney Buchman screen play moves to the tune of intriguing situations and clever dialogue. The technique of Richard Boleslawski's direction, plus the class performances contributed by Irene Dunne, Melvyn Douglas and a well-chosen supporting cast, causes comedy to predominate.

Miss Dunne lives in a Connecticut town with her sternly moralistic maiden aunts, Eliza Beth Risdon and Margaret McWade. The aunts, with the aid of their clubwomen friends led by Spring Byington, force the publisher of the local daily to discontinue serialization of a sexy best seller. In New York, Miss Dunne is revealed as the author of the book, whereupon Douglas, the illustrator, moves in to make her live the same kind of life as the flaming character which her book heroizes. The resulting sequences seethe with fun.

Fearful that her identity may be made known to her home-towners, Miss Dunne returns home only to be followed by Douglas, whose antics drive her aunts and neighbors to distraction. Miss Dunne is horrified but also captivated and falls hard for the nervy swain only to learn that he is married.

In New York again, she publicizes herself as a red hot mama and adapts the Douglas wild man tactics to give him and his politically ambitious father, Henry Kolker, the jitters. The rapid-fire comedy reaches its peak when again she returns home, this time with a baby to scandalize her aunts and all the townsfolk except Jed Waterbury, the editor of the paper. But finally the infant is revealed as the granddaughter of Miss Byington in the climax of the lively show.

Intriguing and different is the film's treatment of those elements that sometimes cause a bit of eyebrow-lifting. These situations always erupt into hilarious surprises that result in a clean and wholesome show for any kind of an audience.

Production Code Seal No. 2,535. Running time, 90 minutes. "G."

"Lady" High on Coast

"Libeled Lady" in the second week of its Hollywood run at the Chinese and Loew's State, recorded 83.47 per cent compared to the first week, according to M-G-M. "San Francisco" rated 81.45 per cent in a comparable period there, they claim.

Short Subjects

"The March of Time No. 3"

(*RKO*)

The first part of the latest issue of this commendable subject is a manner of tribute to Horace Mann, the founder of the present day school system. The modern method of teaching the youngster is contrasted sharply with the theory of past decades. The sequence is a fine pictorial study of children and there are many deft touches of humor interwoven.

That focal point of attention at the moment, the White House—that is its next occupant—makes up the second and final reel. Perhaps for the first time the camera invades the beautiful rooms of the executive mansion and captures on film the settings against which the drama of government is played. The last topic, so well done and with fine photography, is one which will enlighten a nationwide curiosity.

Reviewed without production code seal. Running time, 20 mins. "G."

"How to Be a Detective"

(*M-G-M*)

Hollywood, Nov. 3. — Robert Benchley slips below the standard set by his earlier educational subjects in this one. Unlike "How to Sleep," and "How to Vote," etc., there are no surprises, and most of the gags are telegraphed to the audience before they take form on the screen. However, Benchley addicts will not be too disappointed, and the picture should fit happily on most programs. Production Code Seal No. 2,422. Running time, 10 mins. "G."

"Milk and Money"

(*Looney Tune-Vitaphone*)

The mortgage forecloser calls around at Porky's homestead and gives the usual notice. In order to stave him off, Porky takes his horse to the city and gets a job delivering milk. He loses the position when he smashes the wagon. Inadvertently while passing a racetrack, they find themselves in a race and with the aid of a vicious horsefly they win, so saving the day. It is an amusing cartoon. Production Code Seal No. 2,581. Running time, 7 mins. "G."

"Vitaphone Pictorial Revue No. 2"

(*Vitaphone*)

A few interesting sequences presenting insights on how film stars are found and selected, George Rector's method of preparing a steak, trick umbrella and sun shades, and others of equal novelty. The finish is a style show in color. Fairly good material Production Code Seal No. 01,132. Running time, 11 mins. "G."

Brauman in Pittsburgh

Pittsburgh, Nov. 3.—Milton Brauman, recently promoted from chief booker for the M-G-M exchange here to office manager of the St. Louis branch, has been transferred back to Pittsburgh to become office manager here. He succeeds Herbert Genter, now in the sales post left vacant by the resignation of Jules Lapidus, who became exchange manager here for Grand National.

Says English Are Building 150 Theatres

(Continued from page 1)

over since he was promoted six months ago. It is more of a get-together with the home office personnel visit.

Others arriving included Julian Bermann, Max Thorpe, Anna Neagle, Ricardo Cortez, William K. Howard, Jack Okey, Hugh Walpole, Philip Astley, Dudley Nichols, Tamari Desni, Buddy G. DeSylva, Marion Davies, Sally Eilers, Mary Carlisle and Nigel Bruce.

Bermann is en route to Japan for M-G-M. He will leave for the coast Sunday and from there take the *Asama Maru* the end of the month. He has been supervising sales in a number of countries, including Poland, Austria and France. He has been working out of the Paris office since May.

Cortez Did Film in U. K.

Thorpe is here on his first trip, which he said is a vacation. He may go to the coast tomorrow or Friday and after a sojourn here will sail on the *Normandie* Nov. 23.

Miss Neagle, who will stay about a month, will confer with Lee Shubert on the possibility of starring in "Nell Gwynn," on the Broadway stage. Her last picture was "The Three Maxims."

Cortez returned from England where he appeared in "With Your Voice" for B. & D. He will leave for the Warner studios today.

Howard has been directing "Fire Over England" for Alexander Korda. He will remain in town about four days, he said, then leave for St. Mary's, O., and report to Walter Wanger on Nov. 18 to direct "Summer Lightning." He will return to England in May when he will be assigned direction of "Broken Road," by A. E. W. Mason, for Korda.

Okey, not the film star, will head for the coast in a few days. The first thing he will do on his arrival, he said, is to have his appendix removed. He is not identified with any company.

Walpole on Visit

Walpole is not here on picture work this time. He will remain in New York until Friday and then begin a lecture tour, returning to England around Christmas.

Astley left for Hollywood Monday to visit his wife. He has no business in mind. On the same train were Nigel Bruce, who has just finished a role in "Thunder Over the City" for Atlantic Films, and Mary Carlisle, headed for the Paramount lot after a vacation abroad.

Nichols returned from a visit to 10 foreign countries, including Russia, where, he said, the attitude toward American production has changed completely since M. Shumiatsky's trip here. He added Russian producers are all interested in Hollywood and eager to learn American production methods. He will report at the RKO studios on Nov. 15. His last picture was "The Plow and the Stars." Nicholas left yesterday for his farm in Connecticut where he will rest until Nov. 14, and then fly to the coast.

Miss Desni is here for a five-day vacation to look over the sights. She will sail to England the end of the week to be married to Bruce Siton, English actor, and return later to appear in a picture to be directed by Howard.

DeSylva was away on an eight-week vacation, visiting England, Scandinavia and Russia. He will leave for the coast in two weeks to report either to Universal or M-G-M.

Miss Eilers will leave for Hollywood and the Universal studio tomorrow. She has just returned after appearing in "With Your Voice" for B. & D. Her Universal contract calls for two a year, she said.

Miss Davies is expected to appear in "Twelfth Night" next, she said. She will remain in New York until Christmas. Her schedule is two a year.

Carminati, who recently finished roles in "The Three Maxims" and "London Melody," will head for the coast shortly to appear in a Universal or M-G-M film. He will sail for England in three months to make two more pictures for Wilcox, he said.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Night Waitress"

(*Radio*)

HOLLYWOOD, Nov. 3.—Although the cast offers no exploitable names, if this picture is sold as interesting melodrama it should give average audience satisfaction. As the maiden production effort of Joseph Henry Steele, the story reflects intelligent preparation and understanding of the market sought for.

Plot combinations are furnished by the plight of Margot Grahame, as a waitress in a waterfront cafe, and Gordon Jones, skipper of a shady schooner, who become innocently involved with gangsters who have hijacked a gold shipment. Donald Barry is put on the spot and murdered by other mobsters while attempting to charter Jones's schooner. Miss Grahame and Jones, trapped by police during the investigation following the killing, are compelled to solve the entire mystery in order to clear themselves and smooth the way for their romance.

Lew Landers' speedy direction gets the most from a script by Marcus Goodrich by pacing the action for a maximum of suspense. The supporting cast includes Otto Yamoaka and Billy Gilbert, who contribute comedy, and Vinton Haworth, Arthur Loft and Marc Lawrence, who give creditable performances in straight roles. The original story is credited to Golda Draper. As acceptable average entertainment the picture should be favorably received.

Production Code Seal No. 2,668. Running time, 57 minutes. "G."

"Flying Hostess"

(*Universal*)

HOLLYWOOD, Nov. 3.—Drama, romance, comedy, suspense, melodrama and exciting thrill action are the materials which this film uses in its glorification of the air hostess. The early part of the story is devoted to showing how modern air lines select the hostesses from the ranks of trained nurses. Turned down once, Judith Barrett again becomes a candidate, thus winning the respect of William Gargan. Accepted for the job, she arouses romantic interest in William Hall, playboy flier, when she makes a sensational parachute drop.

Many complications build comedy and drama before Miss Barrett and Hall become engaged. When Hall demands that the girl give up the career for which she fought, Gargan assigns both to the same plane. Escaped convicts on the plane incapacitate Hall and Andy Devine, co-pilot, and commandeer the ship. Miss Barrett outwits the bandits by communicating via radio with Gargan. She follows his instructions, landing the air liner and its human cargo with the minimum of damage. The thrill action sequence is handled realistically, resulting in a nerve-jingling episode. The girl gets a medal for her courage and Hall for her husband in the finale.

Geared for mass consumption, the film was produced in workmanlike fashion by Edmund Grainger. The acting is of consistently high character, with Gargan, Miss Barrett and Hall giving good performances and Andy Devine and Ella Logan taking care of the comedy contrast nicely. In lesser roles, Astrid Allwyn, Addison Randall, Jonathan Hale and Richard Tucker match the principals' strides. The screen play is the work of Harry Clork, Brown Holmes and Harvey Gates and is adapted from the story by George Sayre. Murray Roth directed, blending material and talent into a quality production, intelligently mixing comedy, romance and melodrama to make a better than average thrill action show.

Production Code Seal No. 2,670. Running time, 65 minutes. "G."

(Additional Reviews on Page 15)

Kingsley Play Closes

"Ten Million Ghosts," written and produced by Sidney Kingsley, closed unexpectedly Monday evening at the St. James. It opened Oct. 24 and ran 11 performances.

La Guardia to Probe Bombing of Theatres

(Continued from page 1)

George E. Browne, president of the I.A.T.S.E., and Joseph D. Basson, head of Local 306, issued after the first series of bombings, Brandt declared them "ridiculous."

"The purpose of Local 306 in negotiating with exhibitors always has been, I imagine, and always will be, to draw a red herring across the trail of the nefarious practices which they continue to perpetrate against the public patronizing theatres. This is not new," he said.

Brandt added that members of Allied today are receiving more in wages than operators in Local 306.

At Local 306 headquarters it was said Basson is "heartbroken over what has happened." It was also stated that completion of an amalgamation of the three local unions, Allied, Local 306 and Empire is further away than ever before.

Operators Given Raise

WASHINGTON, Nov. 3.—Projectionists' wage-scale discussions have come to an end, with theatres giving a five per cent increase effective Nov. 1 and continuing until Aug. 31, 1939. Then they get another one-half per cent, calculated on the basic salary as of Oct. 31, 1936, which continues until Aug. 31, 1940, and finally a four and a half per cent increase on the original basic salary, continuing until Aug. 31, 1940.

Final Hearings Set On Two Fox Circuits

(Continued from page 1)

petitions on March 8, 1933, will be ended.

Jones's trusteeship ended, for all practical purposes, May 4, 1935, when National Theatres Corp. bought the assets. Fox Film Corp. and Chase National Bank, which had bought approximately 98 per cent of the claims against the two properties, formed the National corporation, which made its offer to buy on April 12, 1935. Creditors approved the offer April 26, the trustee completed the sale and delivered the estate May 4. Judge Reeves then confirmed the sale.

Pendency of litigation by a group of General Theatres Equipment bondholders, however, has prevented a final settlement.

Rolsky Appeals in Conspiracy Action

KANSAS CITY, Nov. 3.—Emanuel Rolsky and seven independents today appealed the verdict in their conspiracy suit against Fox Midwest and major distributors. This is the suit in which Judge Merrill E. Otis decided in favor of the defendants in Federal district court here on Aug. 5.

The 8th circuit appeals court probably will review the case during its March or April term.

M-G-M Gives 60 Options

Approximately 60 possibilities have been optioned by M-G-M for tests and auditions, according to Al Altman, eastern talent scout. So far this year, 15 players have been sent to the studios on short term contracts, he said.

Higher Film Rentals Seen For Germany

BERLIN, Oct. 26.—It is reported that a substantial increase in film rentals in Germany will be made effective beginning next season, in an attempt to make up the loss during the past year to German producers and distributors of 13,000,000 marks. The figures on the loss were the result of a detailed survey directed by the authorities.

It is said that the loss was mainly due to increases in production costs, from approximately 370,000 marks per film to 400,000 marks, and to the increase in star salaries.

Rentals, at present running about 35 per cent of theatre grosses, are expected to be raised to 45 per cent, on the basis of the contention that exhibitors have profited from gains in theatre attendance. It is claimed exhibitors have profited to the extent of 15,000,000 marks from the attendance increase.

Skouras Returns on Subsidiaries Plans

(*Continued from page* 1)

be set up for operating one or more units in the field is the transfer within the past months of four of the coast's personnel to eastern headquarters. Percy Kent, in charge of F.W.C. real estate; Walter McCarthy, on film statistics; Edward Zabel and Milton Hossfeld, on bookings, have been switched to New York in the last six months.

Zabel accompanied Skouras on the circuit tour. Irving Barry, who has been on a special assignment in Kansas City, returned with Skouras after making the western part of the present tour.

Chance Games Stir Canada Exhibitors

(*Continued from page* 1)

session of the board. The situation came to a head when the authorities banned games of chance at several Winnipeg suburban theatres, exhibitors claiming that club and dance hall proprietors were conducting similar features without hindrance.

At Windsor, Ont., the police raided a Bingo club which was being patronized by some 500 persons, arrested the manager and seized the equipment, a gaming charge being on the books for early hearing. Action is contemplated in other centres.

Giveaways Taxed in Texas

DALLAS, Nov. 3.—Examination of the omnibus tax law passed by the Texas legislature reveals that the legislation anticipated the legalization of Bank Night by court ruling and incorporated a levy on the giveaways.

Theatres and other places sponsoring Bank Night or similar prizes are assessed a tax amounting to 20 per cent of the "cash value" of the award. Such amusement places are responsible for payment of taxes and must make reports thereon and remit such taxes as are payable to the state comptroller.

Out Hollywood Way

HOLLYWOOD, Nov. 3.—MARY ASTOR and RUTH CHATTERTON to Palm Springs for a rest. . . . LEE DIXON, JEANNE MADDEN and FRED LAWRENCE will ride to San Diego on a U. S. Navy bombing plane to entertain at the annual Naval Relief Show. . . . JULES WHITE, producer of shorts at Columbia, in the Good Samaritan Hospital to have his tonsils out. . . . GAIL PATRICK and JEAN EDWARDS off on a three-week holiday in Hawaii as the guests of the Maharajah and Maharani of Indore.

CHICO MARX in Santa Barbara recovering from influenza, GROUCHO is recuperating from the same ailment in Palm Springs. . . . EDWIN KNOPF and R. C. SHERRIFF in from New York. . . . VIRGINIA BRUCE will vacation in Europe when she finishes her current assignment "Born to Dance"

BOBBY BREEN has been enrolled as a cadet at Black-Fox Military Academy. . . . JAMES GLEASON, author of a new play, "Lucy and David Lane," scheduled for spring production on Broadway. . . . CLARENCE BROWN walked broadside into a camera at M-G-M and is now nursing a lacerated ear. . . . FREDDIE BARTHOLOMEW will sing in "Captains Courageous." . . . GEORGE RICHELAVIE, former Austrian army officer, named technical director of "Maytime," at M-G-M.

ANN SOTHERN booked into the Palace, Chicago, for a week of personal appearances. . . . BOBBY CONNOLLY and BUSBY BERKELEY will both contribute dance numbers in Warners, "Ready, Willing and Able". . . B. P. SCHULBERG has sent a second unit of his "A Man and a Woman" company on location with YASHA FRANK directing. . . . ROBERT COBURN, still photographer, loaned to WALTER WANGER by SAMUEL GOLDWYN. . . . DR. WILLIAM AXT, M-G-M music department head, to New York on vacation.

SONJA HENIE starts a personal appearance tour in December. . . . The Earl of Warwick, under contract to M-G-M, will be billed as MICHAEL BROOKE. His contract states that none of his titles may be used. JAMES DUNNE suffering from a cold and out of the "Murder on the Mississippi" lineup for a few days. . . . AL JOLSON also ill, resting in Cedars of Lebanon.

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Casting—The Ritz Brothers set in "On the Avenue," Twentieth Century-Fox. . . . CHIC SALE and WARREN HYMER in "Blonde Dynamite," Universal. . . . At Paramount, RAY HANFORD and JOE FRANZ in "College Holiday," WALLY ALBRIGHT and JACK DEERY in "Maid of Salem," EDWARD LESAINT, RUSSELL HICKS and EDDIE ACUFF in "One Man's Bonus," and BERT ROACH and CHARLES MIDDLETON in "A Man and a Woman."

BOYD IRWIN and JOAN WOODBURY in "Change the Baby," HAL ROACH. . . . HARLAN BRIGGS in "Happy Go Lucky," RUSSELL HOPTON and GEORGE MEEKER in "Beware of Ladies," Republic. . . . BILLY BENEDICT and CLARA KIMBALL YOUNG in "They Wanted to Marry," Radio. . . . JONATHAN HALE and BILLY ARNOLD in "After the Thin Man" and JERRY BERGEN and BILLY GRAY in "The Little Giant," a short, M-G-M. . . .

LEE SHUMWAY and RALPH BYRD in "A Slug for Cleopatra," Columbia. . . . ALAN MOWBRAY in "The King and the Chorus Girl," RICARDO CORTEZ and JUNE TRAVIS in "The Case of the Dangerous Dowager" and WAYNE MORRIS in "Trial Horse," Warners. . . . CHIC SALE in "You Only Live Once" WALTER WANGER. . . . MAE CLARKE opposite JAMES CAGNEY in "Great Guy," DOUGLAS MACLEAN. . . . BARBARA PEPPER, VINTON HAWORTH and FERN EMMETT in "Coast Patrol," Radio.

SIDNEY BLACKMER in "Private Enemy," Twentieth Century-Fox. He'll play Theodore Roosevelt. . . . RITA LAROY, MARY BOVARD and TEDDY MANJEAN in "The Mandarin Mystery," MASON WILLIAMS, BLANCHE ROSE and ALAN RICE in "Roaring Lead," DONALD COOK and JUDITH ALLEN in "Beware of Ladies," Republic. . . . BETTY FURNESS borrowed by Radio for "They Wanted to Marry," HENRY KOLKER, MAXINE JENNINGS and EDWARD PRICE go in the same film. . . . GEORGE LLOYD added to "San Quentin," Warners. . . .

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Director—HARRY BEAUMONT signed to direct "What's Your Birthday?" a DAVID LOEW production for Radio.

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Contracts—WILLIAM SEITER signed to a new term contract at Twentieth Century-Fox. He is currently directing "Stowaway." . . . MARGOT GRAHAME and PATSY LEE PARSONS have new Radio contracts. . . . JUNE LANG and HELEN WOOD signed to new agreements, Twentieth Century-Fox. GEORGE SHELLEY, a singer, signed by Universal.

Tokens Swamp Louisiana

New Orleans, Nov. 3.—Louisiana has adopted a "luxury" tax which is collected by means of tokens in the denomination of one mill—10 to a cent. These tokens pass for real money and can be used by theatre patrons.

Fifty will buy a ticket for a child. 250 are necessary for an adult at the neighborhoods, while at the Saenger (if they will accept them) 400, not including the tax. Imagine the surprise of a winner in one of the Bank Night payoffs if the local manager decides to pay off in tokens.

They are useful in other ways: 400 will buy a cocktail; one will tip a waiter; a dray load will carry a couple through an enjoyable evening at the Blue Room at the Hotel Roosevelt; one will make a man solid with the deacon when he passes the plate at the morning service. They can also be used for poker chips.

But Uncle Sam refuses 'em for stamps or duties.

Dutch Group Reorganizes Tuchinski's

By PHILIP DE SCHAAP

AMSTERDAM, Oct. 26.—The Tuschinski Trust, which operates a number of theatres in Amsterdam and Rotterdam, has been reorganized through the intermediary of the Dutch M. P. Federation.

With the investment of new capital, enabling the company to retain its important status in the industry, two new companies have been established, the Tuschinski N. V. and the N. V. Tubem. The first named will handle all real estate matters, under the direction of K. Blom, while the second firm will operate the theatres, with J. van Santen as director. Listed as executives are A. Tuschinski, H. Ehrlich and H. J. Gerschtanowitz.

* * *

The world premiere of the Alexander Korda film, "Rembrandt," starring Charles Laughton, will be held at The Hague in the City Theatre Nov. 12. The Amsterdam opening will be on Nov. 13 and the New York opening the following week. Laughton and Korda will be guests at the Hague premiere.

* * *

The average cost of Dutch productions is about 100,000 florins (approximately $54,000).

Showing Museum Films

BERKELEY, Cal., Nov. 3.—University of California's Wheeler Hall is being used by the new department of motion picture appreciation for weekly showings of the Museum of Modern Art series of old silent films. The series is attracting considerable attention in this college community from faculty, undergraduates and outsiders.

Heffner Names Agent

NEW HAVEN, Nov. 3.—The new Roy Heffner-George Ryan exchange, distributing American Film Co. and other independent product from Boston, will be represented here by Adolph G. Johnson. Johnson is Bank Night representative and part owner of the Strand.

Don Ameche Assigned

HOLLYWOOD, Nov. 3.—Twentieth Century-Fox has set Don Ameche for one of the top roles in "Private Enemy," story of the McKinley administration soon to go into production. Victor McLaglen and Sidney Blackmer have also been named for the cast but no feminine players have been assigned.

Composers Go to Mexico

HOLLYWOOD, Nov. 3.—Dorothy and Herbert Fields, Jerome Kern and Felix Young, recently signed as a musical production unit at Radio, have gone to Ensenada, Mexico, to prepare their first story. It will be a Fred Astaire and Ginger Rogers feature.

Stroud Returns to K. C.

KANSAS CITY, Nov. 3.—Clarence Stroud has returned to the Tower as master of ceremonies. He was there for a period last year.

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"Postal" with Bowes Troupe Seattle Top

SEATTLE, Nov. 3.—"Postal Inspector," with a troupe of Major Bowes amateurs on the stage at the Palomar, turned in a big $7,500 and passed par by $3,000.

"The Great Ziegfeld," running four times daily at regular prices, was good for $8,500 at the Fifth Avenue. This topped normal by $1,500. "Cain and Mabel" and "The Big Game" went $250 over the line at the Paramount on a take of $6,250.

Total first run business was $39,850. Average is $36,500.

Estimated takings for the week ending Oct. 30:

"LADIES IN LOVE" (20th-Fox)
"THREE MARRIED MEN" (Para.)
BLUE MOUSE—(950), 25c-40c-55c, 7 days, 2nd week, extended run from Orpheum. **Gross:** $3,800. (Average, $4,000)
"THE GREAT ZIEGFELD" (M-G-M)
FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days. **Gross:** $8,500. (Average, $7,000)
"THE GAY DESPERADO" (U.A.)
LIBERTY—(1,800), 20c-30c-40c-55c, 7 days, 2nd week. **Gross:** $5,100. (Average, $5,000)
"THE ROAD TO GLORY" (20th-Fox)
MUSIC BOX—(950), 25c-40c-55c, 7 days, 2nd week, extended run from Fifth Avenue. **Gross:** $3,100. (Average, $4,000)
"THE DEVIL IS A SISSY" (M-G-M)
"WIVES NEVER KNOW" (Para.)
ORPHEUM—(2,450), 25c-30c-40c, 7 days. **Gross:** $5,600. (Average, $6,000)
"POSTAL INSPECTOR" (Univ.)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Major Bowes' Amateurs. **Gross:** $7,500. (Average, $4,500)
"CAIN AND MABEL" (W.B.)
"THE BIG GAME" (Radio)
PARAMOUNT — (3,050), 25c-30c-40c, 7 days. **Gross:** $6,250. (Average, $6,000)

"Desperado" Dual Providence Leader

PROVIDENCE, Nov. 3.—The reopening of Narragansett hit grosses a hefty wallop with the result that the RKO Albee was the only house to reach par. "The Gay Desperado," on a dual with "Second Wife," just came under the wire with an even $7,000.

The Majestic caught $6,800 with "Ladies in Love," down by $200, and "Libeled Lady," in its second week at Loew's State, garnered $8,000. The usual take is $12,000.

The second week of "Dimples," which moved from the Majestic to Fay's, was $2,000 under at $5,000 and the Strand found "Hollywood Boulevard" and "Nine Days a Queen" good for only $5,200, under by $1,300. The pictures ran only six days.

The weather was rainy and cold and horse racing and football games cut in on matinee business.

Total first run business was $32,000. Average is $39,500.

Estimated takings for the week ending Oct. 29:

"THE GAY DESPERADO" (U.A.)
"SECOND WIFE" (Radio)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $7,000. (Average, $7,000)
"DIMPLES" (20th-Fox)
FAY'S—(1,600), 15c-40c, 7 days. Stage: Five acts of vaudeville. **Gross:** $5,000. (Average, $7,000)
"LADIES IN LOVE" (20th-Fox)
MAJESTIC — (2,400), 15c-40c, 7 days. **Gross:** $6,800. (Average, $7,000)
"LIBELED LADY" (M-G-M)
LOEW'S STATE—(3,800), 15c-40c, 7 days. **Gross:** $8,000. (Average, $12,000)
"HOLLYWOOD BOULEVARD" (Para.)
"NINE DAYS A QUEEN" (G.B.)
STRAND—(2,300), 15c-40c, 6 days. **Gross:** $5,200. (Average, $6,500)

Overseas Previews

"Stadt Anatol"

(City of Anatol)
(Ufa)

BERLIN, Oct. 26.—Anatol is a small and insignificant country town somewhere in the Balkans with poor and hard-working inhabitants. A young engineer discovers oil in this town and the way to happiness and unforseen fortune for the peasants seems to open up. Oil refineries are built and a new life completely changes the face of the town. Anatol becomes the center of a new international industry, huge buildings are constructed, amusement centers are erected over night and money penetrates through walls and windows.

With the fortune, the envy comes. It begins with disorders and ends with a big explosion which completely destroys the town with all its factories and new buildings. A love affair is woven into the story, a love between the young engineer and a poor girl who proves a faithful and valuable comrade. The technical side of the film is gorgeous, imposing and thrilling. The boring of the oil, the industrialization of the town and the ever-growing refineries make the picture impressive and interesting. Photography is excellent, although the love affair is a little weak and unconvincing.

In the leading roles are Gustav Frolich as engineer and Brigitte Horney as the country girl. The film was directed by W. Tourjansky.

Running time, 94 minutes. "A." RUTENBERG

"Crime Over London"

(Criterion-United Artists)

LONDON, Oct. 26.—That American gangsters, finding it too hot at home, descend on London and plan a spectacular raid on a big department store, is the plot idea here. The final shoot-up, amidst the fancy goods, is peppy enough, and there is an original twist in the story in the impersonation, by a down-and-out actor in the gang, of the old German-Jewish store owner.

Joseph Cawthorn, in both roles, is the acting success of the picture, which is most effective in the scenes showing the fake shopkeeper leading the crooks to the room where thousands of pounds in notes, "Jubilee" bonuses for the staff, are waiting for them.

The love interest, with Rene Ray and Bruce Lister interpreting it, is intensified by the fact that the young man, nephew of the store magnate, is wrongfully accused of the murder of one of the gang, but is not a strong feature. Margot Grahame is good as a moll and Basil Sydney as the gangster-in-chief. Alfred Zeisler directed.

Good story values and originality in incident are not made the most of in the film in its present form. Re-editing should make it a possible proposition in America.

Running time, 80 minutes. "A." ALLAN.

Noble to Run Own House

DENVER, Nov. 3.—T. B. Noble, who has resigned as general manager of Nebraska and Colorado for Westland Theatres, will operate his own house in Oklahoma City, under the firm name of Cornhuskers Theatres, Inc. L. L. Dent, president of Westland, is planning to spend more time in Denver now. Noble had been in charge of Westland operations for several years.

"Buckaroo" Is Started

HOLLYWOOD, Nov. 3.—Spectrum has started "The Singing Buckaroo," second of a series of six starring Fred Scott. Tom Gibson is directing, and Jed Buell and George Callaghan are acting as joint producers, with Gordon Griffith as production manager. Victoria Vinton, formerly of Warners, has the feminine lead opposite Scott.

To Close N. H. House

NEW HAVEN, Nov. 3.—The State will be closed by Morris and Sam Hadelman on Nov. 20, although the lease does not expire until Jan. 1. It is reported that S. Meadom, owner and former operator of the house, will resume operation.

Conn. Jobs Show Gain

NEW HAVEN, Nov. 3.—Labor Commissioner Joseph M. Tone reports net gains in employment for Connecticut, by counties, for the four years between July, 1932 and July, 1936, as follows: Hartford, 32.9; New Haven, 29.3; Fairfield, 36.4; Litchfield, 31.7; Middelsex, 17.3; Tolland, 39.8; New London, 12.1. Windham County, which includes the textiles towns, showed an 11 per cent loss.

Gwynne Shipman Signed

HOLLYWOOD, Nov. 3.—Harry Sherman has signed Gwynne Shipman for the feminine lead in "Trail Dust," next of the "Hopalong Cassidy" series. Harry Tobias and Jack Sterns have also been signed to write musical numbers, and Britt Wood has been added to the cast. Nate Watt will direct.

Ginger Rogers Assigned

HOLLYWOOD, Nov. 3.—Radio has chosen "Vivacious Lady," an I. A. R. Wylie magazine story, as the next solo starring picture for Ginger Rogers. Anne Morrison Chapin has been assigned to write the screenplay. Pandro S. Berman will produce.

"Godfrey" An $8,000 Smash In New Haven

NEW HAVEN, Nov. 3.—"My Man Godfrey," on the Paramount dual with "Postal Inspector," walked away with the business this week, reaching $8,000, or $3,200 over par for this theatre. The bill was held.

The College, repeating 'Libeled Lady" and "15 Maiden Lane," with prices raised from the usual, edged $400 over the $2,800 average. "Dimples" and "Back to Nature" at the Poli dropped $800 under the $7,000 line; while "The Magnificent Brute" and "Here Comes Carter" grossed $4,200, $500 under the Roger Sherman average.

A mild weekend brought good attendance to all houses, but the sudden cold snap which followed was harmful.

Total first run business was $21,600. Average is $19,300.

Estimated takings for the week ending Oct. 30:

"LIBELED LADY" (M-G-M)
"15 MAIDEN LANE" (20th-Fox)
COLLEGE—(1,499), 35c-50c, 7 days, 2nd week. **Gross:** $3,200. (Average, $2,800)
"MY MAN GODFREY" (Univ.)
"POSTAL INSPECTOR" (Univ.)
PARAMOUNT—(2,348), 35c-50c, 7 days. **Gross:** $8,000. (Average, $4,800)
"DIMPLES" (20th-Fox)
"BACK TO NATURE" (20th-Fox)
POLI—(3,040), 35c-50c, 7 days. **Gross:** $6,200. (Average, $7,000)
"THE MAGNIFICENT BRUTE" (Univ.)
"HERE COMES CARTER" (F.N.)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $4,200. (Average, $4,700)

Finish "Leave" Score

HOLLYWOOD, Nov. 3.—Sammy Stept and Ted Koehler have completed the musical score for "23½ Hours Leave" which Douglas MacLean will produce for Grand National release. The picture was scheduled to go before the cameras before Nov. 1 but the producer has not yet selected the actor for the part which he himself made famous in the silent version 17 years ago.

MacLean Purchases "Facts"

HOLLYWOOD, Nov. 3.—Douglas MacLean has purchased screen rights to "Face the Facts," a magazine story by Clarence Budington Kelland, and will produce it as the third of his series of six for Grand National release.

LeRoy Buys "Crooner"

HOLLYWOOD, Nov. 3.—Mervyn LeRoy has bought Clarence Budington Kelland's novel, "The Great Crooner," for his second production, and will start as soon as he finishes "The King and the Chorus Girl" for Warners. LeRoy gradually is building an organization. The latest addition is Margaret Irving, seen in "Thanks a Million," and "San Francisco," who has been signed to a personal contract.

"Lawless Land" Started

HOLLYWOOD, Nov. 3.—A. W. Hackel has started production of "Lawless Land," next in his series of Johnny Mack Brown stories for Republic release. Frances Kellogg has the feminine lead opposite Brown and Albert Ray is directing.

"Cain" Pulls $26,000, Top Boston Gross

BOSTON, Nov. 3.—"Cain and Mabel" took top honors at the Metropolitan with $4,000 over average. The film, coupled with the stage show featuring Harriet Hoctor, did $26,000.

Sharing honors with "Cain and Mabel" was "Back to Nature" at the RKO Boston with $4,000 over average on a take of $15,000. The stage attraction was "Scandals of 1937," featuring Morton Downey.

"The Devil Is a Sissy" at the two Loew's houses for the second week did $500 over average at each house. Loew's State grossed $11,500, while the Orpheum took $12,500 for the second week.

"The Big Broadcast of 1937," playing second run at the Paramount and Fenway, took $8,500, up by $1,500 at the former and $6,000, over par by $1,500, at the latter.

"The Gay Desperado" at the RKO Memorial took $15,000, up by $3,000.

The weather was cold and rainy the first part of the week while the latter part was somewhat warmer. The rain hurt Saturday business.

Total first run business was $80,000. Average is $79,500.

Estimated takings for the week ending Oct. 29:

"BIG BROADCAST OF 1937" (Para.)
FENWAY—(1,382), 30c-50c, 7 days, 2nd run. **Gross:** $6,000. (Average, $4,500)
"THE GAY DESPERADO" (U.A.)
RKO MEMORIAL—(2,907), 25c-50c-55c, 7 days. **Gross:** $15,000. (Average, $12,000)
"THE DEVIL IS A SISSY" (M-G-M)
LOEW'S ORPHEUM—(2,970), 25c-35c-55c, 7 days, 2nd week. **Gross:** $12,500. (Average, $12,000)
"DEVIL IS A SISSY" (M-G-M)
LOEW'S STATE—(3,537), 25c-35c-55c, 7 days, 2nd week. **Gross:** $11,500. (Average, $11,000)
"CAIN AND MABEL" (W.B.)
METROPOLITAN—(4,332), 25c-50c-65c, 7 days. Stage: "Hallowe'en Capers" with Harriet Hoctor. **Gross:** $26,000. (Average, $22,000)
"BIG BROADCAST OF 1937" (Para.)
PARAMOUNT—(1,793), 25c-50c, 7 days, 2nd run. **Gross:** $8,500. (Average, $7,000)
"BACK TO NATURE" (20th-Fox)
RKO BOSTON—(3,246), 25c-50c-65c, 7 days. Stage: "Scandals of 1937" with Morton Downey. **Gross:** $15,000. (Average, $11,000)

Rush Two for Zeidman

HOLLYWOOD, Nov. 3.—B. F. Zeidman's next for Grand National will be either "Sweetheart of the Navy" or "St. Elmo," depending upon which script is finished first.

Hinton Smith is adapting "St. Elmo," and Nick Barrows and Faith Thomas are working on "Sweetheart of the Navy."

Plan Para. English House

LONDON, Nov. 3.—A 4,000-seat Paramount house will be built in Bradford by Arthur Segal, financially associated in the erection of other theatres in the Paramount British circuit. Segal will also erect a news theatre, shops and a restaurant there.

Westex Gets a Permit

AUSTIN, TEX., Nov. 3.—Westex Theatres, Inc., a Delaware corporation, with principal office in this state at Dallas, has been granted a foreign permit by the Secretary of State. R. H. Griffith of Dallas was named as the Texas agent.

"Dimples" $8,000 Louisville Leader

LOUISVILLE, Nov. 3.—"Dimples" was in the top money at the Rialto, pulling $8,000. Average is $4,500.

"Libeled Lady" went over the State figure by $900, on a $6,400 take. "The Big Broadcast of 1937" at the Brown, after a smash first week at the Rialto, did $3,000, $500 over average. "Ladies in Love" and "Thank You, Jeeves" at the Strand held up well for the second week. The gross was $3,600, $100 over par for the house. "Cain and Mabel" at the Mary Anderson found the going rather rough, and wound up the week with $2,800, $700 under the usual take.

Vaudeville at the Drury Lane is catching some business. Prices are 15 and 40 cents, with a special 15-cent admission before 1:30 P. M. The weather alternated between pleasant and rainy days. College and high school football are offering some competition.

Total first run business was $26,800. Average is $21,800.

Estimated takings for the week ending Oct. 22:

"THE BIG BROADCAST OF 1937" (Para.)
BROWN—(1,500), 15c-25c-40c, 7 days, 2nd week. **Gross:** $3,000. (Average, $2,500)
"RHYTHM ON THE RANGE" (Para.)
"GIRLS' DORMITORY" (20th-Fox)
KENTUCKY — (900), 15c-25c, 7 days. **Gross:** $2,200. (Average, $1,500)
"LIBELED LADY" (M-G-M)
LOEW'S STATE—(3,000), 15c-25c-40c, 7 days. **Gross:** $6,400. (Average, $5,500)
"CAIN AND MABEL" (W.B.)
MARY ANDERSON—(1,000), 15c-25c-40c, 7 days. **Gross:** $2,800. (Average, $3,500)
"DON'T BET ON LOVE" (Univ.)
"THE WOMAN IN RED" (W.B.)
"LIFE OF VERGIE WINTERS" (Radio)
"LOVE, HONOR AND OH, BABY!" (Univ.)
OHIO—(900), 15c, 7 days, split week. **Gross:** $800. (Average, $800)
"DIMPLES" (20th-Fox)
"GIRL ON THE FRONT PAGE" (Univ.)
RIALTO — (3,000), 15c-25c-40c, 7 days. **Gross:** $8,000. (Average, $4,500)
"LADIES IN LOVE" (20th-Fox)
"THANK YOU, JEEVES" (20th-Fox)
STRAND—(1,500), 15c-25c-40c, 7 days, 2nd week. **Gross:** $3,600. (Average, $3,500)

"Libeled" $21,004 Is Buffalo's Wow

BUFFALO, Nov. 3.—Indian summer heat sent downtown grosses soaring, as every house bettered average. The Buffalo's "Libeled Lady" pulled $21,004, a new high for a single picture without stage show. It was moved to the Great Lakes for a second week.

A dual at the Lafayette, "Craig's Wife" and "Shakedown," clicked at $11,000, over normal by $5,000. "The Devil Is a Sissy," at the Hippodrome, drew $10,290, cracking par by $2,990.

Total first run business was $56,494. Average is $38,400.

Estimated takings for the week ending Oct. 24:

"LIBELED LADY" (M-G-M)
BUFFALO—(3,000), 30c-50c, 7 days. **Gross:** $21,004. (Average, $12,000)
"THE DEVIL IS A SISSY" (M-G-M)
HIPPODROME—(2,500), 25c-40c, 7 days. **Gross:** $10,290. (Average, $7,300)
"RAMONA" (20th-Fox)
GREAT LAKES—(3,000), 30c-50c, 7 days. **Gross:** $8,300. (Average, $7,300)
"BENGAL TIGER" (Radio)
"BORDER FLIGHT" (Para.)
CENTURY—(3,000), 25c, 7 days. **Gross:** $5,900. (Average, $5,800)
"CRAIG'S WIFE" (Col.)
"SHAKEDOWN" (Col.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $11,000. (Average, $6,000)

"Ziegfeld" Omaha Smash at $10,500

OMAHA, Nov. 3.—Despite the counter-attraction of the Ak-Sar-Ben livestock show with a Canadian mountie troop which drew record crowds, the Paramount reopened with a bang, taking $10,500 with "The Great Ziegfeld" and exceeding all expectations.

The 55-cent top with single features is apparently a hit in spite of the 40-cent top with duals elsewhere.

Other houses suffered. The Brandeis pulled "Don't Turn 'Em Loose" and "Here Comes Carter" after six days and the $3,100 take was below average. The Omaha, playing "The Road to Glory" and "Kelly, the Second," had its worst week in months, pulling $5,200. The Orpheum, with "Ladies in Love" and "Forgotten Faces," slipped over par for an $8,000 gross.

Two conventions, drawing a total of 2,500 persons, and ideal weather, helped somewhat to offset the stock show.

Total first run business was $26,800. Average is $24,200.

Estimated takings:

Week Ending Oct. 28:
"DON'T TURN 'EM LOOSE" (Radio)
"HERE COMES CARTER" (F.N.)
BRANDEIS—(1,200), 25c-35c-40c, 6 days. **Gross:** $3,100. (Average, $4,000)
"THE ROAD TO GLORY" (20th-Fox)
"KELLY, THE SECOND" (M-G-M)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $5,200. (Average, $5,500)
"THE GREAT ZIEGFELD" (M-G-M)
PARAMOUNT — (2,900), 25c-35c-55c, 7 days. Gladys George personal appearance on stage one performance. **Gross:** $10,500. (Average, $7,200)

Week Ending Oct. 29:
"LADIES IN LOVE" (20th-Fox)
"FORGOTTEN FACES" (Para.)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $8,000. (Average, $7,500)

"Broadcast" Dual $8,500, Portland

PORTLAND, Nov. 3.—"The Big Broadcast of 1937" and "The Big Game" at the Paramount secured the heaviest take of the week, $8,500, over house average by $3,500.

"Dodsworth" was held for a second week at the United Artists and brought in $7,200, or a plus of $2,200.

"Gorgeous Hussy" finished a fourth downtown week at the Mayfair with a take of $5,000, or $2,000 over the usual.

Total first run business was $35,200. Average is $24,700.

Estimated takings for the week ending Oct. 24:

"OLD HUTCH" (M-G-M)
"THE CAPTAIN'S KID" (F.N.)
BROADWAY—(1,912), 30c-35c-40c, 7 days, 2nd week. **Gross:** $6,000. (Average, $5,000)
"MR. DEEDS GOES TO TOWN" (Col.)
"IT HAPPENED ONE NIGHT" (Col.)
BLUE MOUSE—(1,700), 30c-35c-40c, 7 days, 25th week. **Gross:** $2,000. (Average, $1,700)
"GORGEOUS HUSSY" (M-G-M)
MAYFAIR—(1,700), 30c-35c-40c, 7 days, 4th week. **Gross:** $5,000. (Average, $3,000)
"GIVE ME YOUR HEART" (W.B.)
"WIVES NEVER KNOW" (Para.)
ORPHEUM—(1,700), 30c-35c-40c, 7 days. **Gross:** $6,500. (Average, $5,000)
"THE BIG BROADCAST OF 1937" (Para.)
"THE BIG GAME" (Radio)
PARAMOUNT — (3,008), 30c-35c-40c, 7 days. **Gross:** $8,500. (Average, $5,000)
"DODSWORTH" (U.A.)
UNITED ARTISTS—(945), 30c-35c-40c, 7 days, 2nd week. **Gross:** $7,200. (Average, $5,000)

"Godfrey" Is $15,000 Hit In Cleveland

CLEVELAND, Nov. 3.—"My Man Godfrey" had a take of $15,000 at Warners' Hippodrome. This was $5,000 over average. The picture was moved to the Allen.

"Libeled Lady," playing its second week downtown at Loew's Stillman following a big week at Loew's State, took $9,000, or 50 per cent over the $6,000 average.

"The Devil Is a Sissy," going $5,000 over par to a $17,000 total at Loew's State, was held a second week, moving over to the Stillman.

"Adventure in Manhattan" at the RKO Palace with a stage show came within $1,000 of the $15,000 average.

"Killer at Large," in four days at the Allen, and "Pepper," in three days, brought the house $4,800, or $200 under the $5,000 average.

The weather was clear. Competition was "Tobacco Road" at the Hanna, and "It Can't Happen Here" at the Federal.

Total first run business was $59,800. Average is $48,000.

Estimated takings for the week ending Oct. 30:

"KILLER AT LARGE" (Col.)
ALLEN—(3,300), 30c-35c-42c, 4 days. **Gross:** $3,000. (Average, 7 days, $5,000)
"PEPPER" (20th-Fox)
ALLEN — (3,300), 30c-35c-42c, 3 days. **Gross:** $1,800. (Average, 7 days, $5,000)
"THE DEVIL IS A SISSY" (M-G-M)
LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $17,000. (Average, $12,000)
"LIBELED LADY" (M-G-M)
LOEW'S STILLMAN—(1,900), 25c-35c, 7 days, 2nd week. **Gross:** $9,000. (Average, $6,000)
"ADVENTURE IN MANHATTAN" (Col.)
RKO PALACE—(3,100), 30c-42c-60c, 7 days. Stage: "Cuban Follies." **Gross:** $14,000. (Average, $15,000)
"MY MAN GODFREY" (Univ.)
WARNERS' HIPPODROME — (3,800), 30c-35c-42c, 7 days. **Gross:** $15,000. (Average, $10,000)

LeRoy Picks "Crooner"

HOLLYWOOD, Nov. 3.—Mervyn LeRoy has set "The Great Crooner" as the second of the pictures he will make for Warner release. Michael Uris has been signed to do the script. "The King and the Chorus Girl," first of the LeRoy productions, will start around Nov. 10.

Film Replaces Speakers

OKLAHOMA CITY, Nov. 3.—A 20 minute film will replace the usual speakers' bureau in the city's annual Community Fund drive this year, for showing before various civic groups. James Adams, manager of the Folly, and Paramount newsreel cameraman here, did the photography.

Shilkret on "Plough"

HOLLYWOOD, Nov. 3.—Radio has assigned Nathaniel Shilkret to write the score of "The Plough and the Stars" and "Winterset." Both pictures are complete save for scoring, and will be previewed shortly.

Two Roles for Rains

HOLLYWOOD, Nov. 3.—Warners have two roles ready for Claude Rains. The actor has been cast in "The Prince and the Pauper" and "Danton." Michael Curtiz will co-direct the latter picture with Max Reinhardt.

. . . HOW MANY TIMES HAVE YOU BEEN TOLD

HERE'S ANOTHER "MR. DEEDS"! HERE'S ANOTHER "IT HAPPENED ONE NIGHT"! HOW OFTEN HAVE YOU BEEN DISAPPOINTED?

CAN COLUMBIA DO ANOTHER PICTURE COMPARABLE WITH THESE TWO GREAT SCREEN CLASSICS?

I T H A S !

see page 19 . . .

"Game," Revue Get $25,600, Chicago High

CHICAGO, Nov. 3.—"The Big Game," augmented by an elaborate RKO revue, "Folies Parisienne," helped swell receipts at the Palace to $25,600, which was $6,600 above average.

"Stage Struck," opening at the Apollo, got off to a nice start and grossed $7,600 for the week. "Ladies In Love," in a second Loop week, did well at the Garrick. "Cain and Mabel" with heavy Hearst advertising, hit $14,400 at the Roosevelt.

The State-Lake with a $3,150 giveaway award offered on Friday hit $16,400. The Oriental, with a novel stage show and "China Clipper" on a return Loop engagement, did well with a $17,200 gross.

Ideal weather prevailed throughout the week. Business was off somewhat compared to previous weeks due to political rallies and broadcasts, but at that it was well over average.

Total first run business was $131,300. Average is $115,000.

Estimated takings:

Week Ending Oct. 28:

"THE BIG GAME" (Radio)
PALACE—(2,509), 30c-40c-60c, 7 days. Stage: "Folies Parisienne Revue." **Gross:** $25,600. (Average, $19,000)

"VALIANT IS THE WORD FOR CARRIE" (Para.)
CHICAGO—(4,000), 35c-50c-75c, 7 days. Stage: Dave Apollon and Revue. **Gross:** $28,000. (Average, $32,000)

"CHINA CLIPPER" (W. B.)
ORIENTAL — (3,490), 25c-40c, 7 days. Stage: "Cirque De Paree Revue." **Gross:** $17,200. (Average, $15,000)

Week Ending Oct. 30:

"CAIN AND MABEL" (W. B.)
ROOSEVELT—(1,591), 30c-40c-60c, 7 days. **Gross:** $14,400. (Average, $11,000)

"LIBELED LADY" (M-G-M)
UNITED ARTISTS—(1,700), 30c-40c-60c, 7 days, 3rd week. **Gross:** $15,000. (Average, $15,000)

"STAGE STRUCK" (F. N.)
APOLLO—(1,400), 30c-40c-60c, 7 days. **Gross:** $7,600. (Average, $4,600)

"LADIES IN LOVE" (20th-Fox)
GARRICK—(900), 30c-40c-60c, 7 days. **Gross:** $7,100. (Average, $5,500)

"A SON COMES HOME" (Para.)
STATE—LAKE—(2,776), 20c-30c-35c, 7 days. Stage: Passing Show Revue. **Gross:** $16,400. (Average, $13,000)

Push June Lang-Power

HOLLYWOOD, Nov. 3.—Two young players at Twentieth Century-Fox will be given big opportunities in coming pictures. June Lang will be co-starred with Victor McLaglen in "The Lost Nancy Steele," which Nunally Johnson is producing, and Otto Preminger directing.

Tyrone Power, who has dropped "Junior" from his name, will be co-starred with Loretta Young in "Love is News" under direction of Tay Garnett.

To Show Chinese Film

A film made in China, written and produced entirely by native talent, titled "Song of China," will be shown at the Little Carnegie Playhouse beginning next Monday. Douglas MacLean imported the film.

Vaude in Birmingham

BIRMINGHAM, Nov. 3.—Vaudeville has come back to Birmingham and is being shown at Pantages. The house tried vaudeville two years ago but dropped it.

"Pigskin" $10,300 Smash Houston Hit

HOUSTON, Nov. 3.—With perfect fall weather prevailing, and little opposition, "Pigskin Parade" caught the fancy of this football-minded town to run up a take of $10,300 at the Metropolitan this week, $3,000 up.

"Ladies in Love" scored second with $7,900 at the Majestic, and "Romeo and Juliet" took a good $5,000 in its second week at Loew's State. Average at each of the three theatres is $7,000.

"The Private Life of Henry VIII," a re-issue, had a take of $2,100 at the Kirby in the three-day midweek spot, to lift grosses for the week to $5,100. Average is $5,000. "Tough Guy" and "Two in a Crowd" had normal takes of $1,000 for one day, and $2,000 for three.

Total first run business was $28,000. Average is $26,000.

Estimated takings for the week ending Oct. 29:

"TWO IN A CROWD" (Univ.)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,000. (Average, 7 days, $5,000)

"TOUGH GUY" (M-G-M)
KIRBY—(1,450), 15c-35c, 1 day. Bank Night. **Gross:** $1,000. (Average, 7 days, $5,000)

"PRIVATE LIFE OF HENRY VIII" (M-G-M)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,100. (Average, 7 days, $5,000)

"ROMEO AND JULIET" (M-G-M)
LOEW'S STATE—(2,750), 25c-50c, 7 days, 2nd week. **Gross:** $5,000. (Average, $5,000)

"LADIES IN LOVE" (20th-Fox)
MAJESTIC — (2,250), 25c-50c, 7 days. **Gross:** $7,900. (Average, $5,000)

"PIGSKIN PARADE" (20th-Fox)
METROPOLITAN — (2,600), 25c-50c, 7 days. **Gross:** $10,300. (Average, $7,000)

"Dodsworth" Pulls $8,000, Milwaukee

MILWAUKEE, Nov. 3.—"Dodsworth" and "Two in A Crowd" grossed $8,000 in eight days at the Warner here despite heavy outside attractions. This was $3,000 above par.

Only other business to break average was "Old Hutch" and the "Longest Night," which did $6,200, just $1,200 above par, at Fox's Wisconsin.

Competition included the Milwaukee and Wisconsin Exposition at the Milwaukee Auditorium featuring Horace Heidt and His Brigadiers, which attracted more than 125,000 people in eight days, and the Marquette University homecoming with its dances, parties, and football game which drew 20,000.

Weather for the most part was fair and cool.

Total first run business was $25,500. Average is $24,500.

Estimated takings:

Week Ending Oct. 28:

"LIBELED LADY" (M-G-M)
WISCONSIN—(3,200), 25c-35c-50c, 6 days, 2nd week. **Gross:** $5,800. (Average, $8,000)

Week Ending October 29:

"OLD HUTCH" (M-G-M)
"THE LONGEST NIGHT" (M-G-M)
PALACE—(2,400), 25c-35c-50c, 7 days. **Gross:** $6,200. (Average, $5,000)

"ALIBI FOR MURDER" (Col.)
RIVERSIDE—(2,300), 20c-25c-30c, 7 days. Stage: "Comique Continental" with Maxellols, Jack Pepper and Sammy Cantor, The Mayfields and Virginia, Mackey, Lavalle and Bobby. **Gross:** $4,500. (Average, $5,000)

"DODSWORTH" (U. A.)
"TWO IN A CROWD" (Univ.)
WARNER—(2,400), 25c-35c-50c, 8 days. **Gross:** $8,000. (Average, $5,000)

Week Ending Oct. 30:

"GIVE ME YOUR HEART" (W. B.)
"WALKING ON AIR" (Radio)
STRAND—(1,400), 25c-35c-50c, 7 days. **Gross:** $1,000. (Average, $1,500)

Triple Change Top At Lincoln House

LINCOLN, NEB., Nov. 3.—The Orpheum led the parade with a strong first half stage show, "Folies D'Amour." Pictures helping round up the money were "Don't Turn 'Em Loose," "Wives Never Know" and "Thank You, Jeeves." The gross was $4,100, which is over par by $2,350.

Shirley Temple was just another little gal as far as the Stuart was concerned, a lukewarm $3,300 going for "Dimples," only $200 to the good. The Lincoln was taking a good share of the money with "Last of the Mohicans" at $2,700, $500 up.

The weather brought cool nights and frequent freezing temperatures have been noted. This has been banging down on night business two or three times a week.

Total first run business was $11,100. Average is $9,000.

Estimated takings:

Week Ending Oct. 28:

"PRESIDENT VANISHES" (Para.)
"TREACHERY RIDES THE RANGE" (W. B.)
"ALL AMERICAN CHUMP" (M-G-M)
"WINGS IN THE DARK" (Para.)
LIBERTY—(1,200), 10c-15c, 7 days, first two pictures on 3 days. **Gross:** $900. (Average, $850)

Week Ending Oct. 29:

"LAST OF THE MOHICANS" (U. A.)
LINCOLN—(1,600), 10c-20c-25c, 7 days. **Gross:** $2,700. (Average, $2,200)

"DON'T TURN 'EM LOOSE" (Radio)
"WIVES NEVER KNOW" (Para.)
"THANK YOU, JEEVES" (Radio)
ORPHEUM—(1,350), 10c-15c-20c-25c-40c, 7 days. First three with big vaudeville show. "Folies D'Amour' headlining Rex Weber. **Gross:** $4,100. (Average, $1,750)

"ADVENTURE IN MANHATTAN" (Col.)
"END OF THE TRAIL" (Col.)
"COME CLOSER, FOLKS" (Col.)
VARSITY—(1,100), 10c-20c-25c, 7 days, first picture for 3 days. **Gross:** $1,100. (Average, $1,100)

Week Ending Oct. 30:

"DIMPLES" (20th-Fox)
STUART—(2,000), 10c-25c-40c, 7 days. **Gross:** $3,300. (Average, $3,100)

"Dimples" $6,000 Indianapolis Lead

INDIANAPOLIS, Nov. 3.—"Dimples" went $2,000 above normal for a gross of $6,000 at the Apollo in a week that saw average business over the city. It was held. Several days of the week were cold and "It Can't Happen Here" showed to crowded houses at B. F. Keith's.

"Libeled Lady," in its second and final week at Loew's did $7,000, which was $1,000 into the black.

Total first run business was $23,700. Average is $21,000.

Estimated takings for the week ending Oct. 30:

"DIMPLES" (20th-Fox)
APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $6,000. (Average, $4,000)

"THE BIG BROADCAST OF 1937" (Para.)
CIRCLE—(2,800), 25c-40c, 7 days, 2nd week. **Gross:** $3,500. (Average, $4,000)

"LIBELED LADY" (M-G-M)
LOEW'S—(2,800), 25c-40c, 7 days, 2nd week. **Gross:** $7,000. (Average, $6,000)

"HERE COMES CARTER" (W. B.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: "Shooting High." **Gross:** $7,200. (Average, $7,000)

Schaufele in New Job

CLEVELAND, Nov. 3.—Cliff Schaufele, theatre manager, has been appointed director of Publicity Associates, a new company specializing in theatre business building projects.

"Libeled" Up In Pittsburgh With $17,500

PITTSBURGH, Nov. 3.—"Libeled Lady" at the Penn turned in a first rate $17,500, over normal by $6,500. It wasn't felt that figure was impressive enough to earn a holdover.

At the Alvin, "Dimples" was a definite disappointment. It collected only around $6,000 and was the first Shirley Temple picture since the youngster became a star that hasn't gone beyond a single week.

At the Stanley "The Big Broadcast of 1937" took $16,500 for that house's best take since "Anthony Adverse." The Fulton had a flop on its hands in "Follow Your Heart" after seven fine weeks with "My Man Godfrey" and slipped to $3,000, while a timely and entertaining double bill, "The Big Game" and "Here Comes Carter," sent the Warner up to $4,700. Weather conditions were ideal.

Total first run grosses were $47,700. Average is $37,000.

Estimated takings for the week ending Oct. 29:

"DIMPLES" (20th-Fox)
ALVIN—(2,000), 25c-40c, 7 days. **Gross:** $6,000. (Average, $5,000)

"FOLLOW YOUR HEART" (Republic)
FULTON—(1,750), 25c-40c, 7 days. **Gross:** $3,000. (Average, $4,500)

"LIBELED LADY" (M-G-M)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $17,500. (Average, $11,000)

"THE BIG BROADCAST OF 1937" (Para.)
STANLEY — (3,600), 25c-50c, 7 days. **Gross:** $16,500. (Average, $11,500)

"THE BIG GAME" (Radio)
"HERE COMES CARTER" (W. B.)
WARNER — (2,000), 25c-40c, 7 days. **Gross:** $4,700. (Average, $4,500)

Conn. Stage Shows Gain

NEW HAVEN, Nov. 3.—Spot bookings of stage shows are increasing in Connecticut. A new Major Bowes unit moves into the Palace, Hartford, on Friday, followed by a week at the Poli, Springfield. The Colonial, Southington, has booked Doc Schneider's Texans for early this month. The Plaza, Stamford, is playing "Adrienne" with a single feature picture, and the Paramount here is due for a stage unit some time before the end of the year.

Book Vaudeville Units

LINCOLN, NEB., Nov. 3.—The Wilbur Cushman vaudeville circuit has booked eastern units with Comerford in Williamsport, Hazleton and Pottsville, several houses in Oklahoma and in Wyoming, the latter through Rick Ricketson.

Warners Sign Raymond

HOLLYWOOD, Nov. 3.—Warners have signed Gene Raymond for the lead in "Life Begins," which is soon to go into production. Mary Maguire will play opposite Raymond, and Hugh Herbert will also be in the cast. No director has been set.

Columbia Signs Writers

HOLLYWOOD, Nov. 3.—Columbia has signed Lee Loeb, Harold Buchman and Leslie Swabacker to new writing contracts. Loeb and Buchman have been assigned to prepare the screenplay of "Lovers on Parole," and Swabacker will adapt "New Trail Ahead."

HOW DO WE KNOW?

BECAUSE.....

at a sneak preview in California
an audience laughed itself silly
and shouted itself hoarse!

BECAUSE.....

it has all of the elements—personalities . . . direction . . . production . . . writing—that make a great picture!

BECAUSE.....

a lot of people who should know
a helluva lot about pictures are
screaming about its possibilities!

ANOTHER GREAT COLUMBIA PICTURE ARRIVES

see page 21 . . .

"Broadcast" $9,000 Hit, Kansas City

KANSAS CITY, Nov. 3.—Business for first runs was only fair in a week that called for umbrellas, air conditioning and furnaces, in that order, and saw the annual American Royal Livestock & Horse Show as strong outside competition. "The Big Broadcast of 1937," in its second week at the Newman, took $9,000, $2,000 over, to show the best comparative gross.

"Dimples" did $9,900 at the Mainstreet, where $8,000 is average. It was moved to the Fox Uptown for a second week. "The Girl on the Front Page" went $500 over $6,500 average at the Tower.

Backed by a strong campaign "The Devil is a Sissy" and "All American Chump" took the big gross of the week with $11,900, $400 over normal for the Midland. "The Devil" did the bringing in. The other first run double, "East Meets West" and "Three Married Men," plodded along to a poor $3,800 in nine days, under the line by $1,000.

Total first run business was $41,600. Average is $37,800.

Estimated takings:

Week Ending Oct. 22:

"DIMPLES" (20th-Fox)

MAINSTREET—(3,100), 25c-40c, 7 days. **Gross:** $9,900. (Average, $8,000)

"THE DEVIL IS A SISSY" (M-G-M)
"ALL AMERICAN CHUMP" (M-G-M)

MIDLAND — (4,000), 25c-40c, 7 days. **Gross:** $11,900. (Average, $11,500)

"THE BIG BROADCAST OF 1937" (Para.)

NEWMAN—(1,900), 25c-40c, 7 days, 2nd week. **Gross:** $9,000. (Average, $7,000)

"THE GIRL ON THE FRONT PAGE" (Univ.)

TOWER — (2,200), 25c, 7 days. Stage: Clarence Stroud & Co., Clyde Hager, the Liazeed Arabs, Muriel Parker, Dance Ensemble, and The Three Demons. **Gross:** $7,000. (Average, $6,500)

"EAST MEETS WEST" (G.-B.)
"THREE MARRIED MEN" (Para.)

UPTOWN(2,000), 25c-40c, 9 days. **Gross:** $3.800. (Average, 9 days, $4,800)

Spencer Buys in Halifax

TORONTO, Nov. 3.—F. G. Spencer Co., Ltd., St. John, N. B., has acquired the Orpheus, Halifax, making the 17th house in the Maritime Provinces for this growing circuit. Percy R. Fielding has been appointed manager of the Orpheum, Wolfville, N. S., which was also recently taken over and reopened by the Spencer organization. The Capitol at Middleton and the Empire at Bridgewater have been added to the circuit in recent weeks as well. Arthur A. Fielding is general manager.

Assign Chester Morris

HOLLYWOOD, Nov. 3.—Chester Morris has been assigned the leading role in "I Promise to Pay" at Columbia. The story is an original by Lionel Hauser and the screenplay is by Mary C. McCall, Jr. Myles Connolly will produce. The leading lady and director are not yet set.

Hinds in "Treve" Cast

HOLLYWOOD, Nov. 3.—Samuel S. Hinds has replaced Charles Winniger in the cast of "Treve" at Universal. The studio offered no explanation for the change. The picture is now in production at Kernville, with Lewis D. Collins directing.

"On Air" and Show $23,000 Detroit Lead

DETROIT, Nov. 3.—"Walking on Air," with a stage show, ran into a heavy $23,000 at the Michigan. It was the best business of the week, but was followed closely by "Adventure in Manhattan" and Ted Lewis and his band which garnered $22,500 at the Fox. The latter gross was $2,500 in the profit column.

"The Big Broadcast of 1937," on a dual with "Sworn Enemy,' was strong at $6,100 at the State, and "Swing Time," in its fourth week at the Madison, was still making money with a gross of $11,300.

Total first run business was $81,-900. Average is $77,500.

Estimated takings for the week ending Oct. 29:

"STAR FOR A NIGHT" (20th-Fox)
"END OF THE TRAIL" (Col.)

ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $3,600. (Average, $5,000)

"ADVENTURE IN MANHATTAN" (Col.)

FOX—(5,100), 15c-75c, 7 days. Stage: Ted Lewis and Rhythm Revue. **Gross:** $22,500. (Average, $20,000)

"WALKING ON AIR" (Radio)

MICHIGAN—(4,100), 15c-75c, 7 days. Stage: Barto & Mann, Buddy Doyle, Eduard Werner. **Gross:** $23,000. (Average, $20,000)

"SWORN ENEMY" (M-G-M)
"BIG BROADCAST OF 1937" (Para.)

STATE—(3,000), 10c-40c, 7 days. **Gross.** $6,100. (Average, $5,000)

"VALIANT IS THE WORD FOR CARRIE" (Para.)

UNITED ARTISTS—(2,070), 15c-65c, 7 days, 4th week. **Gross:** $7,600. (Average, $10,000)

"SWING TIME" (Radio)

MADISON—(2,000), 15c-65c, 7 days, 4th week. **Gross:** $11,300. (Average, $10,000)

"FOLLOW YOUR HEART" (Republic)
"KILLER AT LARGE" (Col.)

DOWNTOWN—(2,950), 10c-40c, 7 days. Stage: Angus & Searl, Naomi Ray & Eddie Harrison, Lillian St. John. **Gross:** $7,800. (Average, $7,500)

Empire in Newfoundland

TORONTO, Nov. 3.—Empire Films, Ltd., has expanded its operations by invading the colony of Newfoundland. A number of outlets have been secured for this year's releases by A. W. Perry, general manager at Toronto, and G. Hoyt, manager of the branch at St. John, N. B.

Plan Tieup with Labor

SAN FRANCISCO, Nov. 3.—Federal theatre project officials here are planning tieups with local organized labor groups in connection with the showing of Channing Pollock's old melodrama, "The Fool," stressing the "capital vs. labor" angle in the play. It will run two weeks at the Columbia.

Warners Pick Directors

HOLLYWOOD, Nov. 3.—Warners have assigned Busby Berkeley to direct "The Desert Song," and William Keighley to direct "The Prince and the Pauper." Berkeley had been slated to direct "The Marriage Clause," but production of that picture has been indefinitely postponed.

Named Lowell Manager

LOWELL, MASS., Nov 3.—Michael Daly has appointed Edward Sokolowsky as new manager of the Victory. Sokolowsky formerly assisted at Daly's Rialto, New Britain and Daly, Hartford.

School Men at Film

Cleveland, Nov. 3.—David J. Wiems, of the Cleveland Board of Education, delegated 25 school probation officers to see "The Devil Is a Sissy" at Loew's State theatre last week, claiming it to be the best object lesson ever produced on the subject of juvenile delinquency.

"Dimples" at $11,000 Best Denver Draw

DENVER, Nov. 3.—"Dimples" rolled up the best gross of any Shirley Temple film thus far with standouts practically all week at the Denver. The $11,000 take was $3,500 over the line. The picture was moved to the Aladdin for a second week.

"Dodsworth" took $4,000, up by $1,000, at the Aladdin and was moved to the Broadway for a third week downtown. It had played previously at the Denver.

In the second week at the Orpheum "Libeled Lady" and "Don't Turn 'em Loose" left par $2,500 astern on a take of $8,500.

Principal competition was the Hospital Musical Revue and Dance at the Municipal Auditorium for five days.

Total first run business was $36,500. Average is $28,000.

Estimated takings for the week ending Oct. 29:

"DODSWORTH" (U.A.)

ALADDIN—(1,500), 25c-40c-50c, 7 days, following a week at the Denver. **Gross:** $4,000. (Average, $3,000)

"THE MAN WHO LIVED AGAIN" (G.B.)

BROADWAY—(1,500), 25c-40c, 7 days. **Gross:** $1,500. (Average, $2,000)

"WEREWOLF OF LONDON" (Univ.)

CENTER — (1,500), 15c-25c-35c, 7 days. Stage show. **Gross:** $3,000. (Average, $2,000)

"BIG BROADCAST OF 1937" (Para.)

DENHAM—(1,500), 25c-35c-40c, 7 days. **Gross:** $6,000. (Average, $4,500)

"DIMPLES" (20th-Fox)

DENVER—(2,500), 25c-35c-50c, 7 days. Stage band. **Gross:** $11,000. (Average, $7,500)

"LIBELED LADY" (M-G-M)
"DON'T TURN 'EM LOOSE" (Radio)

ORPHEUM—(2,600), 25c-35c-40c, 7 days, 2nd week. **Gross:** $8,500. (Average, $6,000)

"BENGAL TIGER" (W.B.)
"DOWN THE STRETCH" (F.N.)

PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $2,500. (Average, $3,500)

"Lady Average" for Radio

HOLLYWOOD, Nov. 3.—Radio has purchased "Lady Average," a story by Jack Goodman and Albert Leventhal, soon to be published in the *Saturday Evening Post*. Victor Moore and Helen Broderick will be teamed in the leading roles, and Al Lewis will direct.

Retitle Chinese Story

HOLLYWOOD, Nov. 3.—Republic has changed the title of "The Chinese Orange Mystery" to "The Mandarin Mystery." Fern Emmett has just been added to the cast.

Myers in Parsons House

KANSAS CITY, Nov. 3.—Taylor S. Myers has been named manager of the Uptown at Parsons, Kan., by Glen W. Dickinson of the Dickinson circuit.

"Libeled" Up In Slump at Philadelphia

PHILADELPHIA, Nov. 3.—The only picture to get better than an even break was "Libeled Lady," in its third and last week at the Fox. Believing there is more downtown business for this comedy, Warners immediately booked it second run into the Earle, marking the first time in years that the Earle has played second run.

"Dimples" hit an average $14,000—not enough to hold. It was the first Temple film which has not received an extended run.

"Craig's Wife" and "Magnificent Brute" both fell under par, the former getting $11,500 at the Boyd and the latter $11,000 at the Earle.

Total first run business was $71,400. Average is $80,760.

Estimated takings for the week ending Oct. 29:

"GAY DESPERADO" (U.A.)

ALDINE—(1,200), 40c-55c-65c, 7 days, 2nd week. **Gross:** $6,500. (Average, $8,160)

"LADY BE CAREFUL" (Para.) (2nd run)

ARCADIA—(600), 25c-40c-50c, 4 days. **Gross:** $1,100. (Average, 7 days, $2,800)

"CRAIG'S WIFE" (Col.)

BOYD—(2,400), 40c-55c, 7 days. **Gross:** $11,500. (Average, $14,000)

"MAGNIFICENT BRUTE" (Univ.)

EARLE — (2,000), 25c-40c-55c, 7 days. **Gross:** $11,000. (Average, $14,000)

"LIBELED LADY" (M-G-M)

FOX—(3,000), 40c-55c-65c, 7 days, 3rd week. **Gross:** $15,000. (Average, $14,000)

"LADIES IN LOVE" (20th-Fox) (2nd run)

KARLTON—(1,000), 25c-35c-40c, 7 days. **Gross:** $2,600. (Average, $4,000)

"DODSWORTH" (U.A.) (2nd run)

KEITH'S—(2,000), 30c-40c-50c, 7 days. **Gross:** $3,500. (Average, $4,000)

"DIMPLES" (20th-Fox)

STANLEY—(3,700), 40c-55c, 7 days. **Gross:** $14,000. (Average, $14,000)

"MURDER WITH PICTURES" (Para.)

STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $6,200. (Average, $7,000)

Open at North Mankato

NORTH MANKATO, MINN., Nov. 3.—The Urban, 800-seat house built by H. E. Gilbert, Minneapolis contractor, and leased to Phil Gillman of St. Paul, was given a civic opening, participated in by the Chamber of Commerce, Mankato's junior chamber and the Mayor.

A parade was led by the high school band and included floats. Speeches were made from a platform in front of the house and the Mayor snipped a ribbon to signalize the opening.

Show Conservation Film

KANSAS CITY, Nov. 3.—"It Can Be Done in Missouri," a film showing the depletion of Missouri's wild life, and prepared by the state Restoration and Conservation Federation, as part of an effort to obtain a non-partisan conservation commission, is being shown at several local theatres this month.

Blackwell to Distribute

KANSAS CITY, Nov. 3.—Homer L. Blackwell, head of the Independent Poster Exchange, has formed Independent Prod. Co. to handle independent product in Western Missouri and Kansas. Blackwell's poster business now is housed in the old Paramount Bldg.

NOW ...more glorious than ever

IRENE DUNNE



THEODORA GOES WILD

with

MELVYN DOUGLAS

Thomas Mitchell • Thurston Hall

Rosalind Keith • Spring Byington

Screen Play by Sidney Buchman

Directed by Richard Boleslawski

•

COLUMBIA'S NEXT EXTRA-BIG ONE!

1936—37

"Game" Grabs Minneapolis' Top, $6,000

MINNEAPOLIS, Nov. 3.—"The Big Game," backed by a stageshow with Lottie Mayer's Hollywood water ballet, brought in a $4,000 increase over a normal take of $6,000 at the Orpheum to lead the hit parade in the Twin Cities this week in which six houses showed better than average with warmer weather boosting grosses.

"The Big Broadcast of 1937," which had brought a 50 per cent increase at the Minnesota the week before, did $3,000 over an average of $5,000 at the State. "Anthony Adverse," helped by the first attempt to placard roads leading into the city in an effort to attract hunters and football crowds, brought in $4,000 over a $10,000 par at the Minnesota. It was moved into the Lyric.

"Cain and Mabel" boosted the $5,500 average at the Paramount by $1,500 to lead St. Paul out of a slump in both cities.

Total first run business in Minneapolis was $34,900. Average is $25,000. Total first run business in St. Paul was $15,400. Average is $14,500.

Estimated takings:

Minneapolis:

Week Ending Oct. 29:

"ANTHONY ADVERSE" (W.B.)

MINNESOTA—(4,000), 25c-55c, 7 days. **Gross:** $14,000. (Average, $10,000)

"THE BIG BROADCAST OF 1937" (Para.)

STATE—(2,300), 35c-55c, 7 days, 2nd week, extended from Minnesota. **Gross:** $8,000. (Average, $5,000)

"DON'T TURN 'EM LOOSE" (Radio)

LYRIC—(1,239), 20c-25c, 7 days. **Gross:** $1,900. (Average, $1,500)

"THE BIG GAME" (Radio)

ORPHEUM — (2,900), 25c-40c, 7 days. Stage: Lottie Mayer's water ballet and specialty acts. **Gross:** $10,000. (Average, $6,000)

"MY MAN GODFREY" (Univ.)

WORLD—(400), 25c-35c, 7 days, 6th week, extended from Orpheum. **Gross:** $1,000. (Average, $2,500)

St. Paul:

Week Ending Oct. 29:

"CAIN AND MABEL" (W.B.)

PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $7,000. (Average, $5,500)

"WIVES NEVER KNOW" (Para.)

ORPHEUM — (2,000), 25c-40c, 7 days. **Gross:** $3,500. (Average, $4,000)

"THREE MARRIED MEN" (Para.)

"RAMONA" (20th-Fox)

RIVIERA—(1,000), 25c-40c, 7 days. **Gross:** $3,000. (Average, $3,500)

Week Ending Oct. 30:

"CHARLIE CHAN AT THE RACE-TRACK" (20th-Fox)

"STRAIGHT FROM THE SHOULDER" (Para.)

TOWER—(1,000), 15c-25c, 8 days. **Gross:** $1,900. (Average, $1,500)

Wilson on New Shorts

HOLLYWOOD, Nov. 3.—Carey Wilson is doing the dialogue and will do explanatory comments in a new series to be produced by Jack Chertok at M-G-M. "What do You Think?" is the title of the series which will deal with psychic phenomena. Wilson also will be heard in a sequel to his "Hollywood Extra," a short called "The Second Step."

Gillespie's House Burned

OKANOGAN, WASH., Nov. 3.—While Loris Gillespie, owner of the Paramount here, was attending a dance in Seattle, his theatre was damaged by a fire which started from the furnace to the extent of $3,000. The loss is partially covered by insurance.

"General" Up In St. Louis With $17,500

ST. LOUIS, Nov. 3.—"The General Died at Dawn," with a stage orchestra attraction headed by Paul Ash as the guest conductor, dragged $17,500 to the Ambassador, beating average by $8,500 and topping all rival attractions both on the basis of actual gross and also on percentage.

"Dimples," at the Fox, also was a money-maker with $16,000 against an average of $14,000. The second picture on the bill was "A Star for a Night."

"Dodsworth" and "Kelly, the Second" at Loew's was the Ambassador's chief rival for top honors with a take of $16,950, or $6,950 above house average.

"Lady, Be Careful" and "Three Married Men" at the Missouri also slipped into the profit class with $9,700, or $700 above par.

"Ramona," playing second run at the St. Louis in conjunction with several acts of vaudeville headed by "Slim" Timblin & Co., took in $7,200, which was just above normal.

Total first run business was $73,050. Average is $55,000.

Estimated takings for the week ending Oct. *22*:

"THE GENERAL DIED AT DAWN" (Para.)

AMBASSADOR — (3,018), 25c-35c-55c, 7 days. Stage: Orchestral show headed by Paul Ash. **Gross:** $17,500. (Average, $9,000)

"DIMPLES" (20th-Fox)

"A STAR FOR A NIGHT" (20th-Fox)

FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $16,000. (Average, $14,000)

"DODSWORTH" (M-G-M)

"KELLY, THE SECOND" (M-G-M)

LOEW'S — (3,162), 25c-35c-55c, 7 days. **Gross:** $16,950. (Average, $10,000)

"LADY BE CAREFUL" (Para.)

"THREE MARRIED MEN" (Para.)

MISSOURI—(3,514), 25c-35c-55c, 7 days. **Gross:** $9,700. (Average, $9,000)

"AMBASSADOR BILL" (20th-Fox)

"HIS PRIVATE SECRETARY" (Judell)

ORPHEUM—(1,950), 25c-35c-55c, 7 days. **Gross:** $5,700. (Average, $6,000)

"RAMONA" (20th-Fox)

ST. LOUIS—(4,000), 25c-40c, 7 days. Stage: Vaudeville. **Gross:** $7,200. (Average, $7,000)

"Drive-In" for May

PROVIDENCE, Nov. 3.—Rhode Island's first "Drive-In" theatre will be located on the site of the old Cycledrome on the Pawtucket-Providence line and will be ready in May of next year. There will be graduated places for 750 automobiles instead of seats for the audience. Peter Laudati is the promoter and the theatre will be patterned after the one now in use in Quincy, Mass. The cost will be about $50,000.

Al Raboch on "Birthday"

HOLLYWOOD, Nov. 3.—Al Raboch has been appointed production manager for David Loew's "When's Your Birthday," starring Joe E. Brown. John Bucasse Schulze has been signed as art director. Shooting will start Nov. 9 at the RKO-Pathe lot.

Anderson in Des Moines

DES MOINES, Nov. 3.—Arthur Anderson, Warner city salesman in Minneapolis, has been appointed manager here, replacing E. J. Tilton, who has resigned to join Republic as manager in Des Moines and Omaha.

"Libeled Lady" at Top in Cincinnati

CINCINNATI, Nov. 3.—Top money last week went to "Libeled Lady," which grabbed a nifty $21,000 for the RKO Albee, where the established figure is $12,000. This rated a hold-over, a rarity at this house.

"Pigskin Parade" balanced the average figure of $10,000 at the RKO Palace, and moved to the RKO Capitol for a second stanza. "Dimples," playing its second down-week at the RKO Grand, drew $3,200, up $450 on the average. These were the only pictures to get over par.

"Wedding Present" sank to a low of $3,000 at Keith's. "The Big Broadcast of 1937," although falling short of the mark in its third downtown week at the RKO Capitol, was shifted to the RKO Grand for a fourth week. Returns at other houses were fair.

Total first run business was $57,950. Average is $58,700.

Estimated takings:

Week Ending Oct. 29:

"LIBELED LADY" (M-G-M)

RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $21,000. (Average, $12,000.) Held.

"PIGSKIN PARADE" (20th-Fox)

RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $10,000. (Average, $10,000)

"IN HIS STEPS" (G.N.)

RKO SHUBERT—(2,150), 35c-55c, 7 days. Stage: Major Bowes' Amateurs. **Gross:** $10,000 (Average, $12,000)

"THE BIG BROADCAST OF 1937" (Para.)

RKO CAPTIOL—(2,000), 35c-42c, 7 days, 3rd downtown week. **Gross:** $4,300. (Average, $6,500.) Moved to RKO Grand.

"DON'T TURN 'EM LOOSE" (Radio)

RKO LYRIC—(1,400), 35c-42c, 7 days. **Gross:** $4,750. (Average, $6,500)

"DIMPLES" (20th-Fox)

RKO GRAND—(1,200), 25c-40c, 7 days, 2nd downtown week. **Gross:** $3,200. (Average, $2,750)

"SHAKEDOWN" (Col.)

RKO FAMILY—(1,000), 15c-25c, 3 days. **Gross:** $1,200. (Average, $1,250)

"HEART OF THE WEST" (Para.)

RKO FAMILY—(1,000), 15c-25c, 4 days. **Gross:** $1,000. (Average, $1,200)

"WEDDING PRESENT" (Para.)

KEITH'S—(1,500), 30c-40c, 7 days. **Gross:** $3,000. (Average, $6,500)

"Follow Heart" Is Montreal's Leader

MONTREAL, Nov. 3.—"Follow Your Heart" captured first place with the help of Blackstone on the stage. It brought $12,500 to Loew's, $2,000 over par.

"Stage Struck," top feature at the Princess, scored $8,000 while "Dimples," feature No. 1 at the Capitol, was good for $10,000 without juvenile patronage which is barred here. "Dodsworth," half of the dual at the Palace, took in $10,500 and the second week of "Nine Days a Queen" took $4,500 after a first week at $9,000.

Total first run business was $45,500. Average is $44,000.

Estimated takings for the week ending Oct. 24:

"DIMPLES" (20th-Fox)

"TWO IN A CROWD" (Univ.)

CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $10,000. (Average, $9,500)

"NINE DAYS A QUEEN" (G.B.)

"TWO IS COMPANY" (B. & D.)

HIS MAJESTY'S—(1,700), 25c-35c-50c, 7 days, 2nd week. **Gross:** $4,500. (Average, $6,000) First week: $9,000.

"FOLLOW YOUR HEART" (Republic)

LOEW'S — (3,115), 25c-34c-40c-50c-60c, 7 days. Stage: Blackstone and His Show of Wonders. **Gross:** $12,500. (Average, $11,000)

"DODSWORTH" (U.A.)

"WIVES NEVER KNOW" (Para.)

PALACE — (2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $10,500. (Average, $11,000)

"STAGE STRUCK" (F.N.)

"SECOND WIFE" (Radio)

PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $8,000. (Average, $7,000)

"Broadcast" Second Week Frisco Lead

SAN FRANCISCO, Nov. 3.—In a week of warm weather and moderate business "The Big Broadcast of 1937," on a dual with "15 Maiden Lane," held up to $17,500, over a first week normal by $1,500, at the Fox.

"Libeled Lady" and "Sitting on the Moon" pulled $14,500, also over the line by $1,500, at the Warfield. "Dodsworth" took $6,000 in its third week at the United Artists, but grosses elsewhere were nothing to get excited about.

The only competition was the stage opening of "It Can't Happen Here."

Total first run business was $88,600. Average is $93,500.

Estimated takings:

Week Ending Oct. 27:

"LEGONG" (DuWorld)

"MISSING GIRLS" (Chesterfield)

EMBASSY — (1,400), 10c-30c-35c-40c, 7 days. **Gross:** $4,500. (Average, $4,000)

"WITHOUT ORDERS" (Radio)

GOLDEN GATE—(2,850), 10c-30c-35c-40c, 7 days. Stage: Vaudeville. **Gross:** $14,000. (Average, $16,000)

Week Ending Oct. 28:

"CRAIG'S WIFE" (Col.)

"TWO IN A CROWD" (Univ.)

ORPHEUM — (2,440), 15c-30c-35c-40c, 7 days, 2nd week. **Gross:** $6,500. (Average, $8,500)

"THANK YOU, JEEVES" (20th-Fox)

"VALIANT IS THE WORD FOR CARRIE" (Para.)

PARAMOUNT — (2,740), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $13,000. (Average, $13,000)

Week Ending Oct. 29:

"DODSWORTH" (U.A.)

UNITED ARTISTS—(1,200), 15c-30c-35c-40c-65c, 7 days, 3rd week. **Gross:** $6,000. (Average, $6,000)

"BIG BROADCAST OF 1937" (Para.)

"15 MAIDEN LANE" (20th-Fox)

FOX — (5,000), 15c-30c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $17,500. (Average, $16,000)

"CAIN AND MABEL" (W.B.)

ST. FRANCIS—(1,470), 15c-30c-35c-40c, 7 days, 2nd week. **Gross:** $5,500. (Average, $6,000)

"LIBELED LADY" (M-G-M)

"SITTING ON THE MOON" (Republic)

WARFIELD—(2,680), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $14,500. (Average, $13,000)

Week Ending Oct. 30:

"WALPURGIS NIGHT" (Scandinavian)

CLAY—(400), 15c-35c, 7 days. **Gross:** $1,100. (Average, $1,000)

Week Ending Oct. 31:

"AS YOU LIKE IT" (20th-Fox)

GEARY — (1,400), 55c-83c-$1.10-$1.65, 9 days. **Gross:** $6,000. (Average, $10,000)

Heads La. Film Council

NEW ORLEANS, Nov. 3.—Mrs. Joseph E. Friend was elected president of the Louisiana Council for Motion Pictures at a meeting of the group at the Roosevelt Hotel. Mrs. Friend, one of the organizers of the council, succeeds Mrs. A. S. Tucker, who resigned.

Dobson on Talent Hunt

HOLLYWOOD, Nov. 3.—Ned Dobson, Republic's talent scout, has left on a six-week hunt for new players in the east. He has instructions to sign as many as 30 young players if he can find that many with talent.

Finkelstein on Coast

KANSAS CITY, Nov. 3.—Martin Finkelstein, district manager in Greater Kansas City for Fox Midwest, is on vacation in California.

THE Film DAILY

«« Short Subject Reviews ««

Bert Lahr in
"Whose Baby Are You?" 18 mins.
Educational **Grand Laffs**

A side-splitting comedy with Bert Lahr trying to do a kind deed for a pal. His friend who runs a stationery and candy store has a wife in the hospital with a baby on the way. The trick is to keep the information from the loan company which is about to loan him $500, but he can't get it if they hear about the new baby and the added overhead. So Lahr gets himself all involved in the eyes of his girl and her dad as the prospective father, and has a deuce of a time trying to square himself. Good for big laffs in any theater where folks want to let themselves go. Produced by Al Christie. Story by David Freedman. In the cast are George Haggerty, Gertrude Mudge, Sally Starr, Earl Gilbert, Eddie Lambert.

Buster Keaton in
"The Chemist" 19 mins.
Educational **Swell Gags**

A very funnily gagged reel, with Buster Keaton seen as the bright pupil in the chemistry class at college. Buster is in the laboratory, where he has worked out a series of marvelous inventions, which he proceeds to demonstrate to the professor. One is a magic candy that makes the gal who eats it fall all over the gent who presents the morsel. Another invention makes animals grow three times their original size. But the prize discovery of Buster is a noiseless powder for firecrackers for the Fourth. Three tough yeggs read about it in the paper, and kidnap Buster and the powder to blow open a safe. After some hair-raising experiences with the bandits, Buster finally turns the tables and captures them in a very novel and laughable manner. In the cast are Marlyn Stuart, Don McBride, Earl Gilbert, Herman Lieb. Produced by Al Christie, Story by David Freedman. Photographed by George Webber.

"Kiko Foils the Fox"
(Terry-Toon Cartoon) 7 mins.
Educational **Lively**

The trained kangaroo, Kiko, proves himself a pal of the little folks in the woods, especially the family of three young birds when they get into trouble with the crafty fox, and their parents are unable to protect them. One of them falls right in the path of the foxy Reynard, and Kiko comes to the rescue. Before he does his great life-saving act, he stages a novelty bombardment of the rascally fox with the help of the feathered folk of the woods, using the fruit of the trees as the ammunition. The youngsters will go for Kiko, for he has a way about him that will make the kids cheer. Authored by Paul Terry, Mannie Davis and George Gordon. Scored by Philip A. Scheib.

"Symphony In Snow"
(Treasure Chest) 9 mins.
Educational **Thriller**

One of the most impressive snow pictures ever filmed. Shows the grandeur of the Swiss Alps, with three daring mountain climbers risking their lives in a hazardous climb, part of the journey there and back negotiated on skiis. The photographs show many close-ups of the climbers hanging precariously over the side of steep chasms that drop sheer for thousands of feet. Here is an outdoor adventure thriller that will hold any audience breathless. Story and narration by A. L. Alexander.

"Krazi-Inventions"
(Treasure Chest) 10 mins.
Educational **Unusual**

A funny novelty, which burlesques certain nut inventions that have actually been patented in Washington. One shows a mechanical device placed inside a gent's derby which automatically tips his hat for him. In the demonstration the invention goes blooey, with disastrous results to the inventor. Another invention grows hair on bald heads, but when the barber inventor tries to put eyebrows on a girl who had her eyebrows singed off, the machine goes haywire and puts hair all over her face. The reel is well handled for laughs, and the narration by Senator Ford is very funny and full of laughs. In the cast are Eddie Hall, Frank Jaquet, Earl Gilbert, Aileen Cook, Rose Kessner, Jimmie Fox. The authors of the reel are Juliet Lowell and Mort Lewis.

The Cabin Kids in
"Pink Lemonade"
(Song and Comedy Hit) 11 mins.
Educational **Pop Kid Stuff**

The pop pickaninnies, the Cabin Kids, appear in a circus skit where they crash the gate of the big top by crawling under the canvas. Caught by the cops, the clowns intercede for them, and Toto the Clown puts on a private act for them on condition that they reciprocate by singing one of their darky harmonies. In this way a neat show is put on with the clowns and the kids doing their specialties. The clown stuff will go great with the kids. Story by Art Jarrett. Produced by Al Christie.



Along the rialto with PHIL M. DALY

THERE ARE more laffs to the frame in Educational's current Bert Lahr and Buster Keaton shorts than any producer is reasonably expected to deliver . . . spot these two shorts in on your next two programs and there will be more smiles on the faces of your customers than have been seen going out of your lobby in months . . . "Whose Baby Are You" is the Bert Lahr tickler, while Buster Keaton comes through with "The Chemist," one of his very best . . .

SIDE-SPLITTING COMEDY
GRAND LAFFS . . . . .
VERY FUNNILY GAGGED
WILL HOLD AUDIENCE . . . . BREATHLESS
KIKO WILL MAKE . . . . KIDS CHEER
FUNNY NOVELTY . . .
FULL OF LAUGHS . . .
WILL GO GREAT . . .

PUT THEM ALL TOGETHER AND THEY SPELL

SHOWMANSHIP in SHORTS

Presented by
E. W. HAMMONS

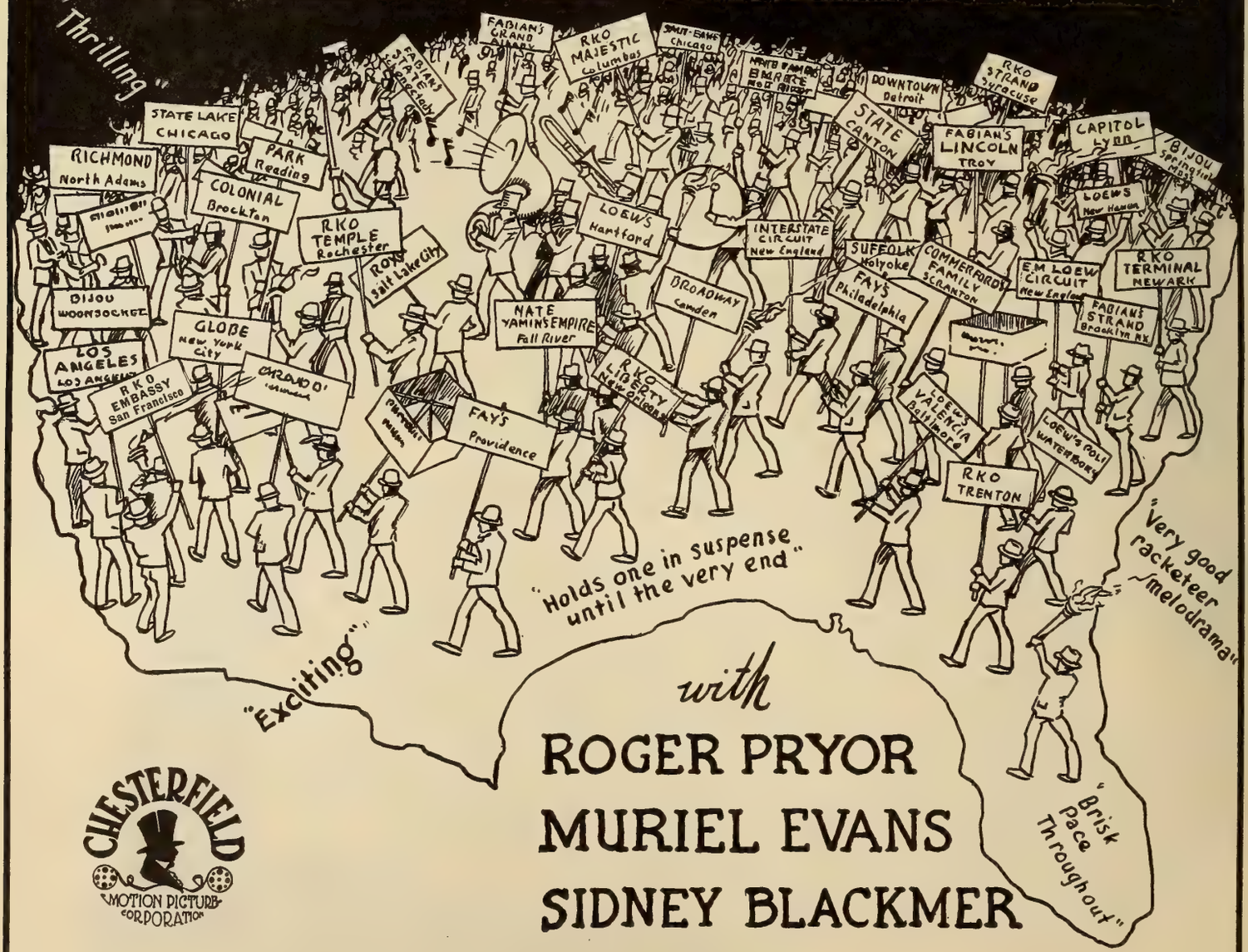
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VOL. 40 NO. 108 NEW YORK, THURSDAY, NOVEMBER 5, 1936 TEN CENTS

New Canadian Music Tax Is Slash of 25%

Under U. S. Rate; Seek General Acceptance

The new music tax rates for Canadian theatres which were agreed upon at Toronto last week by representative exhibitors and officials of the music licensing society represent a 25 per cent reduction on the former Canadian rates which were identical to those now in effect in the United States, it was ascertained here yesterday.

E. C. Mills, general manager of Ascap, which is a half owner of the Canadian Performing Right Society, said in explaining the rate differential that film rentals paid by Canadian exhibitors are on the average 25 per cent less than those paid by the exhibitor in the United States and that during the negotiations with Dominion exhibitors last week it was agreed that the Canadian music tax should reflect the same differential. He said that the reduced charges for Canada took into consideration a lower prevailing admission scale and correspondingly

(*Continued on page* 11)

Para. 13-Point Gain Leads Stock Advance

Election day results reacted on the N. Y. Stock Exchange yesterday in such fashion as to send virtually every film security issue on the big board into the plus column on the day's trading, led by Paramount first preferred, which scored the phenomenal gain of 13 points, closing at 136.

That was far and away the outstanding gain, but Eastman Kodak common gained 4½ points, Paramount second preferred 2⅞, to close at 17¾; Warner common 1¼ to close at 15¾; Twentieth Century-Fox preferred 1¾ to end the day at 42⅛; Paramount common 1⅞ to close at 18⅝, and others scoring similar gains. The closing prices on all of the Paramount issues represent new highs for

(*Continued on page* 8)

Skouras Assets Sold To Thomas N. Dysart

St. Louis, Nov. 4.—Referee in Bankruptcy Hope today confirmed the sale of assets of Skouras Brothers Enterprises, Inc., by Trustee Cunliff to Thomas N. Dysart of the Bondholders' Protective Committee of the Central Properties Corp. for $342,462.

Warners Reported Seeking Houses Throughout Britain

By BRUCE ALLAN

London, Oct. 25.—Reports current in film circles here link Warners with plans for theatre acquisitions on a large scale.

From various cities in the provinces it is reported that two individuals are seeking to obtain options on properties, stating that their principals want to acquire a theatre "in every town in England."

Among the exhibitors who have been approached is Harry Buxton, who controls 20 houses, in the Lancashire and Yorkshire areas chiefly.

Inquiries here led to the belief expressed in some quarters that speculators are after the options, in view of a potential trade situation which may develop into a scramble for theatres on the part of distributors.

Sam E. Morris, vice-president in charge of foreign activity for Warners, declared here yesterday that Warners are not engaged in an attempt to acquire theatre properties in England.

Richey Has 7-Point Program for Allied

Detroit, Nov. 4.—A seven-point program for Allied of Michigan to pursue during the coming year was outlined today by H. M. Richey as the highlight of the opening session of the 17th annual convention in the Hotel Statler.

The matters on which Allied will center attention are: Adverse legislation, "horizontal unionizing of the industry," protection, admission prices and zoning; over-building; major company sales policies, including percentage and preferred playing time; unfair competition and double bills.

Percentage pictures constitute the gravest problem the exhibitor faces,

(*Continued on page* 12)

"Rembrandt"

London, Nov. 4.—Opening tonight at the Leicester Square, this latest of Alexander Korda has followed the life of the famous Dutch painter with fidelity. Charles Laughton's characterizations and flawless diction lend distinction to a role for which he is, unfortunately, not suited physically.

The film, which runs 84 minutes, describes Rembrandt's descent from fame to poverty, ending on a note of pathos as he spends his last cent for paint.

ALLAN

"U" Will Drop 15 Corporate Subsidiaries

Universal will consolidate or dissolve 15 subsidiaries, including three of major importance in the company's present operating scheme, as well as one of the oldest in the Universal setup, under plans for corporate simplification completed yesterday after having been under consideration for some weeks past.

The initial step in the program was taken recently with the dissolution of Universal Prod., Inc., a company incorporated in Delaware in November, 1935, as a wholly owned subsidiary of Universal Pictures Corp. to carry on most of the parent company's production activities. Universal Pictures

(*Continued on page* 12)

"Green Waters" Mediocre; Theme Is Film Untouchable

Tradition and the joke books tell that the Scotch are parsimonious. That and more may be true when it comes to money, but they seem to have their moments otherwise.

Last night at the Masque, "Green Waters," an importation from London where Lee Shubert saw it on a July night and evidently arranged for its transportation, sets out to tell about one of them and the tragedy which stalks its trail.

Max Catto, the author, centers on the family history of the Frasers, living their uneventful life where the moors, the sea and the Scotch mists converge. There is the father, played quietly and effectively by Reginald Bach, and the results of his Highland

(*Continued on page* 12)

Men Active on Films Retain Congress Jobs

More Capital Legislative Moves Are Expected

By BERTRAM F. LINZ

Washington, Nov. 4.—Retention of their seats by practically all members of Congress who have taken an active part in the drive for film legislation is indicated by election returns as received today from various parts of the country.

In the Senate, Senator Metcalf of Rhode Island, a member of the subcommittee which last session held hearings on the block booking bill, was defeated by Governor Green, while in West Virginia the count tonight did not show definitely whether Senator Neely, who headed the subcommittee, had defeated his Republican opponent. In the House of Representatives the indications are that Congressman Pettengill of Indiana as well as Sirovich, Bloom and Celler of New York will be returned.

Most of the members of the House Patents Committee who were interested in copyright legislation were reelected, although complete returns

(*Continued on page* 8)

Importers Only at Anti-Nazi Meeting

Companies which customarily import foreign product into this country, and not major American companies, are expected to participate in the meeting tomorrow called by the Non-Sectarian Anti-Nazi League to Champion Human Rights, for the purpose of preventing the showing in this country of films made in Germany or financed by German money.

Among exhibitors only those who habitually show foreign product, from any source, have been invited to attend the meeting. It was indicated yesterday at the headquarters of the league

(*Continued on page* 8)

Studio Air Program Talks at Standstill

Hollywood, Nov. 4.—Negotiations instituted by General Mills, flour manufacturers, for the exclusive rights to broadcasts direct from studio stages are temporarily at a standstill. Although the producers favor the plan, they are hesitant about granting exclusive rights to the manufacturer. The situation is expected to be ironed

(*Coontinued on page* 7)

MOTION PICTURE DAILY
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Industry Is Thanked By Democratic Body

The Motion Picture Division of the Democratic National Committtee, in a statement issued last night, expressed its appreciation to the industry in all its branches for the part it played in the reelection of President Roosevelt. In particular, the statement thanked the co-chairmen throughout the nation.

An expression of appreciation to the trade publications was included for their fairness and impartality in reporting the activities of the division.

Lewin Here for Voyage

Albert Lewin, Paramount executive producer, arrived yesterday. He will leave shortly for a four-month business and pleasure tour of Europe where he will look over talent and story material.

Bette Davis Sails

SOUTHAMPTON, Nov. 4.—Bette Davis sailed on the *Aquitania* today en route for Hollywood. Miss Davis stated that she had decided to be a "very good sport" about losing her contract fight with Warners.

"Swing Time" Tops Box-Office Champs

"Swing Time" takes front position among the six Box-Office Champions for September listed in the current issue of *Motion Picture Herald*. The Astaire-Rogers opus is followed by "Anthony Adverse" and "Romeo and Juliet" in second and third place, respectively.

Number four on the list is "The Great Ziegfeld" which is followed by "The Gorgeous Hussy" and finally, by "My Man Godfrey" in sixth position.

Police Guards for Theatres Increased

Police Commissioner Valentine has increased the detective force guarding theatres against further bombings to 225.

One of the bombs which failed to explode is in the hands of the police. It had a percussion cap in the neck of a bottle of acid, with wires and batteries connected to an alarm clock.

Local 306 Goes to Court

Joseph D. Basson, president of Local 306, obtained a show cause order returnable this morning from N. Y. Supreme Court Judge Wasservogel against Police Commissioner Lewis J. Valentine and District Attorney William C. Dodge why they should not return to Local 306 the papers, documents, personal belongings and other material which was taken in a raid made on the local's headquarters last Friday. Basson declared the raid was made without a warrant.

"U" Music Deal Near

Either the Leo Feist or Robbins Music Co. would become publisher of the song numbers written for Universal productions if negotiations now under way between Jack Robbins, head of the music companies, and William Koenig, Universal production manager, are consummated, it was reported here yesterday. Robbins is now in New York, but will resume the negotiations with Koenig on his return to the coast in the near future.

Morris to Ascap Board

Ed Morris, Warner Bros. music company head, has been reelected to the Ascap board as the film company's representative. Morris was a member of the board up to two years ago when Herman Starr replaced him as a Warner representative. Starr resigned when the Warner companies withdrew from Ascap at the first of the year and the film company has had no representative on the Ascap board since.

Films Offend Chinese

NANKING, Nov. 4.—The government foreign office has demanded the destruction of all prints of "Klondike Annie" and "The General Died At Dawn" on the grounds that the films ridiculed and insulted the Chinese people. It was threatened that unless the producers complied with the request their films will be barred in the future.

"Pigskin" Opens Strong

PORTLAND, Nov. 4.—A holdover is indicated for "Pigskin Parade," which grossed $1,800 on its first day at the Orpheum here.

One Long Jump

Sam Dembow, Jr., now devoting his time to the Magnalite sign, controlled by National Screen Service, yesterday moved from temporary quarters in the RCA Bldg. to permanent offices in the International Bldg.

"From 630 9th Ave. to 630 5th Ave. in one hop," was the way Dembow put it.

Loew's Returns to Operation of Penn

PITTSBURGH, Nov. 4.—Loew's resumed operation of the Penn here yesterday following the successful conclusion of negotiations with the preferred stockholders of the theatre property. Discussions leading to the assumption of Loew's operation have been carried on over a long period.

Under the terms of the operating agreement with the preferred stockholders, the outstanding stock has been reduced by one-half, and Loew's has guaranteed to the stockholders dividends of 4½ per cent. A default on the preferred stock of the house, which originally was operated by Loew's and United Artists, resulted in operation by the security holders for a time.

Club Pays Out $60,000

HOLLYWOOD, Nov. 4.—The studio branch of the Warner Club has paid out more than $60,000 in benefits to members during the past two and a half years, according to a report just issued by Tennant C. Wright, president. Most of this sum was disbursed in sick benefits, with death, marriage, and birth bonuses making up the balance. The studio division has a membership of 2,600 and was started 30 months ago.

Would Bar All Standees

REDWOOD CITY, CAL., Nov. 4.—The city attorney is drafting an ordinance to prohibit theatres from selling more tickets than there are actual seats available. It is a move against Screeno, Bingo and similar premium games. Virtually every peninsula theatre offers some such device on dull nights.

Chic Sale Seriously Ill

HOLLYWOOD, Nov. 4. — Charles "Chic" Sale is critically ill with lobar pneumonia and has been withdrawn from the cast of Universal's "Blonde Dynamite." Reports from the Good Samaritan Hospital today pronounced his condition as "only fair."

Gertrude Michael Recovered

Gertrude Michael is still resting at the Doctors Hospital where she is recuperating from the effects of a toxic condition. Her recovery is complete.

West Appearance Off

CHICAGO, Nov. 4.—Mae West will be unable to appear at the B. & K. Chicago here, it was learned today, after an elaborate advertising campaign. It was said an attack of influenza prevented her appearance for three weeks. "The Big Broadcast of 1937" will play for two weeks instead.

RCA-NBC to Exhibit Television Advance

Technical improvements made during the past year in television, will be revealed jointly by the Radio Corporation of America and National Broadcasting at a demonstration in Radio City tomorrow. O. B. Hanson, NBC chief engineer, will be in charge. It is expected that Dr. Zworykin, inventor of the iconoscope, principal feature of the RCA television system, will also be present.

David Sarnoff, president of RCA, and Lenox R. Lohr, president of NBC, will provide current information as to the results of field tests conducted by RCA and NBC since Sept. 1 last, and accomplishments in the actual operation of television.

The audience will view the televised broadcast on the 62nd floor of Radio City. The actual performances will take place in the NBC television studio on the third floor from which point it will be piped by wire to the NBC-RCA television transmitter in the Empire State Bldg., and thence back to the audience.

Program Secret

Picture and "live" talent will be used for the experiment. Pathe Films is now preparing a special picture, the subject matter of which is being carefully guarded until the afternoon of the broadcast. Identities of the NBC artists who will be televised are also being held secret.

Friday's television broadcast will be the second such experiment to emanate from Radio City. The previous broadcast took place last July, and was viewed solely by officials of RCA and NBC. No statement as to the success or failure of the broadcast was ever issued. Those who participated in the broadcast were the Pickens Sisters, Ed Wynn, Graham McNamee, the Rockettes, and Jim Barton.

U. A. in Australia Deal

SYDNEY, Oct. 13. (*By Air Mail, Via London*).—Cecil Marks, general manager in Australasia of United Artists, has closed with J. C. Williamson Picture Corp., of New Zealand for United Artists' entire new season output, 52 features and 18 Disney cartoons, involving 45 houses.

Two More Take G. B. List

Deals for GB product have been signed by George W. Weeks with the Essaness circuit of Chicago and with the Warner circuit in the Milwaukee territory. The former deal is for the entire GB list while the Warner contract, which was signed by William Marshall, involves first runs in key spots.

"Lloyds" Openings Dated

HOLLYWOOD, Nov. 4. — "Lloyds of London" will open simultaneously on Thanksgiving eve at the Astor in New York and the Carthay Circle in Hollywood.

OFFICES
facing Radio City
at Rockbottom Rentals
48 WEST 48TH STREET
Small and Large Units
ALBERT M. GREENFIELD & CO., Inc.
521 5th AVE. MUrray Hill 2-6000
Agent on Premises, BRyant 9-8299

DECEMBER

WARNER BAXTER

and

JUNE LANG

in

WHITE HUNTER

with Gail Patrick, Alison Skipworth, Wilfrid Lawson, George Hassell. Directed by Irving Cummings.

•

CRACK UP

With PETER LORRE, BRIAN DONLEVY, Ralph Morgan, Helen Wood, Thomas Beck, Kay Linaker, J. Carroll Naish, Lester Matthews, Duncan Renaldo. Directed by Mal St. Clair.

•

LAUGHING AT TROUBLE

with JANE DARWELL, Delma Byron, Allan Lane, Sara Haden, Lois Wilson, Margaret Hamilton, Pert Kelton, John Carradine. Directed by Frank R. Strayer.

•

SHIRLEY TEMPLE

in

STOWAWAY

with

ROBERT YOUNG · ALICE FAYE

Eugene Pallette, Helen Westley, Arthur Treacher, J. Edward Bromberg, Allan Lane, Astrid Allwyn, Helen Jerome Eddy. Directed by William A. Seiter.

20th CENTURY FOX

JANUARY

ONE IN A MILLION

with **SONJA HENIE, ADOLPHE MENJOU, JEAN HERSHOLT, NED SPARKS, DON AMECHE, RITZ BROTHERS,** Arline Judge, Borrah Minnevitch and his Gang, Dixie Dunbar, Leah Ray, Montagu Love.
Directed by Sidney Lanfield.

•

ELISABETH BERGNER

in

AS YOU LIKE IT

William Shakespeare's immortal comedy with **LAURENCE OLIVIER,** Sophie Stewart, Henry Ainley.
A Paul Czinner Production.

•

PRIVATE ENEMY

The dramatic surprise smash of 1937 Based on the thrilling . . . and grim . . . experiences of the first Federal under-cover man. A powerful cast . . . worthy of 20th's most important pictures . . . is being chosen.

•

CHARLIE CHAN at the OPERA

starring

WARNER OLAND and **BORIS KARLOFF**

With Keye Luke, Charlotte Henry, Thomas Beck, Margaret Irving. Directed by H. Bruce Humberstone.

•

SECRET VALLEY

Starring **RICHARD ARLEN.** A Sol Lesser Production.

•

CAREER WOMAN

With CLAIRE TREVOR, MICHAEL WHALEN, Isabel Jewell, Eric Linden, Virginia Field, Gene Lockhart.
Directed by Lewis Seiler.

•

IRVING BERLIN'S
great musical

ON THE AVENUE

starring

DICK POWELL and **MADELEINE CARROLL**

With **ALICE FAYE,** The Ritz Brothers and a sensational cast. Story, music and lyrics by Irving Berlin.
Directed by Roy del Ruth.

20th CENTURY FOX

Darryl F. Zanuck
in Charge of Production

Studio Air Program Talks at Standstill

(*Continued from page* 1)

out by Friday. The Chicago advertising agent who has been handling the deal has left for the east.

Should the current negotiations be successfully consummated, it is believed that Paul Harrison, local N.E.A. film representative, will conduct the broadcasts from the sound stages.

Station Loses Orchestra

CHICAGO, Nov. 4.—Affiliated Broadcasting Co., has lost its orchestra, Armand Buisseret's, and now "pipes" its orchestral numbers to the chain from new studios in Hammond, Ind. Buisseret was dropped after the Chicago Federation of Musicians refused to allow the firm to cut down the orchestra's size. It consisted of 12 members, plus two pianists, an organist and a relief organist. A. B. C. executives said the orchestra payroll was $2,000 a week.

Set "Virginian" Air Cast

HOLLYWOOD, Nov. 4.—The supporting cast of "The Virginian," which will go out over CBS on the Lux hour with Gary Cooper starring and Charles Bickford, Helen Mack and John Howard in featured roles, has been set here. The cast includes Chester Clute, Hal K. Dawson, Earl Ross, Ynes Seabury, Patricia Lyon, James Eagles, Lou Merrill, Frank Nelson and Norman Field. Cecil B. DeMille directs the show.

Train Announcer on Air

HOLLYWOOD, Nov. 4.—Edward Everett Horton will interview Jack Pudny, train caller for the Southern Pacific, as a feature of Shell Chateau Saturday.

Marjorie Gestring, 13-year-old Olympic champion, will also be interviewed by Horton on the NBC program.

Dave Killy Smith on Coast

HOLLYWOOD, Nov. 4. — Dave Killy Smith, in charge of Radio Sale, Inc., has arrived from Chicago for conference with Harry O'Neil, advertising representative for drug trade products.

They will discuss a new talent show for KNX and the Columbia network.

Schlaifer Off the Air

OMAHA, Nov. 4.—Charles Schlaifer, Tri-States ad and publicity man here, has delayed returning to the air with his patented feature, "The Hollywood Tattler," a combined commercial-chatter column, until all details in connection with reopening of the Paramount are ironed out.

M-G-M Signs Lind Hayes

HOLLYWOOD, Nov. 4.—Lind Hayes, who performed imitations on the Eddie Cantor program Sunday night, has been signed to a six month M-G-M contract on the strength of his performance. Hayes is the son of Grace Hayes, radio artist.

Dave Carter Comes East

HOLLYWOOD, Nov. 4.—Dave Carter, publicity director for CBS on the coast, is en route to New York by train to attend a special board of directors meeting. Carter is the only representative from the coast.

NBC Holds Inside Track on Proposed Ford-MGM Lineup

The NBC Blue network will snare the choicest radio plum of the year—the proposed Ford-M-G-M program—and not the Columbia chain, it is indicated in a survey of time conditions prevailing over the networks.

This survey discloses that it would be difficult to fit an hour program in the CBS schedule, particularly on Wednesday and Thursday evenings, the two most likely nights for the proposed new program.

Wednesdays on Columbia, from 9 to 10:30 P. M. EST, is occupied by the Chesterfield, Colgate Palmolive Peet and Gang Buster series, successively. Thursdays, from 8 to 10:30, EST, the CBS channel is taken up by the Kate Smith, Major Bowes, Sears, Roebuck and March of Time presentations.

NBC's Blue network schedule is open for an hour-long sponsored program on these evenings. Blue time on Wednesdays is open after 9 P. M., EST, and on Thursdays, from 8 to 11 P. M., none but unimportant sustainers is scheduled.

The present Ford incumbent who will be effected by the new program, if and when it materializes, will be Fred Waring, and not the Sunday Evening Hour symphony orchestra, according to information which became available to MOTION PICTURE DAILY yesterday. A visitor close to Henry Ford pointed out that guest artists for the Sunday Evening Hour have been booked solidly ahead for several months to come and that the Waring contract with Ford, in force for the past three years, expires on Christmas Day. Above and beyond any contractual obligations, however, is Ford's personal affection for music in the symphonic form and his reported belief that three years of the Waring "gang" had paved the way for a new attraction.

Waring air time for Ford is now split between CBS and NBC's Blue network—Tuesdays at 9 P. M. on CBC, and Fridays on IBC's Red at 9 P. M., EST.

Benny Heads Air Favorites

For the first time in more than two years Major Bowes' Amateur Hour no longer officially heads the popularity list, according to the figures issued yesterday by the survey organization to which most sponsors and ad agencies subscribe. Jack Benny is now in the lead with a rating of 27.7. Bowes occupies the runner-up position, with 23.7, and Eddie Cantor is third, with 21.8.

Radio programs featuring motion picture guests, which today are reputed to be tops in interest, made a comparatively weak showing. The Lux Radio Theatre got sixth in the ratings; Hollywood Hotel, seventh; the Rudy Vallee program, ninth; Bing Crosby hour, eleventh, and Fred Astaire's show next.

"Personal Column of the Air"

A new series, written by Octavus Roy Cohen, bows in over NBC's Red and Blue networks Nov. 16, under the sponsorship of Procter and Gamble. The program will be known as the "Personal Column of the Air" and will feature dramatizations of personal notices culled from newspapers throughout the nation. A dramatic company, headed by Bill Adams, veteran air actor, will enact the plots.

The schedule brings the show to WJZ and the Blue network at 11:15 A. M., Mondays through Friday; at WEAF and the Red network at 2:45 P. M. Mondays to Thursdays, and to KMOX, St. Louis Columbia station, daily.

Among Their Troubles

The networks were deluged with election phone calls, some of them funny. Here are a few of the more humorous ones:

On Italian listener, with 12 votes in his family, called to inform NBC that all had cast Roosevelt votes—and wouldn't it be possible to broadcast that information? He spelled out his name laboriously.

Several Communists residing in Queens called to find out why election bulletins did not include tabulation of Red votes in Queens.

One woman called to inform NBC that the operator controlling the spotlight on the Times Bldg. had gone insane, because the light was swinging back and forth madly. She was informed that that was the *Times'* signal conceding the election of Roosevelt.

3-Way Dicker Continues

Elmer Murray, radio head of the William Morris agency, has made no headway in his efforts to sell Ronald Colman, Isabel Jewell and Jane Wyatt to Sears, Roebuck, sponsors of the "Then and Now" CBS series, according to his own admission. The price for the services of the film trio has been reported as being $11,000. While Murray has not completely abandoned negotiations, he holds small hope of consummating the deal.

Lowe For Crosby Program

Edmund Lowe has been engaged for a guest appearance on Bing Crosby's Kraft Music Hall series, Nov. 12. The program is an NBC-Red network feature.

Smith and Dale, Regan, Et Al

Short Shots: Smith and Dale have been penciled in for tomorrow night's Kate Smith broadcast. . . . Phil Regan will sing the numbers from his forthcoming picture, "Happy Go Lucky," on next Tuesday's Ken Murray program. . . . Loretta Lee, now on tour with a Fanchon and Marco unit, flies back to New York on Monday for a date on Al Pierce's CBS Monday night program. . . . Ben Bernie-American Can Co. guests include Cab Calloway and Dick Stabile on Nov. 17, Tamara on Nov. 24 and Sam Schlepperman on Dec. 1. . . . Don Thornburgh, head of CBS west coast division, is in New York on official business. . . . Ed P. Small, formerly spot time purchaser for Geyer, Cornell and Newell, is now with the media department of Benton and Bowles. Small will handle the Continental Baking account. . . . Frank Knight, former CBS announcer, engaged for similar duties at WOR. . . . Vernon Radcliffe, of NBC's local production division, resigns this week for similar job with the N. W. Ayer agency. . . . Shep Fields will play the score from the Grand National picture, "Hats Off," on his NBC program Sunday night.

And on the Coast

Short Shots from Hollywood.—Helen Ward, soloist with Benny Goodman's orchestra, here for a vacation from the Camel Caravan. . . . Chester G. Matson of the Don Lee-KHJ sales staff has resigned to join the Hillman-Shane coast advertising agency. . . . Greta Steuckgold has been set for the Kraft program Nov. 12, her third appearance on that hour. . . . Victor Young will introduce the song number, "Where Have You Been All My Life" on the Shell Chateau program as the initial radio exploitation for Grand National's musical, "Hats Off."

Makes Staff Changes

ST. LOUIS, Nov. 4.—Recent staff changes at KMOX since the transfer of Robert Hafter, former program director, to WBBM, Chicago, make C. G. Renier production director, Sid Saunders, Vic Hugh, announcers, Don Ownby on news and Van Woodward on continuity.

KGW and KEX Get News

PORTLAND, Nov. 4.—Stations KGW and KEX today became affiliates of Trans Radio News service.

According to W. Carey Jennings, manager of the stations, the new service will augment the customary KGW- KEX news broadcasts, of which there have been four each day, except Sunday where there has been but one.

Sutherland Wins Again

PITTSBURGH, Nov. 4.—For the second time in three years, Bill Sutherland of KDKA has walked off with the H. P. Davis medal and prize for the best diction among Pittsburgh's announcers. Sutherland won it in 1934, too. Coming in second and third, according to the judges, were Bill Schaugency and Ernest Neff.

Louise Fitch to Wrigley

COUNCIL BLUFFS, Ia., Nov. 4.—Louise Fitch of Council Bluffs, member of Omaha Community Playhouse casts, has been signed by Wrigley as ingenue in a new series of coast-to-coast broadcasts over CBS to start this month. Miss Fitch also stays under option to Columbia, which will use her in sustaining and other broadcasts.

Rivals Amos and Andy

ST. LOUIS, Nov. 4.—"Mr. Fixit," a local feature on Station WIL is Amos and Andy's closest rival for continuous service on the air. Ray Schroeder, former newspaper reporter, who acts as "Mr. Fixit," opened his seventh consecutive year on the air recently.

Starts New Series

ST. LOUIS, Nov. 4.—Station KSD has started a weekly series of radio dramas, titled "Old St. Louis," and built around historic buildings and sites in the city.

Men Active on Films Retain Congress Jobs

(*Continued from page* 1)

have not been received on Representatives Dunn of Pennsylvania, Colden and Kramer of California, Peterson of Florida, Barden of North Carolina, Buckler of Minnesota and Amlie of Wisconsin. Among the Republican members, McLeod of Michigan and Risk of Rhode Island were defeated, but Hartley of New Jersey was returned to office.

The unprecedented popular vote by which President Roosevelt was returned to office for a second term was taken in Washington today as a "vote of confidence" and a mandate from the people to continue the New Deal. With a majority in Congress even greater than last year, and comprised of men who have been elected on the same platform on which the President stood during the campaign, the indications are that the Chief Executive will have little difficulty in securing Congressional approval of such policies as he may propose.

Exactly what the effect of the election upon film legislation will be could not be evaluated today, since with the exception of an outburst against "unconscionable" picture salaries during the NRA period, the President has said little about the industry, although he has favored governmental regulation of certain other major industries.

Action on Films Expected

However, with the return to Congress of members who were foremost in pushing the block booking and copyright legislation last year, it is to be expected that both subjects will be revived early in the session and a drive will be made to secure action on the measures. In contrast with the past two sessions when heavy programs were outlined by the President, it is expected that there will be considerable time during the coming session for the consideration of other than emergency matters. This should give the proponents of film legislation an opportunity to bring it before the House and Senate.

With the results of the election known, business and industry are awaiting information as to the President's message to the incoming Congress in January to learn what steps he may have in mind for the further control of industry, taxation and other legislation.

Birdwell Coming East

HOLLYWOOD, Nov. 4.—Russell Birdwell, chief of publicity for Selznick International, is flying to New York on Saturday for the opening of "The Garden of Allah" and to organize a crew of eight exploitation men to work in advance of important play dates.

Plan Newsreel House

Plans for a Grand Central Terminal newsreel theatre may be completed within the next two weeks. The projected house would be erected on a site between the Terminal and the Graybar Bldg. on Lexington Ave., now used as a parking space.

Looking 'Em Over

"The Traitor"

(*Puritan*)

Conflicts between Mexican smugglers and the Texas rangers, with a subplot involving the brother of the heroine with the outlaws and good western melodrama, is the essence of this film which has qualities for pleasing its audience.

Working under cover, and with the aid of a dishonorable discharge which was engineered to get him a contact with the gang, Tim McCoy, a ranger, brings about the demise of the culprits after following a somewhat routine story. Romance in the person of Frances Grant, who ably plays opposite McCoy, rounds out the drama. But interwoven there are those he-man situations, tense and exciting, from which McCoy emerges in good style.

Sam Newfield directed. Jack Greenhalgh's photography is good. The cast includes Frank Glendon, Pedro Regas and Frank Multon. John Neville wrote the story.

Production Code Seal No. 2,332. Running time, 55 minutes. "G."

"Nightingale"

(*Amkino*)

The first all-color feature to come from the Russian Mezhrabpomfilm studio does not offer much insofar as color and dramatic content are concerned. The tinting is uneven and static, but at times there are snatches of eye-pleasing beauty. However, this is inconsistent and the lapse is noticeable.

The direction of the script is slow-moving until the very end, when it speeds toward fundamental climactics. And, as is the custom, the story is one of the class struggles, this time featuring the uprising of women workers in a china factory against the highly exaggerated tyranny of the employers. Building from a ponderous start, the film reaches its high point when the women, enraged by information which places the blame for a fatal factory fire on their employers, in the course of their revolt drive off troops with a barrage of chinaware. Said to be based on an actual occurrence in the period embracing 1910-12, the ending is in a manner left hanging in mid-air.

There is an absence of superimposed English titles. Instead, due to the problem brought about by the color, there are narrative inserts, after the fashion of silent films.

Nicolai Ekk directed. The photography is by Fedor Provorov.

Reviewed without production code seal. Running time, 96 minutes. "A."

Overseas Previews

"Helene"

(*Films Marquis*)

PARIS, Oct. 26.—This film is one of the most important and most intelligent yet made in France and reflects the great improvement in French production standards.

"Helene" was adapted from Vicki Baum's novel, "Helene Wilfur," and was directed by Jean Benoit-Levy. The story deals with the life of Helene, a poor student in medicine in a French provincial university. She and Pierre, another student forced to study medicine despite a passion for music, fall in love and the film centers principally around their romance. Pierre, finding that there is no hope of his ever marrying the girl he loves, poisons himself in her presence and she is left to face the world, knowing she is to bear his child. Pierre, at the time of his suicide, however, knows nothing of this.

A secondary thread of minor interest revolves around the private life of Professor Amboise. When, after Pierre's death, Helene is accused of his murder, it is Professor Amboise who clears her and shields her from the other students. She repays him by restoring his faith in woman which the behavior of his wife earlier had shattered.

The film, remarkably well produced and photographed, shows the real student life in Grenoble in the heart of the French Alps and, thus, gives opportunity for magnificent outdoor shots. There is a deep attraction in the film. Some scenes are perhaps inclined to be depressing and morbid and the central theme, of course, contravenes the American production code. However, it is splendidly acted by Madeleine Renaud as Helene, Constant Remy as Professor Amboise and Jean-Louis Barrault as Pierre, a newcomer who shows promise. The rest of the cast is good.

Running time, 120 minutes. "A." AUTRE.

(Additional Reviews on Page 11)

Importers Only at Anti-Nazi Meeting

(*Continued from page* 1)

that belated invitations may possibly be extended to representatives of major distributors or the large theatre circuits. However, it was explained that the larger American units are not considered as playing any part in the showing of Nazi films.

Dr. William Kalb, research director of the league, is expected to preside at the session tomorrow, which is designed as an extention of the movement to halt the attempts of Nazi interests to import films into this country, with a concealment of origin in order to evade opposition to them which exists here.

Among those scheduled to attend, according to the league, is Martin J. Lewis, in his capacity as head of Metropolis Film Co., distributor of foreign product, who is at the same time the managing director of the 55th St. Playhouse, where "Amphitryon," revealed as of German origin by MOTION PICTURE DAILY, had been scheduled to play as a French-produced film.

Para. 13-Point Gain Leads Stock Advance

(*Continued from page* 1)

those stocks. Financial executives of the company have consistently attributed the sensational advances of these shares in recent weeks solely to an improved earnings position.

Paramount's first preferred is a six per cent cumulative convertible stock of $100 par on which no dividends have been paid since the date of issue, Jan. 1, 1935. Back dividends, therefore, will amount to $12 a share by the end of the year. The possibility of dividend action has been admitted by company officials. Paramount's third quarter financial report is expected to be released in 10 days to two weeks.

Para. Wants Gilbert & Sullivan

HOLLYWOOD, Nov. 4.—Negotiations are reported under way here between Paramount and William Morris, Jr., and Harry Foster, representing the D'Oyly Carte Opera Co., for the international film rights to 13 Gilbert & Sullivan operas. The works are in the public domain in this country, but the D'Oyly Carte company owns the British copyright for 25 more years.

Paramount's eastern story department said it was not aware of the negotiations. William Morris, Jr., now in New York, could not be reached for confirmation.

Hamrick Men Shifted

SEATTLE, Nov. 4.—The following changes among Hamrick-Evergreen managers will become effective next week:

James Q. Clemmer, from the Music Box to the new Music Hall; Roy Bialkowski, from assistant manager of the Fifth Avenue to the Music Hall; John Berg advanced to assistant manager of the Fifth Avenue; Ron Kelly from assistant manager of the Paramount to manager of the Music Box.

Plan Films for Diners

LONDON, Oct. 24.—Projection equipment is being installed in the Court restaurant of the Paramount.

Now Playing at
Radio City Music Hall



ONE OF THE GREAT ACTRESSES OF OUR TIME

IN ONE OF THE GAYEST ROMANCES

OF ALL TIME!

The star of "Escape Me Never" and "Catherine the Great" rises to her highest popular favor in this merry romance by the mightiest showman history has ever known!

Elisabeth Bergner

in **SHAKESPEARE'S**
immortal comedy

AS YOU LIKE IT

with

LAURENCE OLIVIER
SOPHIE STEWART
HENRY AINLEY

Produced and directed by Paul Czinner
Distributed by 20th Century-Fox Film



THE KEYSTONE OF YOUR FUTURE

Printed in U.S.A.

New Canadian Music Tax Is Slash of 25%

(Continued from page 1)
smaller theatre earnings there as compared with the United States.

The Canadian music tax schedule agreed upon is 15 cents per seat for theatres seating over 1,600; 12 cents for theatres seating from 801 to 1,599; 10 cents for theatres under 800 seats and five cents for theatres under 800 seats which are open only three days a week or less. A minimum fee of $10 per year was established.

The former rates, which were the same as those now prevailing in the United States, were 20 cents per seat for theatres over 1,600; 15 cents for theatres from 801 to 1,599; 10 cents a seat for theatres under 800, and five cents for those under 800 open three days a week or less.

The Canadian exhibitors have been offered four-year licenses at the new rates.

Mills confirmed Toronto dispatches to Motion Picture Daily which stated that the new rate schedule could not be enforced against exhibitors who refused to pay it. It has been accepted by the Motion Picture Distributors and Exhibitors of Canada and specifically by the larger theatre companies operating in the Dominion, such as Famous Players Canadian and Loew's. These have recommended its acceptance by other Canadian theatre operators as a fair schedule, Mills said.

Ascap Expects Protests

In the event that some of the exhibition interests which held that a flat five-cent a seat rate was equitable, refused to pay the new schedule they would file a protest with the newly established Canadian music tax commission, which would hear their complaint and rule on the fairness of the new rates. If the commission ruled that the protesting exhibitors did not have to pay these rates, the Canadian Performing Rights Society would cease to license them and such exhibitors would be required to negotiate with individual owners of music copyrights for the use of their music, Mills said.

Ascap is anticipating protests to the rate commission against the new schedules, but believes that an amicable adjudication can be reached with complaining exhibitors without the necessity of a hearing before the rate commission.

Tri-States Reports Scale Rises Success

Omaha, Nov. 4.—First attempts to raise prices in this territory have been met with success, according to District Manager E. R. Cummings of Tri-States.

The most successful move was the putting of the recently reopened Paramount on a single-feature, 55-cent top basis.

Tri-States started five-cent raises two months ago in five subsequents at Sioux City, Ia. Then came similar raises at Grand Island, Hastings and Fairbury in Nebraska.

"Business has improved since the price raises," Cummings said.

Overseas Previews

"The Flying Doctor"

(National Prod.-G.B.)

Melbourne, Oct. 13.—Quite apart from any question of merit, "The Flying Doctor" claims international attention. It is the first talking picture made in Australia by an Australian producing organization in association with a British corporation. It is the first film made in the Commonwealth by a British director with British technicians, and its star is the American, Charles Farrell. Moreover, its distribution will be handled on the Australian market by Twentieth Century-Fox free of cost as a gesture towards the local producing industry, thereby saving National Prod., Ltd., an estimated £12,000.

Judged on Australian standards, "The Flying Doctor" rates high. While it lacks the polish of imported product, it nevertheless represents a decided advance over previous Australian pictures, leading one to believe that with experience, local studios will deliver something that looks more like the work of professionals and less like the efforts of amateurs.

In contrast to the earlier Australian pictures, the players have created an illusion of reality, and that awkward "staginess" which has always been a depressing feature of local product is for the most part absent. Farrell's performance is up to the best he has delivered in Hollywood films. The feminine members of the cast are inadequate. Mary McGuire, who has since found a niche for herself in Hollywood with Twentieth Century-Fox, photographs brilliantly, but acts with a total lack of animation and imagination. If she has latent talent, more strenuous direction should help her considerably.

The story is weak. Had the director, Miles Mander, and the players been given an expertly prepared script, they might have turned out a praiseworthy venture.

From a color standpoint, "The Flying Doctor" leaves nothing to be desired. Sound and photography are faultless. Overseas audiences will see typical Australian scenes and landmarks that should interest them. Not only will they see glimpses of out-back station life, but the rush and bustle of Australian cities, the famous Sydney harbor and harbor bridge, Australian's surging beaches, its night life and other features of an interesting country.

According to official word, "The Flying Doctor" cost £40,000 to produce. It is expected to be distributed in the United States and the British Isles.

The original story is by Robert Waldron. Adaption and scenario are by J. O. C. Orton. Photography is by Derik Williams. Running time, 92 minutes "G" Holt.

"Cavalry"

(ICI-United Artists)

Rome, Oct. 26.—From a period of Italian history that lends itself well to romantic interpretation—the middle era of Piedmontese aristocracy in 1899—this production is one of high artistic merit, emphasized in the sequences depicting the famous cavalry school at Pinerolo and a fox hunt. The Government cooperated in the filming by permitting 2,000 crack cavalry troops to participate.

There is little plot. Beginning in Turin, the story reveals the love of two sisters for a famous cavalry officer. One of the sisters is secretly engaged to him, but jilts him when she must marry a rich German to save her family's fortune. The male lead, played by A. Nazzari, renounces the two and devotes his life to his career in the cavalry. Years pass and the two girls are now married. Chance brings Nazzari's former fiancee to him and there is a brief reunion. As duty triumphs over love, they part. Nazzari joins the air force and is later killed in action in the World War. There is much refined atmosphere and a correct impression of European life is given in the interpretation.

Nazzari gives a fine performance. As a romantic figure he should please feminine audiences. Elisa Cegani and Silvana Jacchino, as the sisters, have all the attributes of stars. The film was awarded the prize for best direction and technique at the Venice Film Exhibit. Alessandrini directed.

Running time, 95 minutes. "G." Malpassuti

"Polo Joe," now current at the Criterion, was previewed from Hollywood by wire on Sept. 21.

"As You Like It," opening this morning at the Radio City Music Hall was reviewed by cable from London on Sept. 14.

"Without Orders," reviewed by wire from Hollywood on Sept. 22, is being shown at the Rialto.

"Libeled Lady," at the Capitol, "Big Broadcast of 1937," at the Paramount "Ladies in Love," at the Rivoli, and "Charge of the Light Brigade," at the Strand, are holdovers.

American Seating Is Not in Reade Setup

American Seating Co. has not now and will have no connection with the new theatre circuit being developed by Walter Reade, he said yesterday. The circuit head's statement was made in connection with a letter from H. M. Taliaferro, president of American Seating, denying that the company is interested in the circuit.

An indication that American Seating might be connected with the enterprise resulted from the revelation at the luncheon a month ago, when Reade announced his plans, that L. N. Olmstead, vice-president of American Seating, was associated with him. Reade explained yesterday that Olmstead's association in the circuit was entirely that of an individual and was not to be taken as indicative of an affiliation of the seating company in the new circuit.

Figures relative to current theatre building conditions referred to by Reade in his original announcement were at the time revealed as having been prepared by Olmstead and Thomas W. Lamb, architect. These figures were prepared by Olmstead of his own volition, and not at Reade's request, the latter said yesterday.

Melcher Is Honored At Capital Dinner

Washington, Nov. 4.—W. E. S. Wilcox, operator of the Seco, Silver Springs, Md., gave a farewell dinner tonight at the New Willard in honor of Edward deS Melcher, dramatic editor of *The Evening Star* who is to leave soon for the coast to become a film writer.

Among those present were Frank J. and Mrs. Carmody, Hudson Grunewald and Mrs. Grunewald, Cris J. Mathisen, Harry A. MacArthur, Robert B. Phillips, Jr., Charles H. Olive, Samuel N. and Mrs. Wheeler, Sara Young, Harriet Rubin, Muriel Hirsch, Carter T. and Mrs. Barron, F. Eugene and Mrs. Ford, J. Raymond and Mrs. Bell, Harry S. and Mrs. Brown, Rudolph and Mrs. Berger, Norman W. and Mrs. Pyle, Hardie and Mrs. Meakin, J. Louis Rome, James B. Fitzgerald, George A. Crouch, Arthur A. and Mrs. DeTitta, Nelson B. Bell, Ailine Dobyns, Don and Mrs. Craig, Betty Hynes, Andrew R. and Mrs. Kelly.

Carmody is expected to succeed Melcher on the *Star*.

Stress Film's Value

New Orleans, Nov. 4.—The cultural importance of films, especially with regard to the developing child, was emphasized by a number of speakers who addressed the first annual institute of the Louisiana Cooperative M. P. Council at the Roosevelt Hotel.

Fire in Portland House

Portland, Nov. 4.—A fire in the Rivoli here resulted in the destruction of the "Little Lord Fauntleroy" film. James Larnmer suffered burns. No one was injured as the audience filed out in orderly fashion.

Rites for Sam A. Perry

Hollywood, Nov. 4.—Funeral services for Sam A. Perry, concert pianist and composer were held yesterday at the LeRoy Bagley Chapel. Perry, who died Sunday, was 52.

Purely Personal

E. C. MILLS, Ascap general manager, left last night for the coast by a southern route. He will be away three or four weeks on his regular visits to the organization's branch offices.

•

ABE WAXMAN will be among those present at next week's opening of "Hamlet," this time with LESLIE HOWARD as the Melancholy Dane. WAXMAN hasn't missed a Hamlet for years.

•

W. RAY JOHNSTON has purchased "Legion of Missing Men," an original by WALTER BATEMAN. He has also acquired "Queen of the Yukon" and "Telephone Operator."

•

FENN KIMBALL, president of General Pictures will return tomorrow from a flying trip to California where he voted. MACK D. WEINBERGER is expected in today.

•

SALLY EILERS, who arrived here Monday on the *Queen Mary*, left for the coast last night by air accompanied by her husband, HARRY JOE BROWN.

•

MILLY MONTI, of the Italian stage and screen, arrives today on the *Conte Di Savoia* to make her debut at the Rainbow Room.

•

OLIVIA DE HAVILLAND will make a personal appearance on the stage of the Strand at 8 o'clock tomorrow night.

•

JOHN NOLAN of the Comerford circuit left for Scranton yesterday on one of his regular business visits.

•

R. A. QUINN, of Los Angeles, Western Electric credit manager, was in town for a week.

•

RICHARD DIX leaves today for Philadelphia to visit relatives. Will return Monday.

•

BERT LAHR has left for Boston for the opening of "The Show Is On" co-starring with BEATRICE LILLIE.

•

FRANK BUCK is hobbling better these days. Still using crutches, however.

•

WILL H. HAYS is due back from his Sullivan, Ind., home in time to observe his birthday here today.

•

BERTIE and FRED MEYER still talking about the wonders of their coast trip.

•

JOHN BEAL has returned from the coast for a brief visit here with his wife, HELEN CRAIG.

•

CHARLES R. ROGERS plans to leave for the coast Saturday on the Century.

•

CHARLES CASANAVE back from four weeks in Hollywood.

•

ROSE DAVIES, PATRICIA VAN CLEVE and ARTHUR LAKE are at Ritz Towers.

•

C. F. Dixon of Paramount Pictures, Paris, is at the Warwick.

"Green Waters" Mediocre; Theme Is Film Untouchable

(*Continued from page 1*)

fling; two illegitimate sons, Dennis O'Dea and young Jackie Jordan. But it is a house of estrangement and hate. You are given a picture of a father repentant for the indulgence of his youth, reaching out for understanding and friendship with his adult son. And a portrait of that son, sensitive to the cruelty of his fate, remembering the jibes of the boys at school, rebelling against the inevitable and letting loose the fury of his resentment at the one object within his reach, his father.

The younger boy knows nothing of his birthright until the third son, legitimatized by marriage, returns for a holiday. O'Dea falls in love with his sister-in-law and she, with him. In a secondary plot development, a faithful servant in a drunken moment kills a neighbor to protect the household and, in the mob frenzy that ensues, the youngest of the Frasers dies from a gun shot. Alone and facing their future, the remainder of the play traces the crumbling of O'Dea's opposition to his father's misdeed and their final, which is also their first, reconciliation. Doris Dalton keeps the love thread alive by returning to their side, having forsaken her husband.

All Quite Simple

It may sound involved, but it is not. Rather is it all somewhat long drawn out and mediocre which gives this new Shubert offering as complete a one-word description as the typewriter at the zero hour is capable of producing. The acting, generally, lands on about the identic plane, barring Miss Dalton's proclivities for gestures. They are not good gestures, either.

From the scene of its locale to New York is a hefty distance over land and sea and the subject matter is not sufficiently germane to the American scene to have survived the journey.

Hollywood will have no interest in this play. It transgresses the code and the misdemeanor cannot be whitewashed. The tune of the original Highland fling is too persistent to be drowned out.

"St. Helena" Closing

"St. Helena," stage play which opened at the Lyceum Oct. 6, closes Saturday night. It will have run 39 performances.

Ohio Theatres Face Return of 10% Tax

COLUMBUS, Nov. 4.—The Ohio constitutional amendment calling for the repeal of the three per cent tax on food for home consumption was carried two to one yesterday. The exemption is effective Nov. 11.

Exhibitors face a reinstatement of the 10 per cent admission tax to help compensate an estimated $1,500,000 loss to the state resulting from tax exemption on food. The I.T.O. of Ohio, major distributing companies, the legitimate theatres and other amusement interests have organized to fight the reinstatement on the ground that it is discriminatory and prejudicial to the amusement industry.

Cooling!

The *New York Post*, recording briefly that the old Warner on Broadway, more recently the Cine Roma, will be opened as a burlesque house by Minsky on Nov. 14, declares the theatre will start with "a lively revue and an elaborate cooling system."

Richey Has 7-Point Program for Allied

(*Continued from page 1*)

Richey said. It was intimated that each member would be asked to pledge himself not to buy any such pictures.

Routine business and a speech by M. A. Rosenberg, president of the M.P.T.O. of Western Pennsylvania, in which he stressed the importance of dealing with percentage pictures, occupied the opening session.

Tomorrow Abram F. Myers and Nathan Yamins, who were grounded while flying here, and Aaron Saperstein will speak.

Election of officers and a banquet will close the sessions.

Vote Sunday Opening In Three Pa. Towns

HARRISBURG, Nov. 4.—A dozen scattered communities voted on Sunday theatre openings yesterday, but up to a late hour last night word had been received from only three. These approved the proposal.

They were: Verona, Allegheny County, approved by 894 to 697; St. Clair, Schuylkill County, approved by a ratio of two to one, and Port Carbon, also Schuylkill.

National Opens at Frisco

SAN FRANCISCO, Nov. 4.—The newly-formed National Screen Accessories, division of National Screen Service, opened offices with a party attended by some 200 local film men.

Displays of ticket-selling material, lobby displays and similar merchandise were set up in the temporary quarters on Golden Gate Ave. near Leavenworth.

National Screen Service will launch a bay area trailer division in the near future. Heretofore, this territory has been serviced by the Los Angeles branch.

Barr in Chest Drive

NEW ORLEANS, Nov. 4.—Maurice F. Barr, division manager of Saenger Theatres, has been named chairman of trailer distribution for the Community Chest campaign, and Harold Wheelahan, manager of WSMB, is chairman of radio programs.

Britons Pass "Pastures"

LONDON, Nov. 4.—The film version of "The Green Pastures" has been passed by the censor board, headed by Lord Tyrrell. The Warner office stated that it will be shown in a West End theatre in about a month.

"U" Will Drop 15 Corporate Subsidiaries

(*Continued from page 1*)

Corp., one of the oldest companies in the Universal setup, which was organized in 1912 to engage in production and distribution, will be dissolved later. It functioned as the top company until 1925 when Universal Pictures, Inc., was organized through the public sale of securities, and although it was wholly owned by Universal Pictures Co., Inc., it continued nevertheless as the principal operating company.

Motion Picture Export Corp., the third important subsidiary that is being eliminated, was incorporated in New York in 1931 as the principal holding company for Universal's foreign units. With the elimination of these and 12 minor subsidiaries, all producing and distributing operations will be carried on by Universal Pictures Co., Inc., either directly or through wholly owned subsidiaries. Control of the latter company is vested in Universal Corp., which was organized last March to acquire the holdings of Carl Laemmle and associates.

"These various changes are being undertaken in the interest of economy and efficiency," J. Cheever Cowdin, Universal Corp. chairman, said. "They will effect a saving in taxes, in accounting and bookkeeping costs and will eliminate duplication of activities. Our purpose is to so revise our corporate structure that the various units will operate with a minimum of intercompany relationships."

The changes are scheduled to be made as soon as the legal details can be arranged, Cowdin said.

Wall Street

Board Shows Marked Gains

	High	Low	Close	Net Change
Columbia	38¾	37	38¾	+1½
Columbia, pfd.	46½	46¼	46½	+1 11/16
Consolidated	4⅞	4⅞	4⅞	+ ⅛
Consolidated, pfd.	17½	16⅞	17¼	+ ⅜
Eastman	175½	172¼	175½	+4½
Gen. T. Equip.	27¾	26⅞	27½	+ ¾
Loew's, Inc.	59⅜	57¼	59	+1¾
Paramount	18¾	17	18⅝	+1⅞
Paramount 1 pfd.	136	123	136	+13
Paramount 2 pfd.	17¾	15¾	17¾	+2⅛
Pathe Film	8¼	7¾	8⅛	+ ⅜
RKO	8¼	7⅝	8⅛	+ ½
20th Century-Fox.	34¼	32½	34¼	+1½
20th Century, pfd.	42⅛	40⅜	42⅛	+1¾
Universal, pfd.	102¾	102¾	102¾	— ¼
Warner Bros.	15¾	14½	15¾	+1¼

Fractional Curb Movement

	High	Low	Close	Net Change
Grand National	3⅜	3¼	3⅜	.....
Sentry Safety	¾	¾	¾	+ ⅛
Sonotone	2	2	2	— ⅛
Technicolor	22⅝	21¾	22	— ⅜
Trans-Lux	4¾	4½	4⅜	+ ½

RKO, Warner Bonds Rise

	High	Low	Close	Net Change
Keith B. F. 6s '46	97¼	97	97	.....
Loew's 6s '41 ww deb rights	99⅛	99	99	— ⅛
Paramount B'way 3s '55	66	66	66	+ ¼
Paramount Pict. 6s '55	98¼	98	98	.....
RKO 6s '41 pp	93	93	93	+1
Warner Bros. 6s '39 wd	96¾	95¾	96¾	+ ¾

(Quotations at close of Nov. 4)

IT'S ONE GRAND UPROAR (and we don't mean 'opera')!

...AS THEY MAKE LOVE
to the tune of crashing dishes!

...AS THEY SING GREAT SONGS
by Broadway's Rhythm Kings!

...AS THEY RUN RIOT
all over the place!



Lawrence TIBBETT

in

Under Your Spell

with

WENDY BARRIE
GREGORY RATOFF
ARTHUR TREACHER

Directed by Otto Ludwig Preminger

Associate Producer John Stone

Screen play by Frances Hyland and Saul Elkins
Based on stories by Bernice Mason and Sy Bartlett
Dances staged by Sammy Lee

Congratulations
ARTHUR SCHWARTZ & HOWARD DIETZ!

You've outdone yourselves with these latest hits:
"UNDER YOUR SPELL" "AMIGO" "MY LITTLE MULE WAGON"

—and they're sung as only Lawrence Tibbett could sing them!

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

IT WILL RAISE YOUR ROOF AND BOOST YOUR GROSSES!

AMERICA SPEAKS!

Liberty

"Good murder mystery well handled all around with appeal to audiences in general. Republic presents a timely subject in an exciting, interesting manner. They have seen to it that the picture is good entertainment, besides concerning itself with a subject of wide interest."
—Film Daily

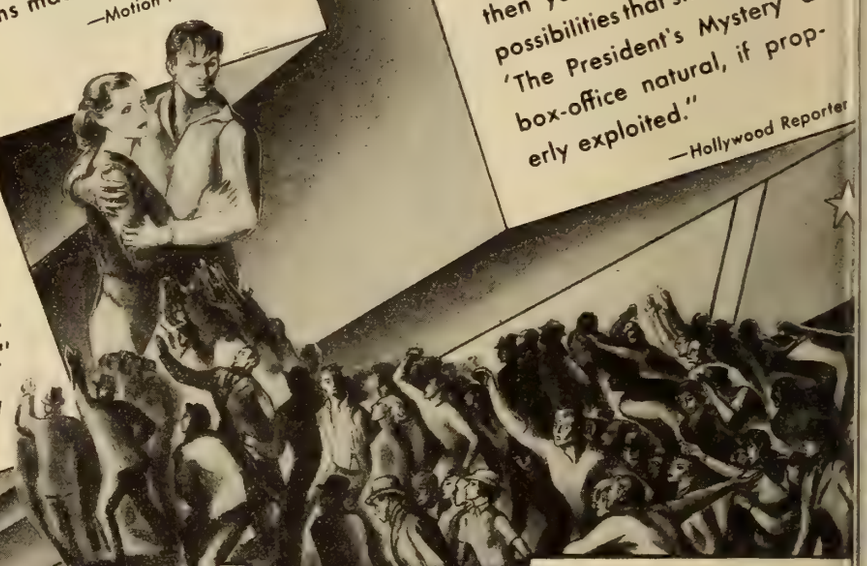
"This emerges as Republic's best effort and seems certain to reach the upper brackets as an important grosser. The direction of Phil Rosen builds continuous suspense from the various situations, never letting interest diminish. The picture will back up all claims made for it."
—Motion Picture Daily

"President's Mystery" B. O. Properly Sold Can Prove a Clean-up

"When the President of the United States suggests the story, when a national magazine hires six famous name writers to put it into words, then you have exploitation possibilities that should make 'The President's Mystery' a box-office natural, if properly exploited."
—Hollywood Reporter

"Picture is one of Republic's most important endeavors, lavishly and carefully made and dealing with topic of most intimate national concern in seriously conceived drama. Generally it stacks up well on credit side and should do business everywhere. Has solid dramatic wallop and human interest."
—Daily Variety

REPUBLIC PICTURES



THE PRESIDENT'S MYSTERY STORY

Conceived by FRANKLIN D. ROOSEVELT and written for LIBERTY MAGAZINE by
RUPERT HUGHES • SAMUEL HOPKINS ADAMS • ANTHONY ABBOT • RITA WEIMAN S. S. VAN DINE JOHN ERSKINE
with
HENRY WILCOXON
BETTY FURNESS
and a brilliant cast
Directed by PHIL ROSEN
Screen play by Lester Cole and Nathanael West • Musical Settings by Hugo Riesenfeld
Produced by **NAT LEVINE**
A REPUBLIC PICTURE

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 109 NEW YORK, FRIDAY, NOVEMBER 6, 1936 TEN CENTS

NRA Revival By Amendment Is Foreseen

Expect President to Ask Constitution Change

By CLARENCE LINZ

WASHINGTON, Nov. 5.—Revival of the principles of the NRA, possibly through a constitutional amendment redefining interstate commerce, is seen likely in Washington as President Roosevelt's return to labor for the support given him in the Tuesday elections.

While there have been many rumors that the Blue Eagle was due for resurrection, it is not believed that the President would attempt to set up any organization along the line of the NRA or embodying the principles of Gen. Hugh Johnson's program in view of the sweeping decision rendered last year by the Supreme Court.

But it is seen very possible that, heartened by the tremendous vote given him this week, the President will ask Congress to pass an amendment to the Constitution which would so redefine interstate commerce so as to give the Government authority to regulate labor practices. No effort,

(*Continued on page* 8)

M-G-M Will Open 3 Abroad During '37

Three new foreign theatres will be opened by M-G-M next June. Two new structures were opened by the company last month, one in Montevideo, a 1,500-seat house, and the second in Rio de Janeiro, also seating 1,500.

Last week construction was started on a new 1,800-seat theatre in Durban, South Africa. It is expected that it will be ready June 19. Building will get under way at once on a 1,500-seat theatre in Bombay, which is scheduled to open June 1. A 1,200-seat house will be started next week in Brisbane, Australia. This also is due to open June 1.

Mike Smith, formerly identified

(*Continued on page* 8)

Briggs, Pathe, Put On Board of DuPont

O. Henry Briggs, president of Pathe Film Corp., has been elected to the board of DuPont Film Mfg. Corp., in which Pathe holds a large stock interest. Briggs fills a vacancy created by the recent resignation of Robert W. Atkins, a Pathe director. Frank F. Kolbe, former president of

(*Continued on page* 8)

Talks Here Aim at Radio-Film Accord

An initial move to develop an agreement which would solve current competitive problems arising from the appearances of film stars on radio programs during hours at which peak theatre attendance is expected, was made yesterday at a luncheon meeting at the Harvard Club, called by Will H. Hays and attended by representatives of both the film and radio industries.

The meeting consisted of a general discussion of the problems involved, with no attempt being made to arrive at solutions, it was said. The session was regarded entirely as a preliminary move and it will be followed by later meetings when definite recommendations will be made and agreements sought for. It was indicated that exhibitor leaders would be called in for

(*Continued on page* 4)

Delay Discussions On Exhibitor Unit

Talks on the plans for the formation and development of a new national independent exhibitor organization yesterday were postponed indefinitely by the I.T.O.A., the regular session being taken up with talks on the labor situation as it affects the Brandt circuit and sales policies of the various distributors.

Harry Brandt, president of the unit, and head of the circuit which during the last two weeks has met with a series of bombings, spoke on the efforts

(*Continued on page* 8)

"Libeled" $58,000 Grosser at Capitol

"Libeled Lady" tallied $58,000 for its first week at the Capitol, one of the best grosses for the house in months. Indications are the picture will remain for another three weeks.

"Woman Rebels" garnered approximately $70,000 at the Music Hall. The

(*Continued on page* 10)

Interstate to Use Postal as Checker

With 38 Postal Telegraph representatives acting as field agents, Interstate Checking Service yesterday announced plans for checking theatre engagements in association with the telegraph company.

As far as could be learned, no distributor has signed for the new service, although announcement brochures had been sent out to home offices and local exchanges. According to the plan, orders for checking theatres are addressed to local revenue accountants of the Postal Telegraph-Cable Co. These men are authorized to check gross on percentage runs, which are wired daily to home offices of the distributors ordering the check.

The list of 38 representatives follows: L. V. Enoch, Albany; B. W.

(*Continued on page* 8)

Russia Starts on Building Program

By BEATRICE STERN

Moscow, Oct. 25.—The state-owned industry here has embarked on an extensive expansion of theatres throughout the country. The present total of 35,000 film houses is expected to be increased within a comparatively short period to 43,700. Additionally, by the end of the year, the sound-equipped traveling theatres, now numbering 14,458, are expected to be increased by 500.

Of the 35,000 houses in the country today, only 2,285 are equipped for

(*Continued on page* 8)

Allied of Michigan Moves to Get Fund

DETROIT, Nov. 5.—The adoption of a resolution to start immediate collection of Michigan's $10,000 quota in the National Allied fund to enforce the separation of production-distribution from exhibition was a highlight of the concluding session of the 17th

(*Continued on page* 8)

20th-Fox Net $4,451,851 For 39 Weeks

Is $2,455,527 Ahead of Same Period in 1935

Consolidated net operating profit of $4,451,851 for the 39 weeks ending Sept. 26, last, was reported by Twentieth Century-Fox yesterday. The report compares with a profit of $1,996,524 for the corresponding period of 1935 and is after all charges, including Federal income taxes, but is before making provision for surtax on undistributed profits.

The company's third quarter earnings, after all charges and taxes, amounted to $1,682,661, which compares with a profit of $640,543 for the third quarter of 1935. The first quarter of 1936 showed a profit of $1,239,760, and the second quarter a profit of $1,529,430. Joseph M. Schenck, chairman, recently estimated that the company's earnings for the 12 months ending Dec. 26, next, would approximate $7,500,000, which would indicate a profit expectancy of slightly more than $3,000,000 for the final quarter.

On the basis of 1,357,831 shares of $1.50 dividend cumulative convertible preferred stock outstanding, the consolidated net operating profit for the first three quarters of the year amounts to $3.27 per share on the

(*Continued on page* 8)

Warner $3,000,000 Net Now Predicted

Warners are expected to show a profit of approximately $3,000,000, or about $1 a share on the common stock, in the annual financial report to be sent stockholders about Nov. 15. The fiscal year for the company ended Aug. 29.

While there is no indication of a dividend on the common shares, there is a possibility a part of the $16 accumulated dividend on the preferred stock may be paid. The approximate

(*Continued on page* 8)

RCA Net on Quarter Is Up to $1,083,604

RCA reports a net of $1,083,604 for the third quarter ending Sept. 30. This is an increase of $571,617 over the same quarter for last year.

For the nine months ending Sept. 30 the net was $2,847,384, an increase of $46,261 over the corresponding period for 1935.

Dividends of $805,238.07 were paid

(*Continued on page* 4)

Key City Grosses Recover Stride; Total $1,690,044

Late October key city grosses came back into their stride after a slump during the first two weeks of the month, with the result that the total take for 29 keys was $1,690,044 for the week ending Oct. 23-24 and $1,780,168 for the week ending Oct. 16-17.

These figures compare favorably with the boom that set in early in September and which resulted in exceptionally high takes.

The number of first run houses continues to hold to about 175, a somewhat higher figure than the summer average.

Comparative grosses are listed on page 10.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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Fox Hearing Delayed

ATLANTIC CITY, Nov. 5.—A motion by the All-Continent Corp. to modify a temporary restraining order against disposal of any of its assets was scheduled for today in Chancery Court, but was set over to next Tuesday.

Both Hiram Steelman, trustee in the William Fox bankruptcy, and W. Elmer Brown, Jr., his counsel, had other engagements.

J. L. Warner Going West

Jack L. Warner, vice-president in charge of Warner production, will leave for the coast today, after conferences with Harry M. Warner, president. Warner returned last week from England after testifying in the Bette Davis case. Miss Davis is en route to New York aboard the *Aquitania*, which will dock next week.

Seeks Guardianship

HOLLYOOD, Nov. 5.—Norma Shearer, as widow of Irving Thalberg, has asked the court here for appointment as legal guardian to handle the affairs of her children, Katherine and Irving Thalberg, Jr.

Orders 306 Records To Court on Monday

N. Y. Supreme Court Justice Callahan yesterday ordered the district attorney of New York County to produce on Monday before him all the records of Local 306 which were seized by the police last Friday during a raid on the union's offices. The order was issued by Justice Callahan at the hearing on the show cause order obtained by Joseph D. Basson, 306 president, from Justice Wasservogel on Wednesday.

Justice Callahan ordered the assistant district attorney and assistant corporation counsel, who appeared, to submit briefs in the case by Saturday. Matthew M. Levy represented Basson and the union. Callahan refused to listen to the city official's plea of justification for the seizure, insisting on confining the hearing to whether or not the seizure of records was legal or illegal. The union contends illegality, and declares that nothing seized could be considered evidence in the bombing of a number of local theatres which gave rise to the raid. The court will decide Monday whether the records are to be returned to 306.

Permit Sought for Fibre Film Packing

Application has been made by major companies to the Interstate Commerce Commission for permission to ship film in fiber board boxes. The change is desired for reasons of efficiency and economy and would apply only to film not designed for reshipment, which is shipped now in wooden boxes.

The lighter fiber board material is non-combustible and its use would effect a saving in shipping charges, the application asserts. Trial shipments using the new container were pronounced highly satisfactory in every respect and demonstrated that eight to 10 reels could be shipped as a unit instead of the 6,000 feet customarily packed in the wooden boxes now in use.

The new packing material is intended only for use in film shipments from studio to exchanges. Reshipments from exchanges to theatres would be made, as always, in the usual metal containers.

Lloyd to Do 2 Annually

HOLLYWOOD, Nov. 5.—Harold Lloyd will make two comedies annually for Paramount instead of one as originally provided. His first film will start in a month. The second, recently purchased, will be "Walls of Jericho."

Loew Signs Billy Gordon

HOLLYWOOD, Nov. 5.—Billy Gordon has been signed by David Loew as casting director on the first two Joe E. Brown pictures. The first "When's Your Birthday?" starts Nov. 9 with Harry Beaumont directing.

Pathe Statement Today

Pathe's financial statement for the third quarter of the current fiscal year will be distributed to stockholders today.

F. A. Jenkins on Coast

HOLLYWOOD, Nov. 5.—Felix A. Jenkins arrived today for Twentieth Century-Fox executive conferences.

Evidence

When the minions of the law swooped down on the headquarters of Local 306, they took, among other things, a box containing 1,000 (approximately) political campaign buttons which bore the likeness of President Roosevelt.

They're no good now, anyway.

802 in Protest on Actress Appearance

A telegram was sent late yesterday afternoon to Olivia de Havilland, signed by Jack Rosenberg, executive secretary of Local 802 of the American Federation of Musicians, and Ralph Whitehead of the American Federation of Actors, protesting her scheduled personal appearance at the Strand tonight. Her appearance is in connection with the showing of "The Charge of the Light Brigade," in which she appears.

The telegram of protest noted that the house is being picketed by members of 802 in its drive to bring about the reemployment of musicians at film theatres. It also called attention to the refusal several weeks ago of Anita Louise to go on with a scheduled personal appearance at the Strand when she discovered the house was being picketed and ascertained the reason, the union claims.

Alperson in Phila. On Exhibitor's Row

PHILADELPHIA, Nov. 5.—A truce has apparently been established between local exhibitors and Grand National, whose president, Edward L. Alperson, has been conferring throughout the week with local leaders.

Executives of United M.P.T.O. have refused to divulge the results of the conferences, saying that an official statement will appear tomorrow in *Contact*, the organization's publication. It is believed that Alperson has made certain concessions and will arrange a selling policy to meet most of the exhibitor demands.

Sullivan to Dallas

Ed Sullivan, assistant to Bob Weitman, managing director of the Paramount, will leave next Tuesday for Dallas where he will manage the Majestic.

Ben Griefer has been moved up to succeed Sullivan as assistant to Weitman, while Bob Shapiro, treasurer, steps into Griefer's present post. Eugene Pleshette will be the new treasurer of the house.

Dave Kaiser Married

BALTIMORE, Nov. 5.—Dave Kaiser, president of the Maryland Display Co., was married to Shirley Brown in Annapolis, Md., recently, and after a honeymoon trip to Philadelphia and Atlantic City have returned to their home here.

Harpo Marx Weds

HOLLYWOOD, Nov. 5.—Harpo Marx was married to Susan Fleming Sept. 26.

New Sound Is Ready For 132 Loew Spots

LOS ANGELES, Nov. 5.—New sound equipment is now being installed in 132 theatres of the Loew circuit, all installations utilizing the two track system and the Shearer Horn developed at M-G-M under the supervision of Douglas Shearer, it was stated by John Hilliard, associate of Shearer, on his return here today.

Specifications for the installations were laid out by Hilliard and the work supervised by him in the theatres of New York, Chicago, Detroit, Toronto, Cleveland, Pittsburgh, Baltimore, Buffalo, St. Louis and other key spots. It took two months to complete the job. Working with Hilliard during part of the time were Lester B. Isaac, Loew sound and projection chief, and C. C. Moskowitz, vice-president of the company. Final inspection of the work will be made by Shearer and Hilliard in the spring.

Hilliard addressed the sales forces of exhibitors, giving explanation and demonstration of the new system.

Mirrophonic for Universal

Universal has closed with Erpi for complete re-equipping of the studio with new Western Electric Mirrophonic recording apparatus, Erpi stated yesterday. The new equipment will give the studio push-pull recording throughout.

The contract embraces the addition of a new Erpi "Q" portable channel, modernization of the present five truck channels, installation of three additional Mirrophonic recording machines, modernization of the three fixed scoring and dubbing channels and new sound reproduction equipment for all four of the studio's new projection rooms.

Whitford Drake, executive vice-president of Erpi, left for the coast yesterday on a three-week visit to the company's coast office and studios. Negotiations with production company representatives on new recording licenses, which have been carried on under Drake's direction for more than a year past, have been advanced to a stage where the new license agreements may be signed by several of the major companies in the near future, it was stated at Erpi yesterday.

Nealeans Joins Waters

BIRMINGHAM, Nov. 5. — George Nealeans, for the past four years with Wilby-Kincey here as assistant manager of the Alabama, has resigned to become general manager of the Waters Theatres Co. Claude E. Kenner, assistant manager of the Paramount, in Nashville, will succeed Nealeans at the Alabama.

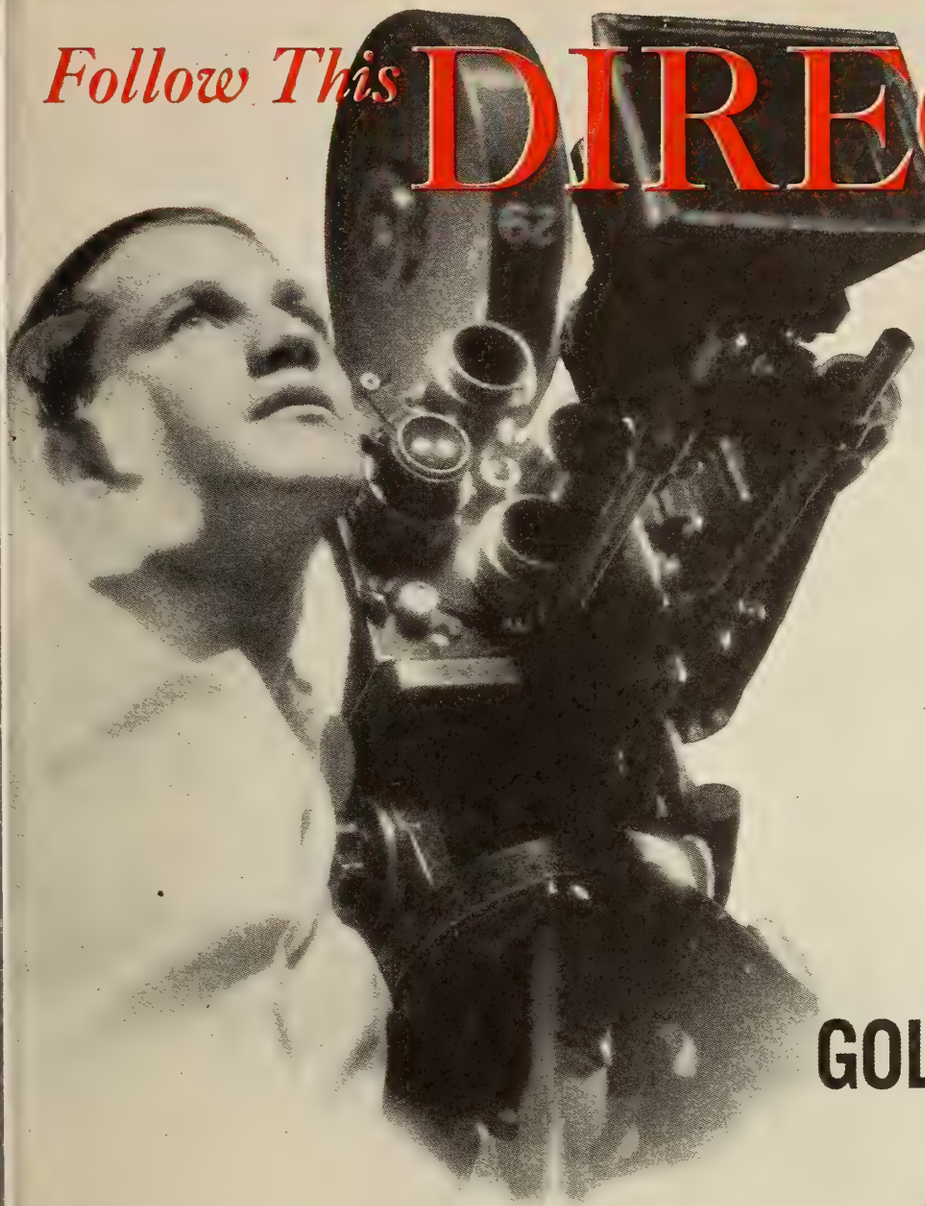
Fight Maryland Ban

BALTIMORE, Nov. 5.—Public Welfare Corp. has filed an appeal from the ruling of the Maryland Censor Board banning "Girls For Sale" in the Baltimore City Court before Judge Joseph N. Ulman, who will see the picture privately before the hearing on Nov. 6.

Weeks, Saputo Signed

OMAHA, Nov. 5.—Anson Weeks' orchestra and Frank Saputo, singer, have been signed for the Omaha auto show at the Ak-Sar-Ben coliseum, Nov. 11 to 15.

Follow This **DIRECTION**



For the Surest Way to Set a Record!..

LITTLE CAESAR
And
FIVE STAR FINAL
And
I AM A FUGITIVE
And
TUGBOAT ANNIE
And
GOLD DIGGERS OF 1933
And
ANTHONY ADVERSE
Were

DIRECTED by MERVYN LEROY

—And So Was

3 MEN ON A HORSE

with

FRANK McHUGH • JOAN BLONDELL

GUY KIBBEE • CAROL HUGHES • ALLEN JENKINS

Sam Levene • Teddy Hart • A First National Picture



Coming for Thanksgiving from *Warner Bros.*

Talks Here Aim at Radio-Film Accord

(Continued from page 1)

the subsequent sessions, inasmuch as it was stated following the meeting that all interests would be consulted before any final solutions were attempted.

Attending the meeting in addition to the committee of major company executives named by Hays were Donald Gilman, vice-president of NBC in charge of west coast operations, and Donald Thornburgh, vice-president of CBS, and also in charge of that company's west coast activities.

RCA Net on Quarter Is Up to $1,083,604

(Continued from page 1)

on the $3.50 convertible first preferred, but no dividends were paid on the "A" preferred. Surplus on Sept. 30 was $12,775,712.22.

Mears an RCA Vice-President

CAMDEN, Nov. 5.—N. A. Mears has been elected vice-president of RCA Mfg. Co., in charge of purchasing, and R. Shannon has been elected vice-president in charge of manufacturing, the company said today.

Mears was formerly manager of materials control for the company. Shannon has been manufacturing manager of RCA-Victor.

Renew on Ann Jamieson

HOLLYWOOD, Nov. 5.—Ann Jamieson has had her option renewed for the Fred Astaire-Packard air show. She has been a guest star on the program for the last four broadcasts.

Long on WJSV Programs

WASHINGTON, Nov. 5.—Frederick A. Long, for four years in the CBS New York production department, has been named new program director for WJSV, local CBS outlet, according to A. D. Willard, Jr., station manager.

Willard was a fortnight ago promoted to his present position from sales manager.

Long takes the place of Ted Church, who resigned to become radio director for the Republican National Committee.

Interview Engaged Couples

KANSAS CITY, Nov. 5.—WHB has a new program of actual interviews of engaged couples. "Wedding Bells" is on the air Tuesdays, Thursdays, and Saturdays, 11 A.M. Dan Cupid is the interviewer and asks about attitudes toward marriage, details of engagements, and plans for the weddings. Wedding gifts go to those interviewed and a small bonus of cash for names of engaged individuals.

Connecticut House on Air

NEW HAVEN, Nov. 5. — The Whalley, only New Haven theatre to go on the air daily, has added to its theatre and radio features, a Saturday afternoon Amateur Kiddie broadcast from the stage over WELI. The first program is scheduled for this Saturday afternoon, with 20 contestants registered.

Start Daily Television on West Coast on November 9

The Don Lee Broadcasting System will begin a regular daily television broadcast schedule beginning Nov. 9. On that date, W6XAC, the Don Lee television transmitter in Los Angeles, will go on the air from 8:30 A.M. to 6:30 P.M. Regular checks on image-reception will be made by officials and selected audiences who have been provided with television reception sets by the network. The program will be broadcast daily except Sunday.

Starting Nov. 10, the day following the inception of broadcasting by television, Station KHJ, Don Lee station in Los Angeles, will operate simultaneously with W6XAO, transmitting the voice accompaniment to the W6XAO images, from 9:30 to 9:45 P.M. All time mentions are Pacific Standard Time.

Goldwyn Signs Air Singer

Virginia Verrill, CBS singer, has been signed for a featured role in the "Follies of 1937," the Samuel Goldwyn picture which, when completed, will be released through United Artists. Miss Verrill leaves for the coast in May when production is scheduled to begin.

The irony in the story is this. Miss Verrill left Hollywood in disgust about a year and a half ago because her assignment as a voice double for Barbara Stanwyck, Jean Harlow, and others seemingly precluded the possibility of her ever getting a chance in pictures. Coming east, she was signed by CBS and has been heard on that network since.

Anniversary Speakers Named

Speakers who will address the 1,600 guests at NBC's 10th anniversary banquet at the Waldorf on Monday, Nov. 9, have been named. They are Anning S. Prall, chairman, Federal Communications Commission; David Sarnoff, president, RCA; Colby Chester, president, American Manufacturers Ass'n; Carl T. Compton, president, Massachusetts Institute of Technology; Maurice Bambert, president, International Broadcasting Union; and Doctor Rockwell, comedian.

The speeches will be broadcast over the NBC-Blue network at 10 P.M. EST. Lenox R. Lohr, president of National Broadcasting, will act as official host to the distinguished body of European radio officials who will be the guests of honor.

Harlow Plans Set Back

Jean Harlow, due in New York this week for a vacation and a few radio programs, has changed her plans and will remain in Hollywood until after Thanksgiving. Thus, negotiations to feature her on the Rudy Vallee program have been halted temporarily.

Line Up 7 More Banks

Seven additional banks have joined the original group of 33 financial institutions who jointly are sponsoring a new program which begins Friday, Nov. 13, over the Columbia network. The program will be heard solely over CBS stations serving the banking areas of the cooperative group.

The new banks include the Second National, Houston, Tex.; State-Planters Bank and Trust, Richmond, Va.; Whitney National Bank, New Orleans; Mercantile National Bank, Dallas; National Shawmut Bank, Boston, and an as yet undetermined bank in Little Rock.

The program will feature the music of the Philadelphia Symphony Orchestra under the direction of Leopold Stokowski.

Films from Radio Studio

The first showing of films in a radio studio is scheduled for Sunday in CBS Playhouse No. 1, immediately after the Chevrolet program signs off the air.

The films will be shorts, especially prepared and produced for Chevrolet. Included will be a picture showing how Chevrolet cars are made and assembled and a regular newsreel. It is expected that the films will run 30 minutes.

Malcom Stuart of the Campbell-Ewald advertising agency, which handles the Chevrolet account, states that, while the pictures are primarily intended for entertainment purposes, mention of the Chevrolet name would be made several times during the running, exactly as is done on the air. The films will be presented as a regular weekly feature each Sunday.

Another Hollywood Angle

A new series of thrice weekly "Five Star Revue" programs will make its bow over the Columbia network on Monday, Nov. 16, from 1 to 1:15 P.M. E.S.T. The program, which will be heard each Monday, Wednesday and Friday thereafter, will feature Morton Bowe, tenor; Meribell, songstress; the music of Ray Sinatra's orchestra and Bill Johnson, who will provide Hollywood gossip.

The Corn Products Co. is sponsoring. E. W. Hellwig, New York, is the agency.

Sarnoff to Marconi

David Sarnoff, president of RCA, will exchange felicitations with Senator Guglielmo Marconi, 6,000 miles away in Rome, in a broadcast on Armistice Day, Nov. 11, at 2:15 P. M. EST over the NBC-Red network and via short wave to Europe. Robert Jardillier, French Minister of Communications, and Maurice Rambert, president of the International Broadcast Union, now in New York for NBC's 10th anniversary celebration, will also take part in the broadcast.

Spitalny Finishes a Short

Phil Spitalny and his all-girl orchestra yesterday completed a Paramount short named after their radio program, "Hour of Charm" and begin shooting on another immediately. "Hour of Charm" is slated for December release.

Gag Clearing House

Hollywood, Nov. 5.—Plans are on foot to establish a clearing house for radio gags as a result of recent duplications by various artists.

Although no definite steps have yet been taken it is understood that the plan has been approved by Eddie Cantor and Jack Benny.

Walter O'Keefe, ether comedian, is sponsoring the idea.

NBC Sells Sunday Time

After three barren years, NBC at last has succeeded in selling commercially its 8 to 8:30 P. M. Blue network Sunday spot. The American Rolling Mills Co., makers of Amoco products, will sponsor a series on the Blue, at the above time, beginning Nov. 29. Frank Simond's band, and vocals by Charles Sears, tenor, will provide the entertainment.

Sponsors have shunned this spot in the past because of the opposition of the Major Bowes Amateur Hour last year and previously because of the stiff competition provided by Chase and Sanborn's Great American Opera Hour on NBC, and Eddie Cantor's program at CBC.

Shell Chateau May Come East

J. Walter Thompson, advertising agency servicing the Shell Chateau program, admits that the program, now emanating from Hollywood, may be shifted to New York upon the expiration of Edward Everett Horton's contract which still has some six weeks to run. According to an agency spokesman, the show will be considerably revised when and if it moves to the east.

New Phillips Program

"Phillips Polly Follies," a new program sponsored by Phillips Petroleum Co. for gas and oil products, is scheduled to start over a hook-up of 21 western CBS stations on Nov. 10. The program will be broadcast each Tuesday thereafter from 10:30 to 11 P.M. E.S.T. Lambert and Feasley, Inc., placed the program.

Opposites in Politics

Sounds fictitious, but it's really the McCoy. Ted Jewett, who is the voice of Governor Landon on the "March of Time" program, voted for Roosevelt, while Bill Adams, who impersonates the President's voice on the same program, voted for Landon!

Hart, Crooks, Et Al

Short Shots: Herschel Hart, radio editor of the *Detroit News*, who conducts a program of his own over his paper's station, WWJ, arrives in New York today . . . Eddie Gilbert and Charles LaVeer, NBC musicians, both receive air pilot licenses next week . . . Richard Crooks has been named to guest sing on the Fireside program Nov. 9 . . . Billie Bailey, contralto, has been signed as a CBS artist. She was brought to New York last week from Station WBBM in Chicago . . . Jean Paul King, who walked out of the "Gang Busters" series some weeks ago because of a disagreement with Phil Lord, returns to the show as announcer next week . . . Tamara Geva will be Bide Dudley's guest on Sunday over WOR . . . "The Family Counsellor" will be heard over WOR Sundays from 6:30 to 6:45 P.M. beginning Sunday, instead of 11:45 A.M. as in the past . . . Deanna Durbin will not come east with the Eddie Cantor troupe this week, being held over by Universal for a few additional takes for her picture. She will follow in a few days . . . The CBS American School of the Air will play host to educators from the entire country at the Hotel Pennsylvania Nov. 14.

STILL KNOCKING RECORDS FOR A GOAL!

That 20th tops its great musicals with even greater ones is being proven by "Pigskin Parade's" outstanding showing. Held over in LOUISVILLE. First *3 days* beat "Sing, Baby's" first *4 days* in COLUMBUS. Held for second week in ST. LOUIS. Building beyond "Sing, Baby" in WASHINGTON despite election opposition. Topping "Sing, Baby" in DETROIT. Way ahead of "Thanks A Million" in NEW HAVEN. Neck-and-neck with "Sing, Baby" in KANSAS CITY. Leading "Sing, Baby" in DAYTON. Out-stepping "Road to Glory" in MEMPHIS and PHILADELPHIA!

20th's LAUGH & SONG TOPPER TO "THANKS A MILLION" AND "SING, BABY, SING"!





PIGSKIN PARADE

WITH A CAST PICKED FOR ENTERTAINMENT
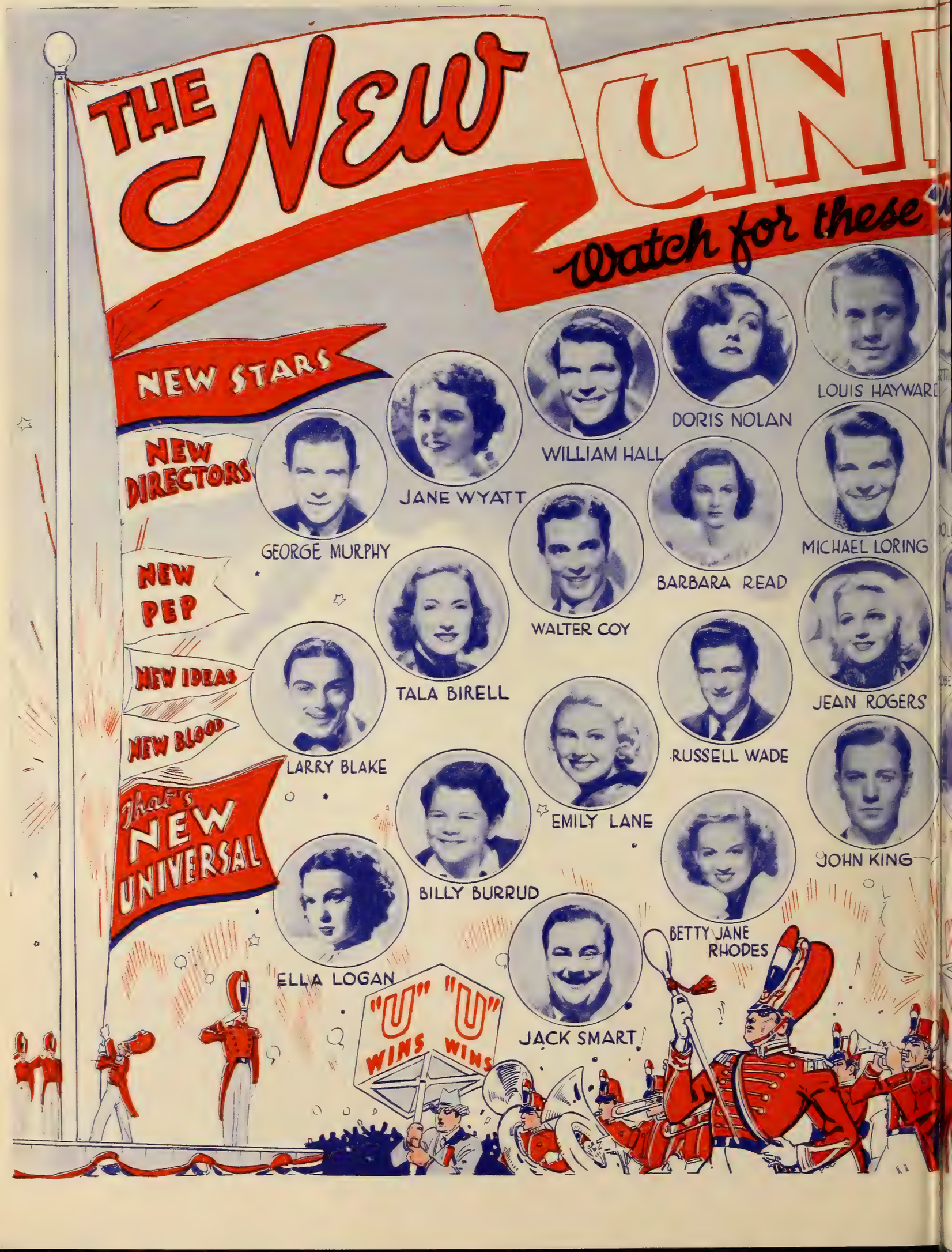
STUART ERWIN · JOHNNY DOWNS
ARLINE JUDGE · BETTY GRABLE
PATSY KELLY · JACK HALEY
YACHT CLUB BOYS · DIXIE DUNBAR
ANTHONY MARTIN · JUDY GARLAND

Directed by David Butler · Associate Producer Bogart Rogers

Screen play by Harry Tugend, Jack Yellen and William Conselman · Based on a story by Arthur Sheekman, Nat Perrin and Mark Kelly · Music and lyrics by Lew Pollack and Sidney D. Mitchell · Music and lyrics of songs sung by Yacht Club Boys—by Themselves

Darryl F. Zanuck in Charge of Production

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

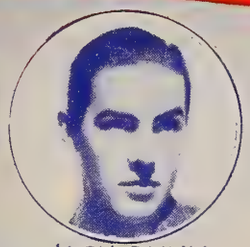

THE New UNI
Watch for these
NEW STARS
NEW DIRECTORS
NEW PEP
NEW IDEAS
NEW BLOOD
That's NEW UNIVERSAL
LOUIS HAYWARD
DORIS NOLAN
WILLIAM HALL
JANE WYATT
GEORGE MURPHY
MICHAEL LORING
BARBARA READ
WALTER COY
TALA BIRELL
JEAN ROGERS
LARRY BLAKE
RUSSELL WADE
EMILY LANE
JOHN KING
BILLY BURRUD
BETTY JANE RHODES
ELLA LOGAN
JACK SMART
"U" WINS
"U" WINS

VERSAL

The Flag Flies High!

w Faces in New Universal Productions


TRUDE NIESEN


JACK DUNN


DEANNA DURBIN


HENRY HUNTER


NAN GREY


WISTER CLARK


OLLY ROWLES


WENDY BARRIE


JANICE JARRATT ☆


ALMA KRUGER


JUDITH BARRETT


BERT DALTON


JEANNE DANTE ☆


MICHAEL FITZMAURICE


LYNN GILBERT


DAVID OLIVER


ZENI VATORI ☆


MARY ALICE RICE


PHYLLIS DOBSON


NOAH BEERY Jr.


DOROTHEA KENT

"U" "U" WINS WINS

Full Speed Ahead with the New Universal


GERALD OLIVER SMITH

UNIVERSAL FIRST



NRA Revival By Amendment Is Foreseen

(Continued from page 1)

however, would be made to regulate prices in any way.

It is confidently anticipated that organized labor, which was a prominent factor in the President's reelection, will lose no time in asking him to recognize that aid by seeking legislation improving labor's status. Better conditions for labor has been one of the major planks of the President's policy, and he has been represented as never having abandoned hope that eventually he would find a way of making effective the aims of the old NRA.

In view of the tremendous majority of votes which the President secured and the increased control of Congress, officials are said to believe that there would be little or no difficulty in securing enactment of a constitutional amendment and that it would be quickly ratified by the states.

It is not believed, however, that the President would care to go further than to propose the amendment, which is admittedly necessary if the Government is to control labor practices, in view of the Supreme Court's attitude. Any further step, it is pointed out, would in all probability lead to the same situation that prevailed under the NRA and to court rejection of the program.

Allied of Michigan Moves to Get Funds

(Continued from page 1)

annual convention of Allied of Michigan today. The resolution calls for an assessment of 10 cents a seat on all members.

Another resolution asked for "a vigorous campaign" to urge every theatre owner in the state to stop buying percentage pictures and giving preferred playing time. Abram F. Myers, W. A. Steffes, Aaron Saperstein, M. A. Rosenberg and others addressed the meeting on these subjects, citing them as the chief evils of the industry and likely to put the small exhibitor out of business if not remedied.

An anticipated announcement by Myers concerning the national defense fund of Allied did not materialize, although it was said that units throughout the country are making regular contributions.

Officers reelected today were: Fred Delodder, president; F. A. Wetsman, vice-president, and William E. Schuttenhelm, treasurer. Edgar E. Kirchner was named secretary, to succeed B. H. Kilbride.

The annual banquet, dance and entertainment, attended by more than 200, wound up the two-day conclave tonight.

Kupper a Texas Ranger

W. J. Kupper, Twentieth Century-Fox eastern division manager, has been officially designated a Texas Ranger by Governor Allred of the Lone Star State. Kupper was invested with the title by George W. Weeks at a luncheon given in his honor yesterday at the Cinema Club.

20th-Fox Net $4,451,851 For 39 Weeks

(Continued from page 1)

preferred. After allowing for the preferred dividend of $1.12½ per share for the 39 weeks, there remained a profit equivalent to $2.38 a share on the 1,228,041½ shares of common stock outstanding.

The report includes no income on Twentieth Century-Fox's 42 per cent interest in National Theatres Corp., as no dividends were declared by the theatre company during the period.

The company's 39-week report shows total income of $37,317,893, of which $36,378,431 was gross income from sales and rentals of film and literature. Amortization of production costs was charged at $18,525,520, and operating expenses of exchanges, head office and administration expenses at $8,735,770. Total expenses were reported at $31,778,778.

Warner $3,000,000 Net Now Predicted

(Continued from page 1)

$3,000,000 profit is understood to be the largest since 1929.

Harry M. Warner, president, and the rest of the officers are scheduled to be reelected at the Dec. 14 annual meeting in Wilmington. Samuel Carlisle, Stanleigh P. Freidman, Charles S. Guggenheimer, Sam E. Morris and Morris Wolf, directors whose three-year terms expire, are slated to be continued for another three years.

Loew's annual financial report is expected to show a profit of $6.50 a share on its common stock.

Warners common yesterday hit a new high of 16 and receded to 15⅞, where it closed.

M-G-M Will Open 3 Abroad During '37

(Continued from page 1)

with the Loew circuit in New York. is managing the new Montevideo unit in addition to the M-G-M exchange there.

Sam Burger, traveling home office sales representative, was in Rio de Janeiro yesterday. Arthur M. Loew, head of the foreign department, is in Paris, where he is making his foreign headquarters until he returns to the home office around Jan. 1.

Lenauer, N. Y. Contact

Jean H. Lenauer, president of Lenauer International Films, Inc., has been named New York representative of the Cinematheque Francaise. This organization corresponds in its aims to the purpose of the N. Y. Modern Film Art Library.

Take Biltmore Nov. 21

Warners will take possession of the recently acquired Biltmore on Nov. 21 with "Brother—Rat" as the first legitimate attraction booked. The Warner-financed play will open in Princeton Dec. 5. George Abbott is producing the show.

No. 1 Football Fan

Kansas City, Nov. 5.—William Reinke, manager of the Tower, has been nominated by Landon Laird, Kansas City *Star* film critic, as Kansas City's No. 1 football fan. Bill went to Minneapolis Oct. 10 to see the Nebraska-Minnesota game; he flew to Chicago Oct. 17 to see Northwestern take Ohio State; on Oct. 24 he airplaned it to Pittsburgh to watch the latter do in Notre Dame, and Oct. 31 he went to Chicago to see Minnesota toppled from its perch by Northwestern.

Bill says this is the way he takes his vacation.

Russia Starts on Building Program

(Continued from page 1)

sound. Approximately 42,000,000 people attend film theatres in Russia daily. Opening at noon, houses run an average of five separate shows a day.

A theatre, with a seating capacity of 4,000, modeled after the best of American houses, will be built here, with construction to start shortly. It will be the largest house in Russia, called the Bolshoi Cinema Theatre of the U. S. S. R., and will employ American equipment. A cafe, reading and rest rooms will be part of the house. Stage room for a 90-piece orchestra is planned.

* * *

Although the excellence of American product is appreciated by officials of Soyuzintorgkino, the Russian film trust, few films are ever shown here, chiefly because of their lack of a social message. A specific requirement of all film importations to this country is that they convey a message in keeping with the Russian viewpoint.

Briggs, Pathe, Put On Board of DuPont

(Continued from page 1)

Pathe and a director of that company, is also a member of the DuPont Film board.

Atkins yesterday denied reports that he would resign from the board of Grand National Pictures following Kolbe's recent resignation from that board. Kolbe's action followed the disposal by Pathe of a large block of the stock which it received from Grand National when it turned over to the latter its interest in First Division Exchanges. The bulk of this stock was distributed in the form of dividends to Pathe stockholders. Pathe, however, still retains some Grand National stock and the presumption is that Atkins will remain on the picture company's board as the spokesman for these holdings.

Fisher Seriously Ill

A. Fisher, in charge of the electrical work for Loew's, is critically ill at his home. His daughter, Mrs. Cecil E. Vogel, wife of the manager of Loew's, Memphis, is in New York at her father's bedside. Fisher has been with the organization for many years.

Interstate to Use Postal as Checker

(Continued from page 1)

Williams, Atlanta; J. F. Kennedy, Boston; R. K. Miller, Buffalo; R. H. Clendenning, Charlotte; F. J. Brolin, Chicago; W. H. St. John, Cincinnati; P. E. Lansell, Cleveland; G. O. Koesters, Columbus; C. T. Stewart, Dallas; Miss E. T. Haefliger, Denver; E. A. Newman, Des Moines; Mrs. H. Trombola, Detroit; Mrs. C. Jordan, Indianapolis; H. A. Carrell, Jacksonville; A. A. Higgins, Kansas City; L. Williams, Little Rock; J. G. Atkinson, Los Angeles; L. R. Humphries, Memphis; G. H. Dyer, Milwaukee; T. E. Moberg, Minneapolis; J. T. Gunthner, New Haven; E. J. Rice, New Orleans; C. E. Bevacco, New York; S. S. Furse, Jr., Oklahoma City; E. H. Fitzgerald, Omaha; R. E. McDonnell, Philadelphia; R. V. Baldino, Pittsburgh; F. W. Anderson, Portland, Me.; Miss R. Streiff, Portland, Ore.; M. McGrath, St. Louis; Earl Landy, Salt Lake City; A. W. Warner, San Antonio; H. A. Saroyan, San Francisco; A. H. Johnson, Seattle; W. E. Murphy, Sioux Falls; W. L. House, Tampa; J. A. Shugrue, Washington.

Offices have been established in the Paramount Bldg. with Charles Schwerin, formerly exchange man from Pittsburgh, in charge.

Delay Discussions On Exhibition Unit

(Continued from page 1)

by Mayor La Guardia to put an end to the explosions.

Lewen Pizor and Charles Segal, Philadelphia exhibitors and executives of the UMPTO, spoke to the local delegation on sales policies and product offered by major and independent distributors.

The next meeting will be held Nov. 18, at the Astor.

Allied to Meet Nov. 17

Allied of New Jersey's next meeting will be held Nov. 17 at the Lincoln. General topics will be discussed, according to Lee Newbury, president.

Mexico, Argentine Films Taken by U. A.

United Artists has signed contracts in Mexico and Argentina for distribution of Spanish-language films produced in those countries. The Mexican company is Exito, U.C.P.R.S., which will deliver six in 18 months starting last month.

The Argentina company is Fortena Films, headed by Adolfo Z. Wilson, which will make six in 12 months. The distribution will be made in all Spanish-speaking countries as well as to Spanish theatres in various sections of this country.

To Hold Chicago Meet

Gradwell L. Sears, general sales manager of Warners, will hold a mid-season sales session in Chicago, probably Nov. 14. Six district managers will attend in addition to home office assistants to Sears.

Abe Montague, general sales head for Columbia, will set the date and place for the company's winter sales gathering in a week or so.

Short Subjects

"Sindbad the Sailor"
(Fleischer-Paramount)

The screen passes another milestone with this cartoon. It is a two-reeler, in the new Fleischer process, and perhaps the producer's most ambitious effort to date. There are three-dimensional sets against which the characters are animated in many eye-appealing hues. But most important, it is chock full of hearty laughs, sly touches of humor and that highly entertaining routine of the muscular, spinach-imbibing sailor who is given more than the usual opportunity for creating excitement and rousing action.

Bluto plays the Arabian Nights character. A braggart, he owns an island guarded by all manner of monsters and beasts, particularly a two-headed item from mythology, a giant whose heads argue with one another in Greek restaurantese, a la George Givot. However, Sindbad arranges for Popeye's ship to be wrecked in his pursuit of Olive Oyl. Popeye makes shore with Wimpy and there the contest of strength occurs. Nothing is left to the imagination in the ensuing encounter between the two mariners. And, as usual Popeye comes through. It is among the best. Production Code Seal No. 0487. Running time, 20 mins. "G."

"Oh, Duchess!"
(Columbia)

Polly Moran, a fish peddler, known as "The Duchess," gets into those typical Moran situations when her daughter, Mary Blake, decides to marry Vernon Dent's son. Dent, when informed of her fish dispensing title gives a luncheon for her at his country club. Miss Moran in standard fashion keeps up the hoax until she gets tight and blows a horn which reminds her of her job and the jig is up. However, the youngsters go off and are married before Dent and Miss Moran arrive to stop and permit the the ceremony, respectively. In their heated argument which follows they, too, are wed. It has novelty and laughs. Production Code Seal No. 2,564. Running time, 20 mins. "G."

"Popular Science No. 6"
(Paramount)

New developments in the scientific world of interest to the layman in that they will affect him are here presented in another number of this fine series. They are filmed in Cinecolor and narrated with a snappy narrative. The items include a hair trimming comb, artificial fingernails, new radio device for transmission of pictures, and finally a fine sequence which reveals the effort which goes into the safety and comfort of modern flying. Production Code Seal No. 2,336. Running time, 10 mins. "G."

"Boulevardier from the Bronx"
(Merrie Melody-Vitaphone)

A color cartoon burlesque on baseball as it would be played by a collection of barnyard fowl representing a big league and a lesser team. It has moments of clever invention and is fairly pleasing. Production Code Seal No. 2,656. Running time, 7 mins. "G."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Mad Holiday"
(Metropolis Pictures)

HOLLYWOOD, Nov. 5.—The general theme of this weak and forced murder mystery seems to be that if you stumble over a dead body the thing to do is to be nonchalant and pull a wisecrack.

Edmund Lowe, a film star who is fed up with detective roles, sails to get away from it all but is followed by Ted Healy, a press agent, who disgraces the entire publicity profession with tasteless antics during a series of murders.

Elissa Landi, authoress of Lowe's stories, helps to stage a phony murder as a gag to prove that the star has identified himself with screen parts. A number of real murders follow because of a valuable diamond aboard the ship. Lowe and Miss Landi sleuth unconvincingly, but energetically, until they catch up with the audience, which has spotted the villian early in the plot.

Edmund Gwenn, Zasu Pitts, Edgar Kennedy, Soo Yong, Walter Kingsford, Herbert Rawlinson, Raymond Hatton, Rafaela Ottiano, Harlan Briggs and Gustav von Seyffertitz are all good, but the emphasis placed on comedy defeats the tension and credibility of the story. Bright dialogue is supplied by Florence Ryerson and Edgar Allan Woolf. Harry Rapf produced.

Production Code Seal No. 2,779. Running time, 68 minutes. "G."

Looking 'Em Over

"Les Amours de Toni"
(M-G-M)

A highly dramatic, earthy type of story, this French production of Marcel Pagnol tells the story behind a murder, which, it is said, was taken from the actual police records in the case involved.

It is strong drama, with a curious combination of photographic artistry and essential crudeness of production. The latter characteristic may well be taken as indicative of the authenticity of the story's background and setting in the south of France, near Marseilles. Superimposed titles make for ready understanding of the story, one of the jealous love of two women for a man and the resultant tragedy of near suicide and murder.

In this country the film probably will have an appeal only for "class" audiences, especially since tragedy is the keynote and governs the conclusion. American authorities may not be expected to look too kindly on the fact of a man living openly with a woman without benefit of license, and there is an obvious cut in the film as shown, where a seduction occurs.

Virtually but an incident in the lives of laborers who flow into southern France from Italy and Spain, the film tells its story simply and effectively.

Reviewed without production code seal. Running time, 81 minutes. "A."

Shift Pittsburgh Starts

PITTSBURGH, Nov. 5.—With the opening of "Tarzan Escapes" today, a day ahead of schedule, Loew's Penn here changes its opening day from Friday to Thursday until after Thanksgiving. The Harris-Alvin is doing the same starting with "East Meets West."

To Name Republic Aides

J. J. Milstein, Republic vice-president in charge of sales, will add four more district sales supervisors to his staff. The first appointment, for the south, will be made shortly.

Joins Plays Ass'n.

Genevieve Tierney of St. Louis has been named publicity director of the American Plays Ass'n. here, which is headed by John J. Livingston.

Gable Back on Coast

HOLLYWOOD, Nov. 5.—Clark Gable, Howard Strickling, Merril Page, all of M-G-M; Sally Eilers and her husband, Harry Joe Brown, arrived today by plane from New York. Gable, who will play the role created by Alfred Lunt in "Idiot's Delight," saw the show. Miss Eilers returned Monday on the *Queen Mary* after making a picture for B. & D. in England.

Howard Dietz, head of M-G-M publicity and advertising, will arrive tomorrow via American Airlines. Thomas D. Costain, new story head for Samuel Goldwyn, will be on the same plane.

Rename Fairbanks Film

LONDON, Oct. 28.—"For Ever and Ever" is the new title for the Douglas Fairbanks, Jr., Criterion Film produced as "Jump for Glory."

Variety Club

Washington

WASHINGTON, Nov. 5.—Tent No. 11 celebrated election day with an open house.

With the attendance well over 200, the club rooms were expanded to take in a portion of the Willard Hotel's Presidential Suite.

Two radios tuned to NBC's WMAL were located in the main room, one tuned to NBC's WRC in the stag room, and one tuned to CBS's WJSV in the "overflow" room.

The social Activities Committee sponsored the event and provided refreshments.

The following names have been added to the membership rolls of Tent No. 11:

EUGENE YOUNG, partner in Simon, Koengsberger, and Young, brokers; affiliate member, JOSEPH HENRY BERNHEIMER, projectionist for the Little and the Twentieth Century-Fox Exchange, resident member; SOLOMAN L. SORKIN, assistant manager of RKO-Keith's, resident member; HOMER L. MCCORMICK, attorney for Loew's, resident member; DEFOREST ORMES, projectionist for Warner theatres, resident member; WILLIAM DOLPH, manager of WOL; resident member; HENRY MCMANUS, president of McManus, Inc., resident member; A. FRANK O'BRIEN, manager of the Colonial, Richmond, non-resident member; ABRAHAM MILTON TOLKINS, manager of the Little and Rialto, resident member.

Barker Makes Debut

COLUMBUS, Nov. 5.—*The Barker*, to be published monthly as the official publication of the Variety Clubs of America, made its initial appearance yesterday. It is 9 by 12 inches, three columns per page, with 24 pages in the first issue. It will be mailed to all barkers in good standing.

The paper is published by the Barker Publishing Co., recently formed here with Todd Raper as editor. Raper formerly was connected with the Columbus *Dispatch* theatre department. G. W. McDonald is business manager.

FAR-AWAY SCREENS
ARE OVERNIGHT
CLOSE-UPS
When you Ship by—
AIR EXPRESS
You can show today's releases tomorrow—in many localities today—by super-swift *nation-wide* Air Express—2,500 miles overnight. Reaches *directly* 215 cities in the United States and Canada, and 32 Latin-American countries. Equally useful for equipment forwarding. Day and night service; free pick-up and delivery. C. O. D's. a specialty. Prompt remittances.
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Purely Personal

SAMMY CAHN and SAUL CHAPLIN, under contract to Warners, were awarded one of the prizes given quarterly by Ascap for their songs, "Shoe Shine Boy" and "Until the Real Thing Comes Along."

•

OLSEN and JOHNSON are eastward bound after making a picture for Republic. JOHN A. SCHULTZE, head of the F. & M. Agency, left by plane for Chicago yesterday morning to meet them.

•

HARRY and JACK WARNER, accompanied by NORMAN MORAY, made a tour of inspection at the Brooklyn Vitaphone Studio yesterday. It was JACK's first visit there in 10 years.

•

GEORGE WALSH, Paramount theatre district manager with headquarters at Poughkeepsie, and GENE LEVY, Paramount partner in Newburgh, returned to their home towns yesterday.

•

JULES LEVY, SAM DEMBOW, PHIL REISMAN, RICARDO CORTEZ, LELAND HEYWARD and JACK CONNOLLY all encompassed in one hasty glance at "21" yesterday.

•

CRESSON E. SMITH, RKO western and southern sales manager, has left for St. Louis and Chicago with WALTER BRANSON, midwestern district manager.

•

WILLIAM THALBERG, father of the late M-G-M producer, and PHILIP WYLIE, novelist, signed by M-G-M, will arrive on the coast tomorrow.

•

JACK RUSH, who has been doing special work on the M-G-M traveling studio, returned to Chicago, his home town, yesterday.

•

DR. A. H. GIANNINI, U. A. president, will leave for the coast on the Twentieth Century tomorrow afternoon.

•

TAMARA DESNI, who is under contract to ALEXANDER KORDA, will sail today on the *Europa* after a vacation here.

•

HARRY SEGAL, Boston and New Haven district manager for Grand National, was in town yesterday.

•

CARL LAEMMLE, JR., is still here. He expects now to leave for Hollywood over the weekend.

•

WILL HAYS and N. M. SCHENCK conversing in front of the Loew Bldg. yesterday afternoon.

•

A. H. SCHWARTZ is back from Lake Placid with a prize buck he bagged over the weekend.

•

COL. E. A. SCHILLER and ALAN CUMMINGS will head for Cleveland today.

•

LEO CARROLL, new M-G-M player, left for Hollywood yesterday by plane.

•

MRS. JAMES R. GRAINGER returned from Hollywood yesterday.

•

NED DOBSON of Republic Studios is at the Warwick.

•

Key City Grosses Recover Stride; Total $1,690,044

Comparative grosses for the latest available periods:

	Week Ending Oct. 23-24		Week Ending Oct. 16-17	
	No. Theatres	Gross	No. Theatres	Gross
Boston	7	$106,500	7	$120,000
Buffalo	5	56,494	5	58,203
Chicago	8	138,200	8	144,000
Cincinnati	8	63,500	8	55,350
Cleveland	5	61,700	5	61,600
Denver	7	37,500	7	27,500
Detroit	7	86,500	6	83,500
Houston	4	30,000	4	22,900
Indianapolis	4	35,300	4	26,900
Kansas City	5	41,600	5	41,700
Lincoln	5	12,900	5	10,450
Los Angeles	10	106,950	10	117,550
Louisville	7	26,800	7	28,250
Milwaukee	5	27,300	5	19,900
Minneapolis	5	28,500	5	36,500
Montreal	5	45,500	5	55,500
New Haven	4	21,500	4	25,000
New York	9	229,500	10	314,820
Oklahoma City	4	16,100	4	13,700
Omaha	3	22,200	3	22,300
Philadelphia	9	85,200	9	88,800
Pittsburgh	5	42,400	4	48,345
Portland	6	34,900	6	38,100
Providence	5	47,000	5	38,200
San Francisco	9	87,000	9	85,100
St. Louis	6	73,050	6	67,400
St. Paul	4	13,500	4	15,900
Seattle	7	38,850	7	33,800
Washington	7	74,600	7	78,900
	175	$1,690,044	174	$1,780,168

Key city grosses from November to the week ending Oct. 23-24:

	No. Theatres	Gross
Nov. 28-29	181	$1,593,860
Dec. 5-6	183	1,766,910
Dec. 12-13	180	1,434,785
Dec. 19-20	171	1,321,385
Dec. 26-27	175	1,228,199
Jan. 2-3	179	1,918,729
Jan. 9-10	179	1,901,455
Jan. 16-17	176	1,722,400
Jan. 23-24	173	1,539,065
Jan. 30-31	177	1,515,300
Feb. 6-7	168	1,591,350
Feb. 13-14	174	1,680,180
Feb 20-21	175	1,558,185
Feb. 27-28	178	1,777,650
Mar. 5-6	179	1,689,550
Mar. 12-13	181	1,761,547
Mar. 19-20	174	1,502,583
Mar. 26-27	172	1,521,800
Apr. 2-3	174	1,373,875
Apr. 9-10	177	1,354,624
Apr. 16-17	180	1,732,100
Apr. 23-24	179	1,703,822
Apr. 30-May 1	186	1,583,945
May 7-8	182	1,565,050
May 15-16	169	1,432,569
May 22-23	170	1,441,980
May 29-30	169	1,379,250
June 5-6	165	1,458,666
June 12-13	166	1,357,750
June 19-20	160	1,349,200
June 26-27	165	1,376,208
July 3-4	168	1,557,696
July 10-11	169	1,431,650
July 17-18	165	1,357,200
July 24-25	165	1,426,153
July 31-Aug. 1	166	1,468,800
Aug. 7-8	169	1,518,011
Aug. 14-15	166	1,550,120
Aug. 21-22	162	1,559,350
Aug. 28-29	160	1,532,319
Sept. 4-5	163	1,747,748
Sept. 11-12	173	2,090,144
Sept. 18-19	176	1,806,350
Sept. 25-26	177	1,744,332
Oct. 2-3	177	1,705,308
Oct. 9-10	175	1,625,287
Oct. 16-17	174	1,780,168
Oct. 23-34	175	1,690,044

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"Libeled" $58,000 Grosser at Capitol

(*Continued from page* 1)

Paramount ended the second week of the "Big Broadcast of 1937" at $47,000, which is very good. Clyde Lucas and his band were the stage attraction. The show is now in its third week.

The Roxy was disappointing, getting about $30,000 with "East Meets West." The Rivoli, on the first seven days of "Ladies in Love" took, $27,000. The Rialto, with "Wives Never Know," was fair with $5,500. "The Man I Marry" and "Dimples" at the Palace garnered about $8,500. "In His Steps" at the Criterion fared badly, taking in less than $10,000.

"Lloyds of London" is slated to open at the Astor on a two-a-day policy Nov. 24. "One Way Passage," produced by Warners about five years ago with Kay Francis and William Powell, has been dated into the Criterion to follow "Polo Joe," current attraction.

Drop K. C. ITO Office

KANSAS CITY, Nov. 5.—Offices of the I.T.O., which have been on Film Row for the past year, are being moved to the home of Emanuel Rolsky, president. This will eliminate all but routine office expenses for the association.

Remodel Hub Exchanges

BOSTON, Nov. 5.—Remodeling of the 16 Piedmont St. premises is well under way. Cameo Screen Attractions, Inc., intend to occupy the quarters the first of the month. Further down on the same street, the former quarters of the American Film Exchange are being remodeled for occupancy by Grand National.

Wall Street

Most Issues Off Slightly

	High	Low	Close	Net Change
Columbia	38¾	37¼	37¼	—1½
Consolidated	4½	4½	4½	— ⅜
Consolidated, pfd.	17⅞	17⅛	17⅛	— ⅛
Eastman	177¾	176	177¾	+2¼
Eastman, pfd.	163½	163½	163½	.....
Gen. T. Equip.	28	27¾	28	+ ½
Loew's, Inc.	59½	58⅝	59	.....
Paramount	18¾	18⅛	18¼	— ⅜
Paramount 1 pfd.	135	133½	133⅜	—2⅛
Paramount 2 pfd.	17⅝	17	17⅛	— ⅝
Pathe Film	8¼	7¾	7¾	— ⅜
RKO	8¼	8	8	.....
20th Century-Fox.	34½	33⅝	33⅞	— ⅜
20th Century, pfd.	42½	41⅞	42⅛	.....
Universal, pfd.	102¾	102¾	102¾	.....
Warner Bros.	16	15⅝	15⅞	+ ⅛
Warner, pfd.	62	62	62	.....

Technicolor Gains on Curb

	High	Low	Close	Net Change
Grand National	3½	3⅜	3⅜	— ⅛
Sentry Safety	¾	¾	¾	.....
Sonotone	2⅛	2	2	.....
Technicolor	23	21⅛	23	+1⅛
Trans-Lux	4⅞	4½	4½	— ⅛
Universal Pict.	9¼	9	9	.....

Most Bonds Rise

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	100	99⅛	99⅝	+ ⅝
Paramount B'way 3s '55	65½	65½	65½	— ½
Paramount Pict. 6s '55	98¾	98	98¾	+ ½
RKO 6s '41 pp.	95	95	95	+1½
Warner Bros. 6s '39 wd	97½	97	97¼	+ ⅛

(Quotations at close of Nov. 5)

"East Meets" Tops Capital With $5,800

WASHINGTON, Nov. 5.—Doing the best relative business along the main stem, "East Meets West," at the Metropolitan took $5,800 to exceed average by $1,500.

Playing a repeat engagement of "His Brother's Wife," Loew's Columbia drew $4,100, topping par by $500.

Loew's Capitol, with the "Fall Frolic" on the stage and "The Devil Is a Sissy" on the screen, was good for $21,000, a single century over average.

"The Big Broadcast of 1937" took $16,500 at Loew's Palace, to go over par by $600. It was held.

The Earle, with "Valiant Is the Word for Carrie" and Lazy Dan headlining the stage show, slipped to $15,700, or $2,700 under average.

Total first run business was $75,700. Average is $76,700.

Estimated takings, exclusive of tax:

Eight Days Ending Oct. 27:

"SPRING SHOWER" (DuWorld)
BELASCO—(1,140), 25c-65c, 7½ days. **Gross:** $2,500. (Average, 7 days, $3,000)

Week Ending Oct. 29:

"VALIANT IS THE WORD FOR CARRIE" (Para.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Lazy Dan, Three Heat Waves, Six Decardos, Dorothy Crooker. **Gross:** $15,700. (Average, $18,400)

"THE DEVIL IS A SISSY" (M-G-M)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: "Fall Frolic," with Elida Ballet, Marty May, Betty & Ethel Shepard. **Gross:** $21,000. (Average, $20,900)

"HIS BROTHER'S WIFE" (M-G-M)
LOEW'S COLUMBIA—(1,264), 25c-40c, 7 days (return engagement). **Gross:** $4,100. (Average, first run, $3,600)

"THE BIG BROADCAST OF 1937" (Para.)
LOEW'S PALACE—(2,370), 35c-55c, 7 days. **Gross:** $16,500. (Average, $15,900)

"EAST MEETS WEST" (G. B.)
METROPOLITAN — (1,591), 25c-40c, 7 days. **Gross:** $5,800. (Average, $4,300)

Nine Days Ending Oct. 29:

"THE GAY DESPERADO" (Radio)
RKO-KEITH'S—(1,836), 25c-55c, 8½ days. **Gross:** $10,100. (Average, 7 days, $10,600)

Schoedsack Is Signed

HOLLYWOOD, Nov. 5.—Larry Darmour has signed Ernest B. Schoedsack to direct "No More Heroes," the next in his series of Jack Holt pictures for Columbia release. The story is from a novel by J. D. Newsom, and deals with the Foreign Legion.

Canada Cuts Fair Tax

TORONTO, Nov. 5.—A further concession with respect to the amusements tax has been made by the Ontario Government in the removal of the levy on fall fairs, the assessment on admissions to theatres remaining as before.

Conduct Camera Tests

HOLLYWOOD, Nov. 5.—The Research Council Silent Camera Committee of the Academy conducted a comprehensive noise analysis test of several new type cameras on a stage at the M-G-M studio.

Set Eddie Cantor's Next

HOLLYWOOD, Nov. 5.—Eddie Cantor's next picture—his first for Twentieth Century-Fox—will be "Saratoga Chips," a racetrack story by Damon Runyon and Irving Caesar.

"Pigskin Parade" Leads Louisville

LOUISVILLE, Nov. 5.—"Pigskin Parade," with "Mummy's Boys" at the Strand, made the best comparative showing in town, tallying $4,500, an even $1,000 over the line. Both pictures were moved to the Brown for a second week.

"Libeled Lady" at the Brown, did well on the holdover. The take was $2,800, $300 over average for the house, and the best business the house has enjoyed since it came under the joint management of Loew's State and the Rialto. "Daniel Boone" at the Rialto had a good weekend business, with George O'Brien making a personal appearance for three days. Takings were $4,700, $200 over the weekly average. Several thousand tickets were distributed to school children, through the support of the Parent-Teachers' Assn.

Opposition was furnished by the WLS Barn Dance which played the Memorial Auditorium Sunday, Oct. 25, for four performances. The weather was mild, with excessive rainfall.

Total first run business was $22,850. Average is $21,800.

Estimated takings for the week ending Oct. 29:

"LIBELED LADY" (M-G-M)
BROWN—(1,500), 15c-25c-40c, 7 days, 2nd week. **Gross:** $2,800. (Average, $2,500)

"SING, BABY, SING" (20th-Fox)
"YOURS FOR THE ASKING" (Para.)
"GREEN PASTURES" (W.B.)
KENTUCKY—(900), 15c-25c, 7 days, split week. **Gross:** $1,800. (Average, $1,500)

"THE GAY DESPERADO" (U.A.)
"ALIBI FOR MURDER" (Col.)
LOEW'S STATE—(3,000), 15c-25c-40c, 7 days. **Gross:** $5,200. (Average, $5,500)

"CAIN AND MABEL" (W.B.)
MARY ANDERSON—(1,000), 15c-25c-40c, 7 days, 2nd week. **Gross:** $3,100. (Average, $3,500)

"TRANSATLANTIC MERRY-GO-ROUND" (Para.)
"TRANSIENT LADY" (Univ.)
"STINGAREE" (Radio)
"SATURDAY'S MILLIONS" (Radio)
OHIO—(900), 15c, 7 days, split week. **Gross:** $750. (Average, $800)

"DANIEL BOONE" (Radio)
RIALTO — (3,000), 15c-25c-40c, 7 days. **Gross:** $4,700. (Average, $4,500)

"PIGSKIN PARADE" (20th-Fox)
"MUMMY'S BOYS" (Radio)
STRAND—(1,500), 15c-25c-40c, 7 days. **Gross:** $4,500. (Average, $3,500)

"Cain" at $4,500 Big in Oklahoma

OKLAHOMA CITY, Nov. 5.—"Cain and Mabel" turned in an excellent $4,500 at the Midwest, topping par by $500.

"The Texas Rangers" went $200 over the line on a gross of $5,200 at the Criterion. "M'liss," with a stage show, "Parisien Follies," pulled $2,900 in four days at the Liberty.

Total first run business was $15,300. Average is $13,500.

"TEXAS RANGERS" (Para.)
CRITERION—(1,700), 10c-25c-35c-55c, 7 days. **Gross:** $5,200. (Average, $5,000)

"CAIN AND MABEL" (W. B.)
MIDWEST—(1,500), 10c-25c-35c-55c, 7 days. **Gross:** $4,500. (Average, $4,000)

"WIVES NEVER KNOW" (Para.)
CAPITOL — (1,200), 10c-20c-26c-40c, 7 days. **Gross:** $1,900. (Average, $2,000)

"M'LISS" (Radio)
LIBERTY—(1,500), 10c-25c-35c-40c, 4 days. Stage: "Parisien Follies," seven acts vaudeville. **Gross:** $2,900.

"PAROLE" (Univ.)
"THANK YOU, JEEVES" (20th-Fox)
LIBERTY—(1,500), 10c-25c-35c, 3 days. **Gross:** $800. (Average, $2,500)

"Broadcast" Gets $12,000, Montreal

MONTREAL, Nov. 5.—"The Big Broadcast of 1937," with "The Final Hour," at the Capitol, led the parade among first runs with a $12,000 gross and was held over for a second week.

"East Meets West," topping the British dual at His Majesty's, was also held over after registering $6,500.

"The Last of the Mohicans" was good for $8,000 at the Princess, while "Kelly, the Second" and a stage show at Loew's brought in $11,500, also above par. Second week of "Dodsworth" at the Palace accounted for $7,000.

Big-time football provided the chief opposition and between season weather prevailed with a mixture of snow, rain and mildness.

Estimated takings for the week ending Oct. 31:

"THE BIG BROADCAST OF 1937" (Para.)
"THE FINAL HOUR" (Col.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $12,000. (Average, $9,500) Held over.

"EAST MEETS WEST" (G.B.)
"LIMELIGHT" (British)
HIS MAJESTY'S—(1,700), 25c-35c-40c-50c, 7 days. **Gross:** $6,500. (Average, $5,000). Held over.

"KELLY, THE SECOND" (M-G-M)
LOEW'S—(3,115), 25c-34c-50c-60c, 7 days. Stage: Fats Waller and CBS Orchestra. **Gross:** $11,500. (Average, $10,500)

"DODSWORTH" (U.A.)
"WIVES NEVER KNOW" (Para.)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days, 2nd week. **Gross:** $7,000. (Average, $10,500)

"THE LAST OF THE MOHICANS" (U.A.)
"THREE MARRIED MEN" (Para.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $8,000. (Average, $7,000)

Rogers Stage Show Is St. Louis High

ST. LOUIS, Nov. 5.—The Ambassador led the local field, with $19,000, bettering average by $10,000. Charles Buddy Rogers on the stage was accounted responsible rather than the feature, "Wedding Present."

All houses went over average, with favorable weather helping. A show at the American and politics on the air were the chief competition.

Total first run business was $75,550. Average is $55,000.

Estimated takings for the week ending Oct. 29:

"WEDDING PRESENT"
AMBASSADOR — (3,018), 25c-40c-55c, 7 days. Orchestra pit show led by Charles Buddy Rogers in person. **Gross:** $19,000. (Average, $9,000)

"PIGSKIN PARADE" (20th-Fox)
"I'D GIVE MY LIFE" (Para.)
FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $15,000. (Average, $14,000)

"DEVIL IS A SISSY" (M-G-M)
"ALL AMERICAN CHUMP" (M-G-M)
LOEW'S — (3,162), 25c-35c-55c, 7 days. **Gross:** $13,900. (Average, $10,000)

"15 MAIDEN LANE" (20th-Fox)
"DON'T TURN 'EM LOOSE" (Radio)
MISSOURI—(3,514), 25c-35c-55c, 7 days. **Gross:** $10,800. (Average, $9,000)

"DIMPLES" (20th-Fox)
"STAR FOR A NIGHT" (20th-Fox)
ORPHEUM—(1,950), 25c-35c-55c, 7 days. **Gross:** $8,450. (Average, $6,000)

"MUMMY'S BOYS" (Radio)
ST. LOUIS — (4,000), 25c-40c, 7 days. Stage: vaudeville. **Gross:** $8,400. (Average, $7,000)

Hartley Quits G. B.

DES MOINES, Nov. 5.—George W. Hartley has resigned as manager of the local G.B. office and Lester Rosenthal, with G.B. in Omaha, has been named to replace him.

"Libeled" Is Kansas City Hit, $21,000

KANSAS CITY, Nov. 5.—"Libeled Lady" hit $21,000 at Loew's Midland's to lead on all counts in a week that was only fair for other first runs. This was $9,500 over the Midland's average, but the picture was not held.

The other houses felt the election competition. The Kansas City Philharmonic played its opening two-night performance of the season at the new Municipal Auditorium, where few seats were vacant.

"They Met in a Taxi" and stage show at the Tower went $300 over $6,500 average, and "Cain and Mabel" played to an $8,000 average house at the Mainstreet.

"Dimples" failed to hold up in its second week at the Uptown, taking $600 under $4,000 average, although it did over average its first period at the Mainstreet the preceding week. "The Magnificent Brute" proved something of a box-office weakling at the Newman, where the picture garnered $4,600, $2,400 under the line.

Total first run business was $43,800. Average is $37,000.

Estimated takings:

Week Ending Oct. 29:

"CAIN AND MABEL" (W.B.)
MAINSTREET—(3,100), 25c-40c, 7 days. **Gross:** $8,000. (Average, $8,000)

"LIBELED LADY" (M-G-M)
MIDLAND—(4,000), 25c-40c, 7 days. **Gross:** $21,000. (Average, $11,500)

"THE MAGNIFICENT BRUTE" (Univ.)
NEWMAN — (1,900), 25c-40c, 7 days. **Gross:** $4,600. (Average, $7,000)

"THEY MET IN A TAXI" (Col.)
TOWER—(2,200), 25c, 7 days. Stage: James Evans & Co., Stroud Twins, Wolf & Kaufman, Dawn Sisters, Ed Evans and Marjorie White. **Gross:** $6,800. (Average, $6,500)

"DIMPLES" (20th-Fox)
UPTOWN—(2,000), 25c-40c, 7 days, 2nd week. **Gross:** $3,400. (Average, $4,000)

"Broadcast" Best Grosser in Buffalo

BUFFALO, Nov. 5.—"The Big Broadcast of 1937" did top business here last week. Despite several rainy days and a drop in temperature, it grossed $18,006 at the Buffalo, or $6,000 above average. The picture was shifted to the Great Lakes.

"Old Hutch" on a dual with "Don't Turn 'em Loose" at the Century, doubled par by pulling an even $10,000. "Libeled Lady" in its second week at the Great Lakes drew $9,700, bettering the normal take by $2,400.

Total first run business was $49,806. Average is $38,400.

Estimated takings for the week ending Oct. 31:

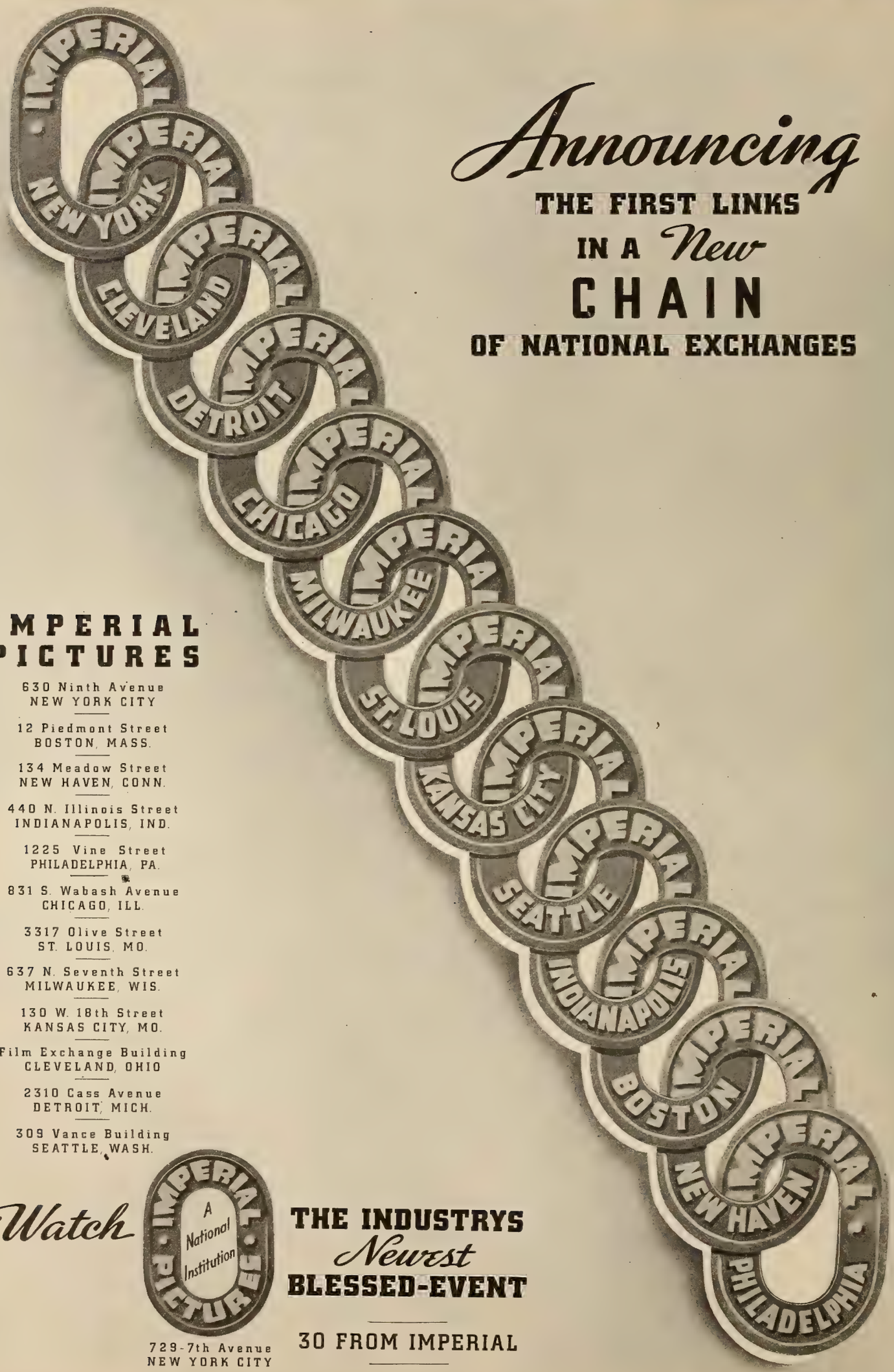
"THE BIG BROADCAST OF 1937" (Para.)
BUFFALO—(3,000), 30c-50c, 7 days. **Gross:** $18,006. (Average, $12,000)

"ROAD TO GLORY" (20th-Fox)
"STAR FOR A NIGHT" (20th-Fox)
HIPPODROME—(2,500), 25c-40c, 7 days. **Gross:** $8,300. (Average, $7,300)

"LIBELED LADY" (M-G-M)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $9,700. (Average, $7,300)

"OLD HUTCH" (M-G-M)
"DON'T TURN 'EM LOOSE" (Radio)
CENTURY—(3,000), 25c, 7 days. **Gross:** $10,000. (Average, $5,800)

"PRESIDENT'S MYSTERY" (Republic)
"SITTING ON THE MOON" (Republic)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $3,800. (Average, $6,000)



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VOL. 40. NO. 110 NEW YORK, SATURDAY, NOVEMBER 7, 1936 TEN CENTS

No Radio-Film Solution Seen In Some Time

Talks Show Broadcasters Also Face Problems

No solution of the problems presented by the appearance of film stars on radio programs is looked for by either radio or film interests for some time to come, it was learned yesterday from participants in the intra-industry conference on the matter Thursday.

Not only was no date set for another meeting, although the intention is to hold one at some future date, but the discussion revealed that the situation is not without its problems for radio, too. The nature of radio's problems arising from film stars' broadcasts appears to call for consultations and understandings with numerous program sponsors, advertising agencies and talent bureaus, before any definite agreement could be attempted by the film and radio industry. Obviously,

(*Continued on page 3*)

Listings to Start On Social Security

By BERTRAM F. LINZ

WASHINGTON, Nov. 6.—Plans for listing this month all employers and employes in the film industry who are covered by the Social Security Act were made public today by the Social Security Board.

Beginning Nov. 16, it was announced, postoffices throughout the country will distribute forms to employers which must be filled out and returned to the local postmaster not later than Nov. 21.

This form will be an application for an identification number, and will show the exact nature of the business, and the approximate number of persons employed in any capacity,

(*Continued on page 4*)

Pittsburgh Houses, Musicians in Pact

PITTSBURGH, Nov. 6.—Theatre managers and musicians reached an agreement here today after more than two months of negotiations and stage shows will be resumed at the Stanley as soon as bookings can be made. The new contract is for two years and calls for an immediate salary increase as well as a raise the second year of the pact.

The accord will probably bring

(*Continued on page 4*)

NBC Gives Television Show; Novel Now, But Looms Large

By RED KANN

Commercial television, on the basis of yesterday's performance, impressed this layman as a novelty with extremely interesting overtones looking toward the day when the development gets closer to perfection.

The scene was the 62nd floor of the RCA Bldg., where National Broadcasting staged a 40-minute show emanating from a television transmitter atop the Empire State Bldg. and

(*Continued on page 3*)

By JACK BANNER

National Broadcasting and RCA yesterday took television out of the laboratory and placed it in the field in a 40-minute televised program illustrating the advancement made since June 29 last, the date when field tests were first begun by the affiliated companies. The demonstration marked the first television program to be broadcast under practical working conditions and was witnessed by 250 press

(*Continued on page 3*)

Protest Goes To Schenck on Olympic Films

The executive committee of the Non-Sectarian Anti-Nazi League, of which Samuel Untermeyer is listed as president, late yesterday addressed a telegram to Nicholas M. Schenck, president of M-G-M and Loew's virtually protesting against the distribution in this country of the M-G-M shorts on the Olympic Games, and requesting an answer.

The telegram was in the nature of an afterthought which emerged from the welter of personal recrimination, heated argument and general excitement which developed at the meeting called by the league yesterday to obtain the cooperation of distributors and exhibitors of foreign films in an effort to boycott German-made or German-financed films.

The original and publicized purpose

(*Continued on page 4*)

Interstate's New Checkers In Seven Keys

Interstate Checking Service, in association with Postal Telegraph, has started operations in seven key cities with an eighth to get under way next week. American Tobis and Alliance Films are the two accounts represented by the new checking outfit.

The seven situations where the company is operating are New York, Washington, Boston, Cleveland, Cincinnati, Los Angeles and San Francisco. Next week checkers will start in New Orleans. In New York the theatre being clocked is the Filmarte.

Charles Schwerin, in charge of Interstate, yesterday stated all checkers are men employed by Postal Telegraph, which has 2,890 offices throughout the country with New York being counted as one office.

Under the plan 38 revenue accounts

(*Continued on page 4*)

Henry Hull Scores Heavily In Play of Variable Merit

It is a touching and sterling performance with which Henry Hull returned to the Broadway stage last night in a play called "Plumes in the Dust," written by Sophie Treadwell and squired by Arthur Hopkins. A performance in which sombreness, melancholy and a great deal of futility intermixed with the sardonic and the bitter in a dramatic vehicle that left something to be desired.

"Plumes in the Dust" deals with the tragic life of Edgar Allan Poe, the brilliant American poet, author and critic whose flights into the realms of dark fancy left their imprint on American letters and influenced an entire school of French thought years after he died at the age of 41 in a Baltimore hospital.

Some of the persuasive forces which must have coursed through Poe's fiery and restless brain, Miss Treadwell has captured. She draws a thoughtful, an interesting and, this reviewer thinks, essentially a true portrait of that almost divine madman—his scorn of the accepted in worldly chattels, his consuming desire to achieve a reputation

(*Continued on page 4*)

Maxwell Not To Alter G.B. Setup in U.S.

Will Do Nothing Until Deal Is Settled

By BRUCE ALLAN

LONDON, Nov. 6.—John Maxwell, head of Associated British Pictures and purchaser of the Ostrer Brothers' non-voting shares of Metropolis & Bradford, which controls G. B., definitely at this time has no intention of disturbing the G. B. setup in the United States, it was indicated here today.

He will make no final decision in the matter until the difficulties encountered relative to "A" or voting shares, in the recent discussions with Sidney R. Kent, Twentieth Century-Fox president, are ironed out.

It is pointed out in certain usually well-informed quarters here that Kent and Twentieth Century-Fox, which holds 4,900 "A" shares, against the Ostrers' 5,100 "A" shares, will not be able to prevent the final completion of the deal by which Maxwell would exercise his option to purchase

(*Continued on page 4*)

No MGM Broadcast Saturday or Sunday

A representative of M-G-M yesterday declared that, while no deal has been closed with Ford for the exclusive air appearances of the producer's players, broadcasts will not be heard either Saturday or Sunday in the event the deal is finally closed.

This was the company's answer to a wire from P. J. Wood, secretary of the Independent Theatre Owners of Ohio, to Nicholas M. Schenck. In his telegram, Wood said:

"We vigorously protest the consummation of any deal between your company and the Ford Motor Co. which will permit your stars to broadcast on Sunday nights."

Paramount to Have Anniversary Week

The Paramount, New York, will celebrate its 10th anniversary starting Nov. 18. Mae West will appear in person in conjunction with her latest film, "Go West, Young Man." Al Donahue and his orchestra will supplement the star's appearance.

The RKO Fordham in the Bronx is now celebrating its 15th Anniversary.

"Polo Joe" will be held over a second week at the Criterion. "One Way Passage" is scheduled to follow.

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Pathe Delays Again

Pathe's financial statement for the third quarter of the current fiscal year, scheduled for release yesterday, has been held up a third time. On two previous occasions the earnings of the company were scheduled to be sent to stockholders. It is now expected that the statement will be ready Monday.

Hays Sailing Today

Will H. Hays sails on the *Conte di Savoia* this morning for a four-week vacation abroad. Accompanied by his wife, he will visit Rome, Paris and London among other cities.

Landwehr Capitol Head

Herman Landwehr has been promoted to the post of general manager of the Capitol by Joseph R. Vogel. Landwehr for nearly 14 years had been assistant to the late J. K. Emmet.

Balaban, Griffis West

HOLLYWOOD, Nov. 6.—Barney Balaban, accompanied by Stanton Griffis, arrived here today for Paramount conferences.

44 Minutes of Delight

They say it's a lot of hard work. Granted. But it also must be carloads of fun for Walt Disney and his gang to turn out those Mickey Mouses and Silly Symphonies. And while that observation may carry with it elements of speculation, there can be none about the reaction of those who sit comfortably in the projection room to chuckle and to guffaw at the incomparable results of this Hollywood enterprise.

Five displayed themselves yesterday. They were "Donald and Pluto," but Walt should have screen credit to the magnet which provides the chief reason for the riot; "Three Blind Mousketeers," or picnics among the mice a la broad Alexandre Dumas; "Mickey's Elephant," introducing a new and jolly character raising havoc with Pluto; "Mother Pluto" which reveals the famous canine as far more maternal than you might have suspected, and "The Country Cousin," replete with cheese, champagne and the adventures of a country bumpkin mouse amidst the perils of the big city.

All in color and all loaded with genuine wit and charm, we should hate to be driven into a corner and told to pick the best. Therefore, we won't. K.

Conn Leases Studio For Four New Units

HOLLYWOOD, Nov. 6.—Maurice Conn has signed a three-year lease on Reliable Studios. Studio personnel already signed includes Leo Taub, studio manager; Martin G. Cohn, film editor; Sherman Lowe, story editor, and Warren Stokes, advertising and publicity head.

Conn has four units which will produce at Reliable for release through the newly formed Television Pictures. Victor and Edward Halperin are associated with Conn in Treasure Pictures, the first of which is "Robin Hood, Jr.," with Frankie Darro and Kane Richmond.

Melody Pictures is producing the first of four films starring Pinky Tomlin. Conn Productions and Ambassador Pictures are the other two producing units.

Parent-Teachers Hit Block Booking Again

ATLANTIC CITY, Nov. 6.—A continued fight against block and blind booking was pledged here today by 1,162 delegates, representing 80,000 members, at the annual convention of the New Jersey Congress of Parents and Teachers.

Bair Named ATO Head

INDIANAPOLIS, Nov. 6.—New directors of Associated Theatre Owners of Indiana named are: Roy R. Bair, president; Frank Sanders, treasurer, and Mrs. Helen B. Keeler, secretary, all of Indianapolis. Vice-presidents chosen for the various districts are: Mannie Marcus for Fort Wayne, William Connors for Marion, Maurice Rubin for Michigan City, Bruce Kixmiller for Terre Haute, H. P. Vonderschmitt for Bloomington and Harry Markun for Indianapolis.

Leo A. Marsh Dies

WESTPORT, Conn., Nov. 6.—Leo A. Marsh, 42, drama editor of the *New York American,* died at his home here yesterday of pneumonia. He had suffered from a heart ailment for two years. Funeral services will be held tomorrow at the Fable Funeral Home.

Exhibitor Elected Mayor

PORTLAND, Nov. 6.—Art Kolstad, prominent Oregon theatre owner, has been elected mayor of Hood River.

Consolidated Files Reply in Stock Suit

WILMINGTON, Nov. 6.—Consolidated Film Industries, Inc., has filed an answer to the bill of complaint in Chancery Court on which Norman Johnson of New York, a preferred stockholder, last week obtained an order restraining the corporation from filing an amendment to its certificate of incorporation, pending a hearing on Nov. 13.

The corporation denied that the vote of preferred stockholders in favor of the proposed amendment was obtained "by fraud and deceit," claiming a letter and notice sent to stockholders prior to the meeting in regard to the plan was fair and honest, and claimed that the facts alleged to have been omitted could easily have been ascertained by arithmetical computation.

Consolidated denied that the accumulated dividends of $1,600,000 are wiped out under the proposed plan, but that accumulated dividends on the present preferred stock would be paid and liquidated by the exchange of each share of outstanding preferred stock for one and one-quarter shares of the new preference stock and one-quarter share of the new common stock having all dividends and voting and other rights given to the present preferred stock.

Orsatti Attaches Moore Salary

LOS ANGELES, Nov. 6.—Anticipating a favorable judgment in his $100,000 suit filed against Grace Moore in superior court last year, Frank Orsatti today took steps to insure the judgment by attaching the salary of the actress. Notice of the attachment was served on the Columbia paymaster.

Miss Moore's answer to the Orsatti suit stated that back fees were due her and that her contract had been settled for $1,500.

The case will be tried next month.

Miss Farmer Appears

PORTLAND, Nov. 6.—Helped by the personal appearance of Frances Farmer, the United Artists set a new record with "Come and Get It" which grossed $4,200.

U. A. Coast Meet Tuesday

HOLLYWOOD, Nov. 6.—United Artists will hold its annual stockholders' meeting here on Tuesday. Dr. Giannini will arrive the same day.

Purely Personal

CHARLES R. ROGERS and WILLIAM PIERCE, his secretary, who have reservations on the westbound Century today, are still trying to make it but may not get away until the first of next week.

•

DORIS MALLOY, well known coast scenarist, arrived from Hollywood by air yesterday on a vacation. Prior to her departure, she completed the script for "Happiness Preferred," a Major Prod., for Paramount.

•

BERNARD B. RAY, president, and HARRY WEBB, general manager of Reliable Pictures of Hollywood, return to the coast Monday after arranging for a New York office and several state right deals.

•

HY BLAUSTEIN of the Warner home office purchasing department, will be married tomorrow to JEAN DAWN SMITH of the publicity department at the Benson Manor, Brooklyn.

•

EDNA FERBER and JANE MURFIN, author and adaptor, respectively, of "Come and Get It," will attend the New York opening of the film next Wednesday at the Rivoli.

•

GEORGE J. SCHAEFER will leave for Dallas Sunday on U. A. business. A. W. SMITH, general sales manager under SCHAEFER, will go to Boston Monday.

•

HAL ROACH left for the coast yesterday after 10 days in town conferring with NICHOLAS M. SCHENCK on the production of six musicals a year.

•

HERBERT J. OCHS, Warners' western and southern sales head, returned yesterday from a visit to the branch offices.

•

JOSEPH I. BREEN arrived from the coast yesterday and went into a lengthy huddle with WILL H. HAYS.

•

WILLIAM K. HOWARD will leave for the coast tomorrow to direct "Summer Lightning" for WALTER WANGER.

•

MRS. WOODY VAN DYKE, wife of the M-G-M director, left for the coast yesterday via American Airlines.

•

AL and MRS. LICHTMAN will return from Hollywood today by plane.

•

OLIVIA DE HAVILLAND will leave for the coast early next week.

•

MARY PICKFORD will fly to the coast Sunday.

I.T.O. of Arkansas To Hear Kuykendall

LITTLE ROCK, Nov. 6.—Ed Kuykendall, president of M. P. T. O. A., will address the Arkansas I. T. O. at its two-day meeting to be held here Sunday and Monday at the Marion Hotel.

It is expected that Lou F. Havens will succeed Ray Morrow as president of the local group since Morrow's affiliation with the Robb & Rowley circuit is said to have resulted in his resignation. Havens is owner of theatres in Marianna, Wynne, Brinkley and Forest City.

No Radio-Film Solution Seen In Some Time

(*Continued from page* 1)

this might require weeks, if not months.

Spokesmen for the radio industry and the large networks pointed out among other things that an indifferent radio program featuring a film name or names could be as injurious to the entertainment prestige of a network as it could be to the star and the employing film studio. They stated, as well, that their efforts to cooperate with the film industry in the past had not been recognized on many occasions. In spite of the frank exchange of views, however, no unwillingness to work for a solution of the problems of either industry was evidenced at the meeting, and indications are that a genuine effort to work out an understanding between the complainants will be made.

A score or more of proposals have been submitted as solutions for the radio competition problems, industry figures stated, but few of them are regarded as of any value. No complete banning of film stars from the ether is either possible or desired, it was stated, and what regulatory measures are worth advancing is not known at this stage. Thursday's discussion considered no solutions whatever, nor were any figures purporting to show the effects on theatre business of film star radio competition submitted, it was learned.

Imposing Film List On 'Hotel' Program

Another of those super-colossal Hollywood productions is ready for presentation, but this time it's a radio program. The "Hollywood Hotel" broadcast of Friday, Nov. 13, will boast 18 film celebrities—the greatest array of film talent ever assembled for any single program to date.

Heading the cast are Eleanor Powell, Dick Powell, Frances Langford and Ann Jamison in a scene from "Born to Dance." Next come William Powell, Jeanette MacDonald, Luise Rainer, Allen Jones, Clark Gable, Jean Harlow, Myrna Loy, Robert Taylor, Charles King, Bessie Love and Cliff Edwards, each of whom will contribute a specialty or a brief talk.

The broadcast will emanate from the stage of the Chinese Theatre, Hollywood immediately before "Born to Dance" is premiered on the screen.

Bernie, Pitkin, Et Al

Short Shots: Ben Bernie, playing a vaudeville engagement at the Hippodrome in Baltimore, beginning tonight, will broadcast his program over WBAL in that city. . . . Paramount is now making a short of the "Saturday Night Party" radio program. The picture is being filmed at Radio City studios. . . . Walter B. Pitkin has been signed to provide talks on the CBS program sponsored by 40 banks which begins next week. . . . WOR cashed in on election talks to the tune of $51,000. . . . Duke Ellington begins an indefinite engagement in Dallas on Nov. 10.

NBC Gives Television Show; Novel Now, But Looms Large

By RED KANN

(*Continued from page* 1)

from the stages of NBC in the lower regions of the RCA Bldg.

What other television systems may have, time and demonstration will reveal. The NBC-RCA system, as far as it has gone, however, is very good on sound and very shy on pictorial value. The difficulty on the latter score is, of course, the limitation on the size of the images obtainable thus far.

Whether NBC was conscious of this or not is not among the available facts, but the nature of much of the material used in yesterday's demonstration threw this observation into glaring relief. Several clips snipped from a regular edition of Pathe News were essentially pictorial in value. There were crowds hailing the President at Hyde Park and scenes of Italy's activities in the manufacture of even more terrifying armored tanks spreading liquid fire. On a regulation motion picture screen all of the essential detail in the mass movements of each subject would have taken on drama. In the television program, the detail was reduced to minutæ and confusion.

NBC Broadcast Superior

However, in the directly televised portions of the show—those elements which came from the NBC stages—the results were pictorially better, but still susceptible of vast improvement. There were closeups of David Sarnoff, Betty Goodwin of the NBC press department who introduced the various speakers and talent: The Inkspots, colored performers; Hildegarde, radio singer; Bob Benchley in a clip from Pathe Topics titled "The Causes of the Depression" in which he referred to a chart undecipherable to the eye at a distance of approximately 20 feet and a special release, "Pictures Through the Air" which sought to trace the origins and the methods by which programs are televised.

It struck this reporter that in the latter instance, NBC entered upon a serious mistake. The screen limitations were so confining that the shots of the machinery used to televise meant nothing. It also occurs that far more effective than any effort to take the press audience behind the scenes in terms of televised motion pictures would have been to show the audience the machinery itself to see and to feel and to ask questions about. This, however, was not done.

Larger Screens Clearer

For its show, described as "the first showing of a complete program built for entertainment value as a demonstration of transmission," NBC rigged up a battery of 16 television receiving sets, close in resemblance to the ordinary, large-sized radio receiving set aside from the screen on which the images were reproduced.

Pointing toward future possibilities, however, were two differently sized images. One showed pictures 5¼ by 7½ inches and the second, demonstrated for the first time, images 7½ by 10 inches. The larger was a definite advance in photographic definition over the former, leading to an assumption which may or may not be borne out finally that the bigger the screen the better the pictorial quality achieved.

Apparently, the job is not finished. Sarnoff, president of RCA which has been conducting field tests since Sept. 1, in his television speech cited some of the difficulties between now and what may finally come. There is a problem existing in transmission and reception which must be bridged. NBC's experiments so far have satisfactorily covered a 25-to-30 mile radius and this occasionally has been increased to 40 miles. This would indicate that ground must yet be covered in very effective seven-league boots before any contemplation of national television is possible. There is a problem in programs, some of those at the demonstration believing television broadcasting will be interlocked, if not largely dependent, in its early stages anyway on motion pictures. The third is the establishment of some sort of economic base from which future developments in television can be conducted. Sarnoff did not explain, but obviously he must have referred to sales to the public on a scope sufficiently extensive to bring back to NBC and RCA the funds both organizations have poured into television experimentation.

Film Competition Eventually

It is also obvious that NBC must regard the current status of the development in sufficiently advanced stage to brave its exhibition to the press which turned out to the tune of several hundreds. Granting this to be true, next suggesting itself is where the film industry fits in.

It is this opinion that, insofar as NBC is concerned at least, television offers no concern for motion pictures as it now stands and as put on yesterday. But it is also very much of the moment to point out that the development must not be discontinued and that television one of these days or weeks, month or years will be competition of major proportions.

By JACK BANNER

(*Continued from page* 1)

representatives. The pictures were received on screens of two sizes: a nine-inch screen carrying an image 5¼ by 7¼ inches; and a 12-inch screen with a 7½ by 10-inch image.

Sixteen bench-made television sets carried the program to the audience simultaneously. The images were broadcast from the transmitter on top of the Empire State Bldg. and received on the 62nd floor of the RCA Building. The actual television studio is located on the third floor of the latter building.

The broadcast represented the first showing of a complete program built for entertainment value as well as a demonstration of transmission. It also included the first showing of the newly developed 12-inch receiving tube, which reproduced the pictures on the 7½ by 10-inch screen, the largest yet developed for practical commercial television purposes under this system. The screen utilizes a 343 lineage and broadcasts 60 images per second.

Betty Goodwin, NBC fashion editor, was the first to be presented in the televisor and introduced Lenox R. Lohr and David Sarnoff, NBC and RCA presidents respectively, who reported briefly on past researches, and explained the practical problems presented in staging performances for the air.

Lohr Address Detailed

In his introductory talk over the televisor, Lohr covered the three phases of television which he said would have to be further developed before television broadcasting could become practicable. Number one was the necessity to develop standard television equipment and sets; two, the learning of an entire new technique in continuity writing, programming, make-up, staging, and a multitude of other details; three, the economic aspects.

Sarnoff, in his televised talk, explained that television broadcasts, experimentally, had been successfuly received as far as 45 miles from the transmitter atop the Empire State Building, and that the transmission distance was being enlarged rapidly.

He hinted that the possibilities for commercial television broadcasts were still remote. The major difficulty at present, he stated, was the lack of facilities and equipment necessary to cover the nation.

The demonstration was presented and supervised by Ralph R. Beal, RCA research supervisor; O. B. Hanson, NBC chief engineer, and Charles W. Horn, NBC director of research and development.

Warner Radio Plant To Be Ready Nov. 30

Hollywood, Nov. 6.—Warners' expansion into the radio field has gained added momentum with the acquisition of a new 5-C, RCA high fidelity transmitter with a 450-foot vertical radiator tower, the whole plant to be ready for the air Nov. 30. The transmitter is nearing completion on a 10-acre site in the Baldwin Hills. It is powered for 5,000 kilowatts for day operation and 1,000 kilowatts for night use.

A projection room and screen will be installed for product advertising to precede programs. A $50,000 Vitaphone recording organ has been ordered.

The plant includes a television broadcasting transmitter.

To Open Chicago Studio

Chicago, Nov. 6.—The new $250,000 CBS studios in the Wrigley Bldg. will open Saturday with a "Football Revue" starring Ed Thorgersen, Fox Movietone News sports editor, and Kay Kyser's orchestra.

The 350-seat WBBM-CBS theatre-studio is in the North Wrigley Bldg. and is ultra modern. It was designed by William Lescaze, designer of the New York and Hollywood studios for CBS. Built with no two walls parallel, the auditorium and stage are novel in design and coloring.

Tri-States Session Held at Des Moines

Des Moines, Nov. 5.—G. Ralph Branton, business manager of Tri-States Theatre Corp., presided at a district meeting at the Kirkwood hotel with managers from Des Moines, Newton and Ottumwa in attendance. Jake Cohen, a partner of Tri-States in the Capitol and Rialto, and Strand in Ottumwa, also attended.

The meeting ended with a showing of "The Charge of the Light Brigade."

Protest Goes To Schenck on Olympic Films

(Continued from page 1)

of the gathering yesterday virtually was lost in the confusion before the entirely informal session had proceeded far. Certain of the distributors of foreign product here contended an inability to ascertain exactly the place of origin of a film, and especially declared themselves unable to discover whether or not German capital was involved in any of the companies from whom they might obtain films in countries other than Germany.

The personal equation became the backbone of the warm discussion, a resolution was presented and howled out of existence, and finally resulted in another, which was signed by virtually all those present.

Resolution Specific

The resolution read: "We the undersigned producers, distributors and exhibitors . . . agree for ourselves and with each other that we will not exhibit or release any film unless the same bears upon its face a title descriptive of the country of production of the film and, where the information is available, the producer thereof."

The signers included Ben Radin, Cameo; A. T. Kaplan, Franco-American, Cinema de Paris and Cinema of Detroit; Archibald E. Levine, Filmarte; W. Van Beverin, American-Tobis; a representative of the 55th St. Playhouse; David Brill, Globe Film; Kurt Laemmle; Arche Mayers, Du-World.

Max A. and William Goldberg of European Film Corp., among the most vociferous of the group, declined to sign the resolution, one declaring, "Get the 'big fellows' in here to sign, and I will."

Mayers' vigorous declaration that, "I'll burn three German films in my office before any committee you want to name," was greeted with an equally vigorous suggestion that he refrain from "heroics."

Wire to Schenck Read

The reference to the "big fellows" took specific form in the citing of M-G-M and the Olympic shorts. Mention was made of a recent anti-nazi meeting in Hollywood, sponsored by Eddie Cantor, at which Louis B. Mayer of M-G-M was present. Later came word of the Schenck telegram.

The telegram to Schenck read:

"We understand the Pete Smith shorts on the Olympic Games was produced by the Nazi German Government and sold to your organization for exclusive distribution in this country. As we boycott all German goods and services sold in this country we should be interested in a statement by you in this regard before we take definite action against your organization and theatres booking this short throughout the country."

The two shorts in question are "Olympic Ski Champions" and "Sports on Ice," which M-G-M has listed as "Official Olympic Pictures," and which were prepared by Pete Smith. The rights to them were sold to M-G-M by American-Tobis.

Henry Hull Scores Heavily In Play of Variable Merit

(Continued from page 1)

in poetry but honestly and on merit gained—and because she has been successful in doing this, much of her drama is sustaining and interesting.

Yet the impression lingers that elements are lacking. It occurs that in the necessity for compressing highlights of an unhappy existence into the limitations of six scenes and three acts, those highlights, perhaps, might have been more carefully sifted. Not completely and graphically shown are the sufferings of the man before he reaches his peace. Poe went through much more in his short span of years than "Plumes in the Dust" includes. Those years, somewhere lurking in them, suggest greater elements of drama.

However, this Treadwell play has merit. It is heavy and it is serious, but it is well performed with Hull far in the vanguard of the remainder of the cast which includes Mary Morris, Ruth Yorke, and Amelia Romano. It touches one peak in the second act when Hull denounces his critics. It reaches another in the third when he discovers the first love to which he had clung through his life has been poured out on a shallow, smug woman totally shorn of the understanding without which it appears useless for him to continue and it reduces itself to a dribble in the final death scene.

Any depiction of any version of the life of Poe, of course, must finish in tragedy. And so it would be in pictures. But opportunity for a magnificent film virtually sings around that life, whether Miss Treadwell's conception or some other, if some producer in Hollywood were willing to hazard the chance.

Pittsburgh Houses, Musicians in Pact

(Continued from page 1)

about another pooling deal between Loew's and Warners, giving the Penn first call on product and the Stanley the presentation privilege, the same plan that was in effect a year ago. There are prospects that the Harris Alvin will go back to an occasional stage-show policy.

Flash Previews

"Can This Be Dixie?"—Jane Withers struggles valiantly to make this a worthwhile offering.

"Janosik"—An importation which tells a story of Czechoslovakia against some excellent scenic backgrounds.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Bioff, Thomson to Tampa

HOLLYWOOD, Nov. 6. — William Bioff, personal representative of George Browne, I. A. T. S. E. president, and Kenneth Thomson, president of the Actors' Guild, are en route to Tampa to attend the convention of the A. F. L. which opens Nov. 16.

Alperson, Biddell West

E. L. Alperson, president, and Sidney M. Biddell, story editor of Grand National, will leave for the coast either tomorrow or Monday.

Girl Made Manager

Metter, Ga., Nov. 6.—Ruby Brantley is the new manager of the Dixie, succeeding Ted Lewis, who has been transferred to the Dixie at Jackson. Miss Brantley, who is only 18 years of age, probably is the youngest manager in the state.

Interstate's New Checkers In Seven Keys

(Continued from page 1)

assign the men to theatres ordered to be checked. The Interstate office in New York at no time, Schwerin stated, sees the figures of any theatre. The district men, after receiving reports from checkers, wire them to home office distributors directly every night. The telegrams are later followed by written reports.

Officers of Interstate will be elected next week when permanent and larger quarters will be established in the Paramount Bldg. The plan has been a year and a half in the making, Schwerin added. Four field men whose sole duty will be to visit exchanges are to be named next week.

Listings to Start On Social Security

(Continued from page 1)

whether on salary, wages or commission, including executives.

Beginning Nov. 24, the postoffices will begin the distribution of forms to be filled out by employes, each of whom will later be given an identification number and a registration card. These forms will show personal data regarding the employe and the name and address of his present employer.

The forms to be distributed this month are designed merely to secure an identification of every employer and employe covered by the act. Forms for the reporting of the payroll taxes imposed under the law will be made available after the beginning of the year.

Publisher Loses Verdict

LONDON, Oct. 27.—Damages of £2,000 ($10,000) were awarded by a King's Bench jury to Michael Spoliansky, composer, against the U.C.P. Publishing Co., Ltd., of Willesden, who published the *London Reporter*, which recently discontinued publication. The *Reporter* had accused Spoliansky of plagiarism.

English Studio Burned

LONDON, Oct. 29.—An early morning fire did considerable damage to studios in Gladstone Road, Southall, rented by Metropolitan Film Studios, the main building being practically gutted.

Maxwell Not To Alter G.B. Setup in U.S.

(Continued from page 1)

the Ostrers' 5,100 shares of "A" stock in Metropolis & Bradford Trust.

The Ostrer sale to Maxwell, without the transfer of shares, would leave the latter as owner, with the Ostrers virtually his nominees in the company, and obviously under the necessity of acting under Maxwell's instructions.

It is said Twentieth Century-Fox may have an action against Isidore Ostrer, who concluded arrangements with the Schencks in the United States some time ago.

Kent is expected to return here shortly, at which time he may discuss such possible action, and also talk with Maxwell again, probably on reciprocity. However, it is understood Maxwell will formulate no definite plans until the deal has been completed.

Heavy repercussions are anticipated here when G. B. financial figures reveal the relation of film costs to receipts and the allegedly unsound basis of the calculation of profits.

Zanuck Holds Directors

HOLLYWOOD, Nov. 6.—Darryl F. Zanuck has re-signed 12 directors to term contracts with Twentieth Century-Fox. They are: Edward H. Griffith, Norman Taurog, William Seiter, Henry King, John Ford, Roy Del Ruth, Tay Garnett, John Cromwell, Sidney Lanfield, George Marshall, Otto Preminger and David Butler.

Stanley to Schneider

Louis Schneider, formerly of Meyer & Schneider, at one time important local independent circuit, has taken the Stanley, 7th Ave. and 40th St.

Wall Street

"U" Leads Board; Gains 6¾ Points

	High	Low	Close	Net Change
Columbia	39¼	37½	39¾	+2
Columbia, pfd.	46	46	46	— ½
Consolidated	4⅝	4⅝	4⅝	+ ⅛
Consolidated, pfd.	17½	17¼	17¼	+ ⅛
Eastman Kodak	178	177¾	178	+ ¼
Gen. T. Equip.	28¼	27½	27⅝	— ⅜
K.-A.-O., pfd.	102	102	102	+2
Loew's, Inc.	63	59	62¾	+3¾
Paramount	18⅜	17¾	18¼	.....
Paramount 1 pfd.	133¼	130½	133¼	— ⅝
Paramount 2 pfd.	17¼	16½	17⅜	.....
Pathe Film	8⅜	7⅞	8	+ ¼
RKO	8¼	8	8⅛	+ ⅛
20th Century-Fox	35	34⅛	35	+1⅜
20th Century, pfd.	43⅜	42⅛	43⅜	+1¼
Universal, pfd.	109½	107	109½	+6¾
Warner Bros.	15⅞	15⅝	15¾	— ⅜
Warner, pfd.	62	62	62	.....

Curb Declines Slightly

	High	Low	Close	Net Change
Grand National	3⅝	3½	3½	— ⅛
Sentry Safety	¾	¾	¾	.....
Sonotone	2	2	2	.....
Technicolor	23⅞	22¾	22¾	— ¾
Trans-Lux	4¾	4½	4⅝	.....

Bonds Rise Fractionally

	High	Low	Close	Net Change
Keith B. F. 6s '46	97	97	97	.....
Loew's 6s '41 ww deb rights	100¾	99⅞	100¼	+ ⅝
Paramount Pict. 6s '55	99	98½	99	+ ¼
Warner Bros. 6s '39 wd	97¾	97¼	97⅝	+ ⅜

(Quotations at close of Nov. 6)

The Leading Daily Newspaper of the Motion Picture Industry

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Alert, Intelligent and Faithful Service to the Industry in All Branches

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"U" First Over Line on Exhibitors' Concessions

Expect Metro To Withdraw Olympic Films

One of Two Subjects Is Pulled at Capitol

It is anticipated that M-G-M will withdraw from national release the two Pete Smith Olympic Games short subjects, "Olympic Ski Champions" and "Sports on Ice," following a telegram of protest from the Non-Sectarian Anti-Nazi League, of which Samuel Untermyer is listed as president.

Nicholas M. Schenck, president of Loew's and M-G-M, and J. Robert Rubin, M-G-M vice-president, withdrew one of the two, "Olympic Ski Champions," from the Capitol on Broadway on Saturday. The telegram of protest was addressed to Schenck by the executive committee of the league, and sent late Friday night.

Although neither Schenck nor Rubin could be reached on Saturday for information relative to a definite decision on the national withdrawal of the two subjects, which had been filmed at the winter Olympic Games in Germany, such action was indicated as an obvious followup of the specific action concerning the Capitol.

"Olympic Ski Champions" carries a national release date of Oct. 3, and "Sports on Ice" of Oct. 10. The league committee dispatched the telegram of protest to Schenck late Friday following a stormy meeting of distributors

(*Continued on page* 11)

All Companies Use New Reel Here But "U"

With the exception of Universal, all local major distributors have adopted the 2,000-foot reel, a survey of exchanges on Saturday revealed. Universal is holding up shipments on the enlarged spool until new 2,000-foot automatic splicers are installed at the exchange. The new machines have been ordered and are due in a week or so.

In addition to the major companies, Republic and G.B. have changed over to 2,000-foot reels.

Twentieth Century-Fox started using the enlarged reel with the release of "Ramona" on Sept. 25; Warners adopted the practice with the first new season release, "Bengal Tiger," on Sept. 5.

While M-G-M's first general release is "Our Relations," which has not been shown in the local area, the exchange started the new plan with "Kelly, the Second" and succeeding release. The first prints of "Kelly, the Second" were shipped to Greater

(*Continued on page* 11)

See Quick Action

Universal's announcement on Saturday of its concessions to exhibitors on trade practice revisions proposed under the M.P.T.O.A. 10-point program, is expected to spur other distributors to final action on the program.

A real likelihood of similar declarations this week from four additional companies now exists, it was learned Saturday. The four whose decisions are believed to be ready are Twentieth Century-Fox, RKO, Paramount and Columbia. The decisions of M-G-M and United Artists may be delayed because of current and recent absences from the city of company executives. Warners has indicated it would not participate in the exhibitor program.

Cochrane Grants Every Request Excepting Uniform Contract

Universal was first over the line in declaring the specific trade practice concessions it is prepared to grant exhibitors when R. H. Cochrane, president, advised Ed Kuykendall, M. P. T. O. A. president, by letter on Saturday that Universal would concede every major request set forth in the exhibitors' 10-point program with the exception of the adoption of a standard short form of contract.

The specific assurances set forth by the distributor include the maintenance of a 10 per cent cancellation privilege under liberal circumstances when the entire program has been contracted for and the exhibitor is in good standing thereunder; cooperation for the establishment of properly organized local conciliation boards to hear and attempt to adjudicate exhibitor complaints; continuation of the company's policy of not endeavoring to collect a score charge, and of its policy of not attempting to force shorts with features.

On other points covered in the exhibitor program Cochrane advises Kuykendall that Universal has not granted and will not knowingly grant unreasonable clearance to any exhibitor and asserts that the company sees "certain advantages" in the establishment of a uniform maximum clearance if legal means of so doing can be found. He declares that the company will cooperate in developing any feasible plan for dealing with preferred playing time.

The letter states that the company

(*Continued on page* 6)

M-G-M Re-Issuing Five Old Features

M-G-M is re-issuing five features. The group is being sold aside from the 1936-37 program to all exhibitors with available playing time. Exhibitors can take as many as they desire.

The five are: "Grand Hotel," "Rasputin and the Empress," "Trader Horn," "Dancing Lady" and "Billy, the Kid."

New advertising material is being made up for the re-releases to conform with Hays office requirements.

Navy Spent $307,000 For Films Last Year

WASHINGTON, Nov. 8.—Expenditures by the U. S. Navy for the leasing of film programs for the recreation of the enlisted personnel afloat and ashore amounted to $307,000 during the fiscal year which ended June 30,

(*Continued on page* 11)

Charles "Chic" Sale Dies in Hollywood

HOLLYWOOD, Nov. 8.—Charles "Chic" Sale died here Saturday afternoon of lobar pneumonia.

Nationally known for his old man characterizations, he had appeared latterly in a number of shorts. "The Perfect Tribute," made by M-G-M, in which Sale portrayed Abraham Lincoln, was considered by many to have been his best.

"Pigskin" Is Rushed Into Chicago Houses

CHICAGO, Nov. 8.—In an effort to get "Pigskin Parade" shown before the football season has ended Twentieth Century-Fox executives here have arranged to have the picture open in the B. & K. "A" week theatres, the Marbro, Uptown and Tivoli, Nov. 20. The following week the picture will

(*Continued on page* 6)

8 Film Issues Hit New High on Board

Eight film issues hit new highs on the big board Saturday, all but Loew's common closing at the peak for the day. In addition to Loew's, the stocks reaching new top marks were Paramount common, first and second preferred; Warners common and preferred; and Twentieth Century-Fox common and preferred. Of these issues, Loew's had the greatest turnover with 4,800 shares changing hands. Paramount common was next with a total of 3,800. Warners common was third with 2,700, and Twentieth Century-Fox common, fourth, with 2,500.

Loew's common jumped to 63½ and closed at 63 for a gain of ¼ of a point;

(*Continued on page* 11)

Giannini, Leaving, Hits Rumor Mongers

Dr. A. H. Giannini, president and chairman of the board of U. A., scored the rumor market in Hollywood before he left for the coast Saturday on the Twentieth Century. He was accompanied on his journey by his wife and son.

"Whenever United Artists takes on any new product there will be a dignified and official announcement by a

(*Continued on page* 11)

Mayor Names Board On Union Problems

Mayor F. H. LaGuardia on Saturday revealed the personnel of the board of survey named as a fact-finding and industrial relations committee to attempt to stabilize conditions among the projectionists' unions handling projection in New York theatres. The appointments are a direct outgrowth of the recent bombings of a number of local houses, in which many people were injured.

The board, of three members, includes: Samuel A. Lewisohn, banker, industrialist and industrial mediator,

(*Continued on page* 11)

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Insiders' Outlook

By RED KANN

YOUR salutes this morning should be unleashed for Bob Cochrane. Universal, as you may read elsewhere in this issue, is the first of the major companies across the line in granting practically all of the trade practice concessions sought so diligently by the M. P. T. O. A. While Allied will charge a set-up and mention the Hays organization and Dave Palfreyman, the fact indisputable is that all exhibitors, regardless of association beliefs and affiliations, share in the gain.

▼

Other majors will not be far behind, as the news columns will be telling you quickly now. Yet the distinction of being the first cannot be taken away from Universal and the very fact of its established priority will, or should, result in a definite increase in the goodwill with which this veteran company is now regarded in the different stratas of exhibition ranks. It is our suggestion that, if you have read rapidly, you submit to further careful analysis the essentials of Cochrane's letter of policy to Ed Kuykendall. It is fraught with much of interest and importance. On both points there will be something further to remark at another time. . . .

▼ ▼

It appeared very likely over the weekend that Metro will withdraw from the domestic market Pete Smith's brace of shorts, "Olympic Ski Champions" and "Sports on Ice." The footage is of official Nazi odor and was made last winter in the preliminaries of the Olympic games in Berlin, the same games where Jesse Owens, the black streak, constantly embarrassed Der Fuehrer and his straight Aryan theory and set the world laughing anew over the insanities of the present Germanic state. . . .

▼

Metro, being an international corporation, obviously is faced with a situation earmarked with delicacies—on a straight business approach. The withdrawal of the two films which are the center of a current and steaming maelstrom no doubt will raise a fuss and a howl and a couple of yelps from Berlin and the German Ambassador in Washington shortly thereafter may be expected to rise in diplomatic indignation and protest to the State Department. But there are other angles. There is the angle and the slant of a film company whose management is Jewish emphasizing the touted glories of sportsmanship of a government, if not of a people, which rules by terror, religious intolerance and the suppression of free thinking. . . .

▼

If Metro goes through with its indicated course, it may expect reprisals launched on its business in Berlin. If it does not go through, it faces a boycott of its films and the Loew theatres in this country and a welter of publicity which would be highly undesirable. Thus, there are two business stakes at issue: One, a possible further curtailment of activities in Germany; two: criticism, not alone from Jews, but from all who liken themselves and their views as liberal, in this country, the larger market. Regardless of how or through what circumstance the decision was made in the first instance to handle the films under fire, it bespeaks courageously and well for Nicholas M. Schenck that he is now prepared to act vigorously and with the type of clean-cut action around which much of his very considerable reputation has grown. . . .

▼ ▼

The mystery English banking interests which have purchased a block of 35,000 shares of Loew's, Inc., common held by the estate of Irving Thalberg may be the villains of a more dramatic story than has thus far revealed itself. The war whoops let out in London when control of G. B. appeared ready for transfer to these shores had nothing to say about any steps in a reversal of the identical idea. In other words, America cannot further poach on England and her film industry, but British financial interests are to be free to penetrate into this industry's major company. In actuality, this is what has happened. It would be childish to voice fear that the purchase of this one block in any minute manner has any bearing on control of Loew's, which rests in hands that will not let go. It is interesting, on the other hand, to note that the very company, which with Twentieth Century-Fox, sought domination in England's largest now wakes up to find sizeably in its ranks a group of the same English who would not allow the original deal to go through. . . .

Two Exhibitors Now Kansas Legislators

KANSAS CITY, Nov. 8.—Kansas will have two members of the house of representatives from the industry when the legislature meets early next year.

E. A. Briles, exhibitor at Stafford, was reelected to the House, and J. C. Phillips, exhibitor at Colby, was elected a member. Phillips is a Democrat, Briles a Republican.

It is too early yet to predict what the industry can expect in Missouri and Kansas when the two legislatures meet early in the year. But the sweeping endorsement of the New Deal in Missouri and the strong Democratic trend in Kansas is expected to result in the introduction in both states of more "liberal" bills affecting films.

"She-Devil" to Fortune

Fortune Agency, of which Al Friedlander is head, has taken over "She-Devil Island" from First Division Exchanges. The company will handle distribution and sales promotion for the film in foreign and domestic territories.

O'Malley Is Reelected

MILWAUKEE, Nov. 8.—Thomas J. O'Malley, member of the House Patents Committee, was reelected to Congress from the fifth Wisconsin district. He had declared that he would propose a new copyright bill in the House if he were reelected.

Legion Approves All Of 11 New Pictures

All of the 11 new pictures reviewed and classified in the list for the current week of the National Legion of Decency were approved either for general or adult patronage, seven in the first and four in the second group. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Cavalry," "Country Gentlemen," "Der Mude Theodor," "Flying Hostess," "Make Way for a Lady," "Riding Avenger," "Under Your Spell." Class A-2, Unobjectionable for Adults—"Come and Get It," "Glueckspilze," "Les Miserables," "The Smartest Girl in Town."

Twentieth-Fox Sets Sussman Sales Week

Twentieth Century-Fox exchanges in the east have set aside the week of Nov. 22-28 as Bill Sussman Week. Sussman is eastern division manager.

John D. Clark, Sussman and a number of home office sales executives will hold a special sales meeting at the New York exchange today on the S. R. Kent sales drive. It will be the last meeting in connection with the drive, which ends late this month.

Simons Named Aide Of Rodgers at MGM

M. L. Simons, who has been with M-G-M for the past 10 years, the last three as editor of the *Distributor,* the company's house organ, has been promoted to assist William F. Rodgers, general sales manager. Simons started with the company in 1927 as a checker in Indianapolis, later becoming booker. He assumes the post as assistant to Rodgers today.

Marks New Stock Ready

CHICAGO, Nov. 8.—New securities provided for in the reorganization plan for Marks Brothers Theatres, Inc., are ready for distribution. The plan was approved by U. S. District Court under Section 77-B of the Federal bankruptcy act and affects three houses, the Marbro and Granada, operated by B. & K., and the Broadway Strand, operated by Essaness on a lease from B. & K.

The reorganization plan was worked out by the first mortgage bond protective committee.

"Rainbow" Releases Set

HOLLYWOOD, Nov. 8.—Sol Lesser will release "Rainbow on the River" day and date in 40 key cities during Christmas Week. Lesser will fly to New York the latter part of November to discuss with Ned E. Depinet allotments in a $200,000 advertising budget. Ten advance exploitation men will be named.

Blackstone Agency is handling the RKO publicity for the New York opening. Songs from the picture will be heard on 18 coast-to-coast broadcasts.

Pollak Much Better

BUDAPEST, Oct. 25.—Joe Pollak, former president of National Screen in New York, who was seriously injured recently in a fall from a train, is recovering at the Janos Sanitorium. He is considerably better.



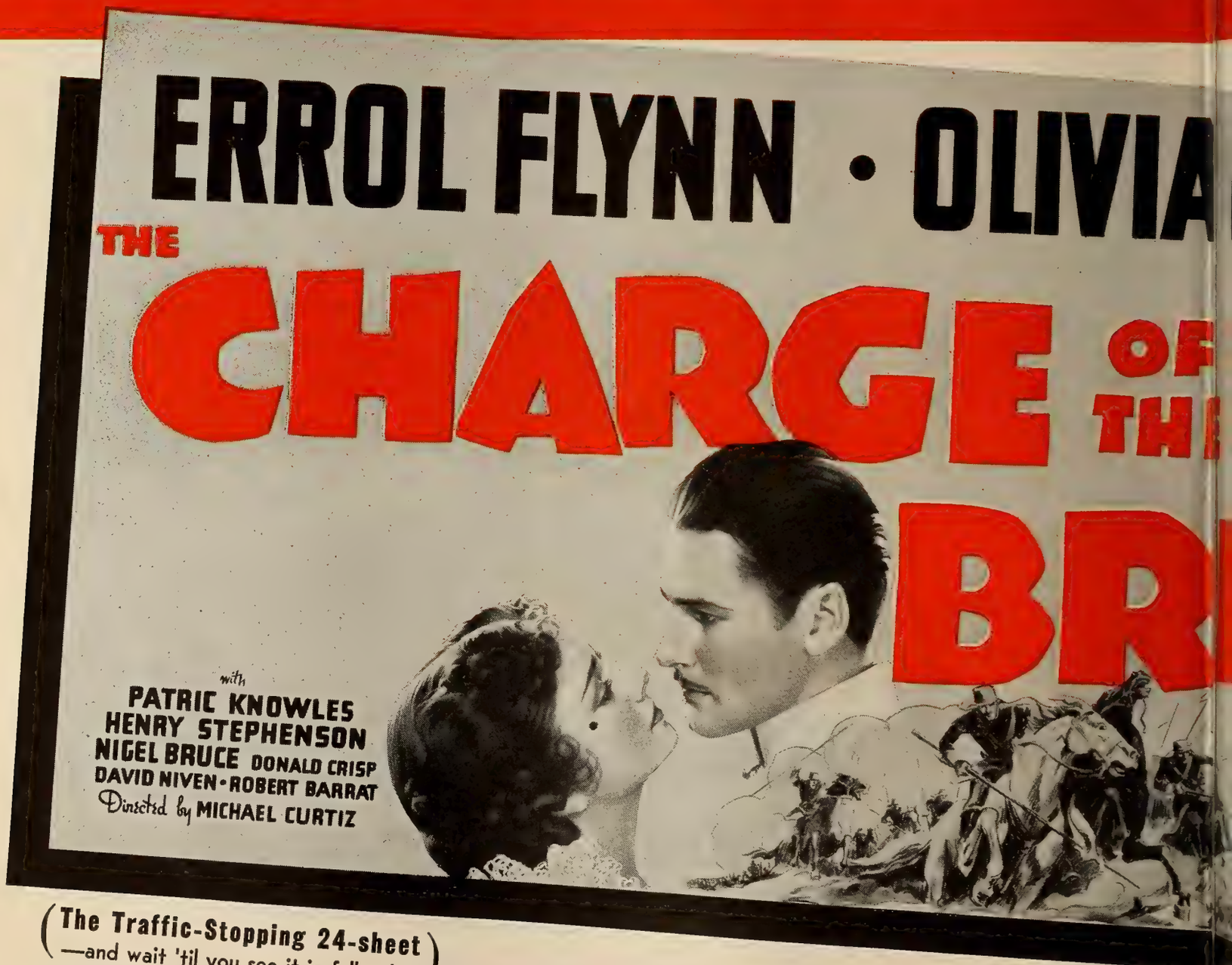
NO TWO WAYS ABOUT IT!

You're going to make money
–a lot of money–with
"THE CHARGE OF THE LIGHT BRIGADE"
BUT
The boys who will get the MOST out of it
Are the boys who will listen to REASON➤➤➤

WE'VE BLANKETED THE COUNTRY

NOW IT'S UP TO YOU TO

BLANKET YOUR TOWN WITH



(The Traffic-Stopping 24-sheet
—and wait 'til you see it in full color!)

NEW LOW PRICES FOR A NEW HIGH IN FLASH ACCESSORIES

24-SHEET
1 to 5 .....$2.00
6 to 15 .....$1.75
16 and over $1.50

1-SHEET
1 to 10 .....15c
11 to 25 .....13c
26 to 50 .....11c
51 and over 9c

3-SHEET
1 to 10 .....40c
11 to 25 .....36c
26 to 50 .....32c
51 and over 28c

6-SHEET
1 to 5 .....75c
6 to 10 .....70c
11 to 20 .....65c
21 to 50 .....55c
51 and over 50c

14x17's
In full color—pebbled and varnished!
Set of 8.....$1.50 per set

11x14's
In full color—pebbled and varnished!
Set of 8.....$ .75 per set

HERALD—8"x16"
in two colors, rotogravure!
1M to 4M.....$2.75 per M
5M and over...$2.50 per M

WITH THESE

THESE!



de HAVILLAND

LIGHT BRIGADE

A Warner Bros. PICTURE

The biggest-selling magazines in America are on your advertising schedule—put there by Warner Bros. to sell your show with a smashing campaign they won't forget! That kind of advertising is costly—and it hasn't cost you a cent! It's doing *your* job, reaching *your* patrons, making *your* campaign the biggest of its kind in the history of show business! Now see it through! Set up your engagement in the big way it deserves and get your full share of profits from the year's biggest dramatic hit!

EVERY ONE OF THESE MAGAZINES INCLUDED IN WARNER BROS.' 55-MILLION-READER CAMPAIGN!

SATURDAY EVENING POST • COLLIER'S • LIFE • PICTORIAL REVIEW • COSMOPOLITAN • RED BOOK • ESQUIRE • STAGE PARENTS' MAGAZINE • AMERICAN BOY • SCHOLASTIC

"U" Is First To Reply on Concessions

(*Continued from page* 1)

regards overbuying as a matter "which can be cured not by distributors but by exhibitors," adding that the company never knows whether or not a contracting exhibitor is overbuying. In connection with this subject Cochrane declares that Universal will not adopt any restriction on the double featuring of its product "as a national policy." The M.P.T.O.A. program, however, does not petition a national distributor ban on double featuring. While not in favor of the practice, the organization favors its elimination only by agreement of a majority of exhibitors in individual local situations.

Cut-throat competition is characterized by Cochrane as a matter for exhibitor, rather than distributor, handling. On the subject of non-theatrical competition, the letter states that Universal "never licenses a picture to such an account where there is any real possibility of unfair competition with one of its customers."

Objects to Short Contract

Cochrane sets forth two reasons for Universal's refusal to adopt a uniform short form of contract, one of which is the company's belief that court decisions prohibit it, and the other is the Universal chief's discouraging experience with earlier industry attempts to draw a new contract form. Universal's specific objection to the short form of exhibition contract submitted to distributors by the M.P.T.O.A. is contained in Cochrane's statement that "we are not in favor of deluding an exhibitor into the belief that he is getting a short and simple contract by handing him for his signature a short contract which incorporates by reference a contract which is much longer than the one which he is now signing." However, Universal declares itself in favor of doing everything that is possible "to simplify and shorten" its exhibition contract.

Cancellation Right Broadened

Universal's liberalized cancellation privilege will include a waiver of the provision limiting the cancellation right only to pictures renting for less than $250, and a modification of the provision requiring notice of cancellation within 14 days of release date. The suggestion is made that a 10-day notification period be substituted and that provisions be agreed upon to limit the number of pictures which may be cancelled in the early part of the contract. The letter to Kuykendall adds that while Universal cannot increase the cancellation privilege to more than 10 per cent as a general policy, selective contracts are available under which any exhibitor who cannot "reasonably be asked to play more than 90 per cent of our product" may negotiate for a smaller number.

In declaring in favor of the establishment of local conciliation boards "provided that satisfactory machinery shall be set up," Universal makes the suggestion that matters which may be brought before the boards be limited for stated practical reasons. Through the boards, the M.P.T.O.A. hopes to resolve such other subjects in its program as complaints against unreasonable clearance, overbuying, cut-throat competition, non-theatrical competition, designation of preferred playing time and the forcing of shorts with features.

Cochrane's letter to Kuykendall is prefaced by the assertion that "James R. Grainger, Universal general sales manager, and I have carefully considered the proposals put forth by the board of directors and executive committee of the M.P.T.O.A. as outlined in your general bulletin and are now prepared to state to you Universal's reaction to these proposals with the intention of giving you our utmost cooperation."

New Orleans Houses Talking Price Jump

NEW ORLEANS, Nov. 8.—Price rises are being discussed by neighborhood managers and the move may extend to downtown houses.

Sentiment in favor of a jump has been strengthened by the vote in favor of a two per cent city sales tax, which, in addition to the state tax already in effect, makes the total four per cent.

"Pigskin" Is Rushed Into Chicago Houses

(*Continued from page* 1)

go into the Garrick for a Loop showing.

By this arrangement the picture gets out into the neighborhood theatres while football is still fresh in the minds of the public. Booking the film into the Loop for a first run would delay the neighborhood showing until January. This booking benefits both B. & K. and the independents. It also puts the picture in the first-week houses ahead of "The Big Game," which opened at the Palace two weeks ago for the first Loop showing.

Reliable Closes Deal

Reliable Pictures Corp. has closed a deal whereby Ferdinand V. Luporini will distribute 30 features of Reliable throughout the world with the exception of the United States. The deal was closed by Rudolph Eisenberg, attorney and eastern representative for Reliable, of which Bernard B. Ray is president and Harry Webb, general manager. Twelve dramas and 18 westerns are included in the 30.

Honor Jacocks, Phaneuf

NEW HAVEN, Nov. 8.—The Connecticut M. P. T. O. will honor the two exhibitor members of the state legislature, Abel Jacocks and Henry Phaneuf, at a luncheon at the Hofbrau on Tuesday. Jacocks operates the Capitol, East Haven, and Phaneuf, the Jodoin, Baltic. Irving C. Jacocks, president, and Edward Levy, executive secretary, are in charge.

Flash Preview

"The Big Show"—Gene Autry in an interesting western telling the story of the apprehension of criminals by the use of modern gadgets.

This film will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Purely Personal

CHARLES RICH, former Pittsburgh branch manager, today assumes his new duties as metropolitan New York sales head for Warners. ROY H. HAINES, district manager, will continue his headquarters at the New York exchange.

•

JOHNNY CUNNIFF, who has been with M-G-M for 21 years, has been promoted from ad sales manager to booker in the local exchange. WILLIAM KEIRNAN, former assistant to CUNNIFF, is now in charge of ad sales.

•

MARY PICKFORD, HAROLD HOPPER, LEO FITZGERALD, MARGOT GRAHAME and MARIE LEVEN HAGAN were on the same American Airline plane which took off from Newark yesterday, headed for Hollywood.

•

J. J. UNGER and MILTON KUSELL are scheduled to return today from a tour of eastern, southern and midwestern Paramount exchanges in connection with Paramount's Silver Jubilee Drive.

•

HAL and MRS. ROACH, en route to the coast, stopped off in Chicago Saturday to see their son, HAL, JR., play football for Culver Military School, then left yesterday for the coast.

•

MARC CONNELLY, GILBERT and MRS. MILLER, PRINCESS NATALIE PALEY and LEW AYRES are aboard the *Normandie* due today. MRS. JOSEPH R. VOGEL is also arriving on the boat.

•

WILLIAM F. RODGERS, general sales manager for M-G-M, is in Portland, from San Francisco, en route to Seattle, Minneapolis, Milwaukee and Kansas City exchanges.

•

NAT D. BADER, traveling representative of Quigley Publications, is back behind the wheel again having recovered from a minor operation.

•

AURANIA ROUREYROL'S "Skidding" and "Spring Tide" by GEORGE BILLAM and J. B. PRIESTLEY have been acquired by M-G-M.

•

JULIAN BERMANN will leave for the coast this week, en route to Japan where he will assist DAVE LEWIS, M-G-M branch manager.

•

KENYON NICHOLSON and CHARLES ROBINSON arrived on the coast yesterday by plane to report at the Paramount studio.

•

HARRY H. BUXBAUM and ARTHUR SEIGEL returned from Philadelphia yesterday where they took in the football game.

•

MARC LACHMANN is in from the coast on a special Universal exploitation hookup with TWA on "Flying Hostess."

•

TOM WEISNER, operator of the Oakland, Warwick, N. Y., will leave tomorrow for Miami and a vacation.

•

KARL MACDONALD of Warners left by plane Saturday on a business trip to Puerto Rico, Trinidad, Venezuela and Cuba, planning to return to New York Nov. 25.

•

SOL. A. ROSENBLATT is due to leave today or tomorrow for Washington to confer with President ROOSEVELT.

•

NED DEPINET left by plane yesterday for Fort Worth, Tex. From there he may go to the coast.

•

J. T. PARKERSON of Trans-Radio Press left for the coast via American Airlines on Saturday.

•

LOU GOLDBERG, handling units for MAJOR BOWES, left yesterday by plane for the coast.

•

EDWARD HINCHEY of Warners' home office left for Memphis yesterday via the air lanes.

•

THEODORA BARTLETT is due to arrive at Fort Worth, Tex., today by plane.

•

SHEILA GRAHAM has returned to Hollywood after a short visit here.

•

CHARLES R. ROGERS left for Hollywood Saturday.

•

BETTE DAVIS is due on the *Aquitania* tomorrow.

•

WALLACE BEERY is at the Waldorf-Astoria.

Court Overrules Censor

BALTIMORE, Nov. 8.—"Girls For Sale" may be shown in this city, Judge Ullman of City Court ruled after viewing the film at a private screening. He overruled the ban of the state censor board. Samuel Cummins took the censor decision to court.

Taylor Gets 7-Year Pact

HOLLYWOOD, Nov. 8.—Robert Taylor has been signed by M-G-M to a new seven-year contract.

Wall Street

Board Gains Continue

	High	Low	Close	Net Change
Columbia Pictures vtc.	41⅛	39½	40⅛	+ ⅞
Columbia, pfd.	46⅝	46½	46⅝	+ ⅝
Consolidated Film Industries	4¾	4½	4⅝	.....
Consolidated Film Industries, pfd.	17½	17⅛	17½	+ ¼
Eastman Kodak	179	178	178	+1
General Theatre Equipment, new	28⅛	27¾	28⅛	+ ½
Loew's, Inc.	63½	62½	63	+ ¼
Paramount Publix	19	18⅛	19	+ ¾
Paramount 1 pfd.	137½	133	137½	+4¼
Paramount 2 pfd.	17⅞	17	17⅞	+ ¾
Pathe Film	9⅛	8⅛	9⅛	+1⅛
RKO	8½	8	8½	+ ⅜
20th Century-Fox.	35⅞	35	35⅞	+ ⅞
20th Century, pfd.	44¾	43½	44¾	+1⅜
Universal Pictures, pfd.	111	110	111	+1½
Warner Bros.	16½	15¾	16½	+ ¾
Warner Bros., pfd	64	63	64	+2

Slight Curb Activity

	High	Low	Close	Net Change
Grand National	3½	3½	3½	.....
Sentry Safety Control	¾	¾	¾	.....
Sonotone	2	2	2	.....
Technicolor	22¾	22¼	22⅝	— ⅛
Trans Lux	4⅞	4⅜	4¾	+ ⅛

Warner Bonds Up

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	100	99¾	100	.....
Warner Bros. 6s '39 wd	97¾	97½	97¾	⅛

(Quotations at close of Nov. 7.)

ALLAH BE PRAISED

shout the critics





ALLAH BE PRAISED

shout the critics



SELZNICK INTERNATIONAL

presents

MARLENE DIETRICH
CHARLES BOYER

in ***The GARDEN***

with BASIL RATHBONE • TILLY LOSCH • C. AUBREY

From the book by Robert Hichens

IN TECH

"Selznick International's 'Garden of Allah' in Technicolor, with Marlene Dietrich and Charles Boyer, was enthusiastically received at a week-end preview. It is regarded as the finest color effort thus far. Producers of previous films in color, due to preoccupation with the new medium, have neglected story, performance and sound. Here no division is neglected and the color approaches perfection."

—N. Y. Times, Hollywood Notes

•

"Selznick's 'Allah' production of beauty, artistry, charm. Artistically the most beautiful and atmospherically compelling picture ever made. Its use of color to enhance mood and incident goes considerably beyond anything hitherto attempted . . . will win wide and hearty praise. Strong portrayals from Marlene Dietrich and Charles Boyer. It is, at last, a part worthy of her. Richard Boleslawski's direction is masterful."

—Hollywood Reporter

"Superb in its production qualities and emotionally arresting, with the drama enhanced by the most discriminating use of Technicolor thus far, 'The Garden of Allah' comes to the screen as entertainment of highest appeal and sturdy box-office calibre . . . Boyer and Dietrich are seen at their best. Dietrich gives the most persuasively human performance of her career."

—Daily Variety

"'The Garden of Allah' is the greatest Technicolor picture ever made. This beautiful production will prove to be a sure fire box-office sensation. Marlene Dietrich and Charles Boyer give the greatest performances of their entire career. David O. Selznick has produced another mighty hit."

—Lloyd Pantages

"By far the best color picture to date, 'The Garden of Allah' for sheer beauty is unsurpassed, and the greatest beauty of these is Dietrich."

—Virginia Wood, Screenland Magazine

"A true symphony in color . . . Selznick International gains the record for the furthest advance in application of the varied hues . . . splendidly chosen for her beauty in the medium is Marlene Dietrich, who becomes a pace maker for sheer radiance of presence, and who has never appeared to such advantage in any picture. An acting triumph is won by Charles Boyer. A great accomplishment for Richard Boleslawski, as director."

—Los Angeles Times

•

"The finest drama of the year and one of producer David O. Selznick's greatest. The most beautiful picture ever made, with the finest performances in the careers of Marlene Dietrich and Charles Boyer. La Dietrich takes her place among the greatest beauties of history."

—E. J. Smithson, Movie Classic Magazine

•

"'The Garden of Allah' shows how close we are to the time when all pictures will be made in color. I enjoyed 'The Garden of Allah' tremendously. Marlene Dietrich is radiantly beautiful."

—Paul Harrison-N. E. A.

•

"It is the most superbly, subtly artistic production I have ever seen, with an added importance because it sets a new standard for color on the screen."

—Reha, Screen Play Magazine

•

"'The Garden of Allah' is brilliantly done, the best Technicolor picture so far. It is an exceptionally outstanding drama that will appeal to everybody."

—Leo Townsend, Modern Screen Magazine

•

"'The Garden of Allah' tells a powerful, penetrating story of immutable spiritual allegiance in conflict with predestined human love. It is produced on a lavish scale with expert Technicolor application making each frame a beautiful picture."

—Motion Picture Daily

OF ALLAH

SMITH • JOSEPH SCHILDKRAUT

Directed by Richard Boleslawski

NICOLOR

Produced by

DAVID O. SELZNICK

Released thru

UNITED ARTISTS

HERE IT IS!

Showmen's BOOKING CALENDAR

The annual 1937 Booking Calendar of Quigley Publications with handy special tie-up dates is now available. You've been waiting for it and here it is. Send for it today.

NO OFFICE SHOULD BE WITHOUT ONE

***Price*—25c**

—USE THIS BLANK—

Managers' Round Table
MOTION PICTURE HERALD
ROCKEFELLER CENTER NEW YORK

Kindly send me one Booking Calendar for 1937. I enclose 25c to cover cost of calendar and postage.

*Name*_____

*Theatre*_____

*Address*_____

*City*_____ *State*_____

All Companies Use New Reel Here But "U"

(Continued from page 1)

New York theatres about three weeks ago.

"The Last of the Mohicans" inaugurated the large spool for U. A. Paramount began with "The Big Broadcast of 1937"; Columbia, with "Adventure in Manhattan"; RKO, "Big Game"; Republic, "Hearts in Bondage," and G. B., "East Meets West."

Practically all theatre owners in the Greater New York territory have been doubling up on the single reels for some time. With few exceptions, every theatre is equipped with an enlarged magazine, with projectionists splicing the single reels as features arrived for screening.

Exhibitors are enthused over the newly adopted policy, for not only does it save time and work in the booths, but also reduces the possibility of single reels going astray in delivery.

Mayor Names Board On Union Problems

(Continued from page 1)

who will serve as chairman and the Mayor's representative; William Collins, New York representative of the A. F. L., named at the suggestion of William Green, A. F. L. president, and Howard S. Cullman, trustee of the Roxy. Collins will represent labor, and Cullman, business and management.

A technical staff associated with the board will be headed by Ben Golden and Harry Lurie, Golden acting as liaison officer and Lurie as technical adviser.

A preliminary conference will be held at 1 P.M. today in the Mayor's office.

Giannini, Leaving, Hits Rumor Mongers

(Continued from page 1)

duly authorized officer of the company.

"Thus far there is no such statement to make, and I don't know why certain persons are spouting and chewing their heads off."

Leaving on the same train were Charles R. Rogers, executive vice-president in charge of Universal production; his assistant, William Pierce; Carl Laemmle, Jr., and Jerry Horwin.

Hal Roach and Watterson Rothacker joined the travelers at Chicago yesterday.

Expect MGM to Stop Olympic Short Films

(Continued from page 1)

and exhibitors of foreign films at the offices of the league, during which reference was made to the "big fellows" and the fact that the rights to the two M-G-M shorts had been sold to M-G-M from Germany. The purpose of the Friday meeting was to obtain cooperation in an effort to boycott German-made or German-financed films.

Networks Tussle for New Outlets; 2 CBS Go to NBC

The quiet tussle for station acquisitions continues merrily on with NBC acquiring WOWO and WGL, Fort Wayne, Ind., both of which have been CBS links for the past five years or more. WOWO will join the basic Blue network on May 1, 1937, while WGL becomes an optional member of either the Blue or Red one day this week.

Both stations are owned and operated by Westinghouse. WOWO, a 10,000 watter, covers Northern Indiana, Northwestern Ohio and Southern Michigan. WGL, a 100 watter, services Fort Wayne direct.

The addition of the two stations brings the total NBC network stations to 103. The CBS network, formerly numbering 105, thereby is reduced to the NBC total.

The reason advanced locally for the station defections to NBC is that both stations, operating profitably with locally sponsored programs, objected to granting too much network time to CBS forcing the cancellation of local programs and thus automatically slicing the station profits. NBC is understood to have granted concessions to WOWO and WGL in this direction.

Westinghouse is now building new offices and studios for its stations.

Coca Cola Gets Singin' Sam

Coca Cola has signed Singin' Sam for 26 weeks of recordings. He will be heard as "Singin' Sam, the Coca Cola Man" in an electrically transcribed program which reports say will be spotted over 300 stations. Meanwhile, Coca Cola is still waiting in line for CBS or NBC to clear time for the new "Song Shop" series, already signed for network presentation. Coca Cola wants 45 minutes and the only available NBC time for a period of that duration is on Mondays, which the sponsor doesn't want. CBS has no open 45 minute spots, so it seems that Coca Cola will have to mark time until the first of the year, when renewal time comes 'round.

Ford Symphony to Stay

Statement by M-G-M in reply to a protest wire from P. J. Wood of the Independent Theatre Owners of Ohio over Sunday night air shows of M-G-M stars under Ford sponsorship indicates that it would be the two 30-minute Fred Waring shows which the motor manufacturer would replace provided the discussed deal with Metro is consummated. The original report credited the possible replacement of the Ford symphony hour which is nationally broadcast over CBS on Sunday evenings from 9 to 10 P. M., E.S.T.

All Chains to Air Auto Men

NBC, CBS and Mutual will present practically all of the leading automobile manufacturers during the week of the National Auto show in New York, starting Wednesday. Among those who will be heard are H. G. Moock, vice-president, Plymouth Corp.; Richard Grant, vice-president, General Motors; A. J. Chanter, president, Pierce-Arrow; Harvey Firestone, Firestone Tire and Rubber Co.; Robert P. Page, president, Auto-Car Co.; K. T. Keller, president, Chrysler Corp.; Alfred P. Sloan, president, General Motors; M. L. Pulcher, president, Federal Motor Truck Co.; A. E. Barit, president, Hudson Motor Co.; C. L. McCuen, president, Olds Motor Works; D. S. Eddins, president, Plymouth Corp.; H. J. Klinger, president, Pontiac Co., H. S. Vance, chairman of board, Studebaker, and D. R. Wilson, president, Willys-Overland Corp. The speakers will be presented daily over all networks during the week of the show.

They Go Elsewhere

Providence, Nov. 8.—Radio moguls here seem to feel that dialers have no use for local talent and prefer canned music and plugs to giving aspiring youngsters any air time. Talent, therefore, is forced to hit for New York or Boston where some of them such as Tony Russell, Mary Phillips and Mary Dodd made the grade. With the exception of "kiddie revues" commercials here use recordings and professional talent is out in the cold. Even gratuitous sustainings are hard to get with so many non-commercials being piped in direct from network sources.

Woollcott on Films

Alexander Woollcott, off the air since he airily told his sponsor off a year ago is a last minute guest on tonight's "Magazine of the Air" program over the CBS network from 11 to 11:30 P. M., E. S. T. Woollcott, who replaces the De Marcos on the program, will talk about the film versions of the Shakespearean epics.

Using "Gold Diggers" Chorus

Hollywood, Nov. 8.—Carolyn Newell, captain of the 12-girl chorus from "The Gold Diggers of 1937," will appear on the Lux program Nov. 12 before starting a national tour. Melvin Purvis will be interviewed by Cecil B. De Mille.

Some Television Reactions

More about the RCA-NBC television broadcast of the other day. Motion Picture Daily polled many of the 250 reporters on various aspects of the experiment, with the following results:

A majority felt that television still is five years away from becoming commercially practicable, aside from the economic aspects.

A majority complained of eye strain, due to the smallness of the screen, and the deep green shade of the film. A great many who witnessed the NBC-RCA broadcast had attended the Philco television broadcast in Philadelphia less than a year ago and were of the opinion that Philco's black-and-white effect was much easier on the eyes.

Other reactions and facts gleaned during the course of the show:

RCA has abandoned last year's make-up of chalk white face with black eyebrows and lips and is now using a panchromatic make-up in shades of orange, red and brown.

Leonx R. Lohr, NBC president, told of numerous sponsor offers already received by NBC for television programs. All offers have been tabled and in cases where cash binders were sent by sponsors, the money returned.

Utall, Morgan, Et Al

Short Shots: Fred Utall, straight man on the Ken Murray show, sick abed with a bad case of flu and tonsilitis. . . . Ben Grauer, NBC announcer, spent the winnings of a considerable bet on the election by tossing a party for the entire NBC announcing staff. . . . Clay Morgan, erstwhile publicity director for the French Line, now with NBC, has as yet received no title. NBC answers all queries with a statement that "Mr. Morgan is connected with the president's office." . . . Connie Gates now being film tested by Warners and M-G-M. . . . Theodore Dreiser and Gretta Palmer signed to guest on the "Magazine of the Air" program of Nov. 18. . . . Transamerican Broadcasting and Television Corp., John L. Clark, president, opening a Hollywood office, with William V. Ray in charge. . . . Rosa Tentoni will guest soloist with the Pittsburgh Symphony Orchestra Nov. 15. . . . Adele Starr, WBBM songster, signed to a long-term contract by that studio. . . . Betty Ito, heard on the NBC "Jack Armstrong" serial, is the only Japanese artist on the networks. . . . Dave Rubinoff will be Nick Kenny's guest star on WMCA's Inter-City program tomorrow.

Navy Spent $307,000 For Films Last Year

(Continued from page 1)

last, it was shown tonight by the chief of the Bureau of Navigation in his annual report to the Secretary of the Navy.

An appropriation of $85,000 was set aside from the funds provided by Congress for the leasing of films, the remainder being secured from ship's stores profits and contributions from ships and stations.

During the year 228 men were admitted to the schools at San Diego and New York, where the Navy teaches sound film technicians, and 197 men were graduated. The six-week course was given to 68 men at New York and 160 at San Diego, and graduations were 56 at New York and 141 in California.

8 Film Issues Hit New High on Board

(Continued from page 1)

Paramount common hit 19 and stayed there for a ¾ of a point profit; Paramount first preferred soared to 137½, where it closed, for 4½ points gain; Paramount second preferred reached 17⅞, where it remained for ¾ of a point gain.

Twentieth Century-Fox common went to 35⅞, stayed there and showed a plus ⅞; the company's preferred ended the short day with 1⅜ profit on a new high of 44¾, where it closed.

Warners common is now 16½, a new top for the year and a gain of ¾ of a point over Friday's closing. The preferred on a few sales was marked up to 64 for a two-point differential.



A Ray of Loveliness

that will flash from the screen to enchant your patrons.

Deanna Durbin

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 112 NEW YORK, TUESDAY, NOVEMBER 10, 1936 TEN CENTS

Loew Circuit Insisting on UniformSound

W. E., RCA Meet Circuit Specifications

A uniform standard of sound reproduction throughout the Loew circuit, regardless of whether pictures used have RCA or Western Electric recording, will be attained by the installation of the two major types of equipment built to conform with standardized specifications laid down by the circuit.

The entire circuit is being re-equipped with new sound apparatus, 68 theatres by Erpi and 64 by RCA. The equipment of each company is being delivered in accordance with specifications furnished by the circuit on sound equipment installed and in use now in the Capitol and Astor here. The equipment in both theatres is basically Western Electric, but incorporates horn and sound head refinements either developed or designated by Loew's sound engineers. In

(*Continued on page 6*)

Term British Loew Buy an 'Investment'

The acquisition late last week of 35,000 shares of Loew's, Inc., common stock by undisclosed British interests from the Irving Thalberg estate was described yesterday by brokerage and Loew's officials as being without other than investment significance.

Paul Cohen, a partner in Hirsch, Lilienthal & Co., which represented the purchasers, said: "Because I was only the broker I do not feel at liberty to disclose the principal's name, but if you knew it I'm sure you

(*Continued on page 9*)

M-G-M to Withdraw Olympic Game Films

M-G-M will withdraw completely from the domestic market the two Pete Smith short subjects based on the winter Olympic Games, "Olympic Ski Champions" and "Sports on Ice," MOTION PICTURE DAILY learned definitely yesterday.

The action followed withdrawal of one of the two shorts from the Capitol, and was taken on the receipt of a telegram of protest on the national release of the shorts from the Non-Sectarian Anti-Nazi League, which was addressed to Nicholas M. Schenck, president of Loew's and M-G-M.

Mayor Issues Ultimatum in Union Battle

Threatens to Close All Theatres Involved

Mayor F. H. LaGuardia yesterday emphatically declared that if a satisfactory solution of the projectionist union problem in New York cannot be found he will close all theatres involved.

"Settle your existing difficulties and clean up the situation or the theatres concerned will have to be closed," he told theatre representatives at the first meeting of the fact finding committee he appointed Saturday to delve into the situation following the recent theatre bombings. "That's all there is to it if the situation gets beyond me," he said.

The city is closely concerned, the Mayor indicated, since the safety of its citizens is involved. He characterized the multiple union situation here as an evil, and asked his committee to study ways of ending it.

The Mayor instructed the survey board to refer all information relative to the bombings to the district attorney. All recalcitrant witnesses, he

(*Continued on page 9*)

UMPTO Unit Talks Exchange Picketing

PHILADELPHIA, Nov. 9.—Picketing of local exchanges and the theatres of their customers is threatened by the U. M. P. T. O. in its current bulletin as a means of combatting "unfair" sales policies by major distributors.

"The saturation point in film prices has been reached," the bulletin declares in making known its contemplated action. "Percentages are too high and

(*Continued on page 9*)

International

What goes on in important foreign markets? *Motion Picture Daily's* special correspondents, today as on other days, report the developments, factually and impartially.

Today on page 16, Bruce Allan checks in from London, R. Sillei from Warsaw, Hans Lorant from Vienna, Beatrice Stern from Moscow, Endre Hevesi from Budapest, J. K. Rutenberg from Berlin, Cliff Holt from Melbourne and N. Bruski from Buenos Aires.

Canada Music Rates Below Recent Pact

TORONTO, Nov. 9.—Theatre music tax rates, which are considerably under those recently agreed to by leading exhibition interests and the Canadian Performing Right Society, have been established by the Government for 1937 and were made known yesterday by Secretary of State Fernand Rinfret.

The maximum music tax under the Government's schedule is 12 cents per seat in the largest theatres. The rate agreed upon by the principal theatre interests and the Canadian licensing society was scaled up to 15 cents per seat for theatres over 1,600 seats, with a 12-cent rate only for theatres seating from 801 to 1,599. The Government's schedule makes no reference to the rates agreed upon last week by theatre and music licensing representatives.

Reliable opinion here holds that the Government's schedule does not prohibit any theatre from voluntarily paying more than the rates prescribed,

(*Continued on page 6*)

'Black Limelight' Strong in Title, but Skiddy as Play

Alexander Kirkland spends most of his time traveling the South of England. Winifred Lenihan, his wife, stays at home being properly English and managing her home and two children. Kate Warriner has an affair with Kirkland, who thinks it is all in fun. Only Kate wants her child which is a slightly embarrassing situation, as usual. Having forgotten candle and oil to use in their rendezvous, Kirkland offs to a neighboring village, returns and finds impending motherhood thwarted by murder.

It looks a cold deck for him. So he scrams.

Back in his home in the outskirts of London, Miss Lenihan waits, gets no word while Scotland Yard draws its

(*Continued on page 6*)

Other Majors To Follow 'U' MPTOA Lead

Kuykendall So Indicates In Statement

Definite assurances that other major distributors will follow Universal's lead in granting trade practice concessions have been given the M.P.T.O.A., according to a statement issued yesterday by the local office of Ed Kuykendall, M.P.T.O.A. president, acknowledging Universal's action.

Universal gave the national exhibitor organization its assurances on extending a 10 per cent cancellation privilege under liberalized conditions, of maintaining its policy of not endeavoring to collect a score charge and of cooperating in the establishment of local conciliation boards through which the exhibitor organization hopes that most of its other trade practice reforms may be effectuated.

"The M.P.T.O.A. is elated to learn that Universal has definitely and publicly accepted most of the proposals presented to it," the statement said. "R. H. Cochrane, Universal president, and J. R. Grainger, general sales manager, are to be highly commended for their fairness and initiative. We are confident from their sympathetic attitude towards our problems that the few remaining details to which they refer can and will be worked out to our mutual satisfaction."

Phila. Percentage Is Dropped by G.N.

PHILADELPHIA, Nov. 9.—Grand National will revise its sales policy to permit Philadelphia exhibitors to buy the company's pictures on a flat rental basis, the U. M. P. T. O. states in an organization bulletin just published.

The change results from a decision made by Edward L. Alperson, Grand National president, following a meeting attended by himself and Ed Peskay, Grand National sales manager,

(*Continued on page 6*)

Harold B. Franklin Quits Columbia Job

HOLLYWOOD, Nov. 9.—Harold B. Franklin, who has been a member of the Columbia production staff for the past year, has resigned, effective Nov. 20. He is now en route to New York on a visit and will return here to continue in production.

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(Registered U. S. Patent Office)

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Pelton Quits M-G-M

HOLLYWOOD, Nov. 9.—Fred Pelton today resigned his post as executive studio manager at M-G-M, concluding eight years in the position. He stated that he has several offers here and abroad but will make no decision until December.

Rogers Due on Coast

HOLLYWOOD, Nov. 9.—Charles R. Rogers, vice-president in charge of production at Universal, is due Wednesday from the east, where he conferred with R. H. Cochrane and Herbert Wilcox.

Warner Affair Nov. 22

PITTSBURGH, Nov. 9.—The Warner Club of Pittsburgh will hold its annual dinner dance at the William Penn Hotel on Nov. 22. More than 1,000 are expected to attend, including several from the club in New York.

Party for Miss Davies

Harry M. Warner is giving a cocktail party for Marion Davies in the Green Room of the Warwick Hotel, Thursday, at four o'clock.

United Artists Asks Press To Log-Rolling; Some Fun!

By J. M. JERAULD

Monroe Greenthal and the boys in the United Artists publicity department had a big idea. They decided to have a log-rolling contest as an exploitation contest for "Come and Get It."

Two log-rollers who worked in the picture were brought east from a lumber camp north of Seattle, where logs are logs and log-rollers are log-rollers. The newspapers were invited to send reporters and photographers to the Park Central pool at 1 o'clock yesterday. They did.

The photographers clambered around the balcony, they picked vantage points on the stone benches at the edge of the pools, they inspected their flashlight bulbs. The log-rollers came in wearing corduroy pants and sweat shirts and adjusted their sandals.

A half dozen men in felt jackets and overalls examined the iron fences on the balconies and conferred. Then they went out doors and returned and conferred again.

Two policemen came in and one shouted to a photographer: "Where's da participants?"

The photographer was puzzled. After a second or two he replied: "Oh, them! There they are," pointing.

All Ready But the Log

Time passed. About 1:45 Monroe Greenthal, A-Mike Vogel and Jack Horrower came down from the dining room.

"Where's the log?" asked Monroe.

"Outside on a truck," explained Al Margolies.

Ken O'Brien hastened to explain: "And what a log! I'll bet it took a hundred years to grow up for this occasion."

One of the hotel attendants suggested they bring it down the stairway and throw it over the railing.

"Huh!" exclaimed one of the lumber men in overalls. "It would go right through the bottom of the pool and flood the B.M.T. subway. It weighs two tons."

Everybody conferred some more. Eventually the log started back to the Leary lumber yard over at Greenpoint, Brooklyn. Some day, perhaps, they'll use it to hold up a corner of the Empire State Bldg., if the foundations ever get weak.

Vogel lighted another of those stogies they use for fumigating Pittsburgh.

"Contest called off on account of wet grounds," he murmured softly, as is his wont.

Everybody went back to work, except the log-rollers. The nearest forest with man-sized logs is up near Oregon.

Tacoma Receipts Stolen

TACOMA, Nov. 9.—While a capacity audience viewed "Hot Money" at the Kay Street here, a masked bandit scooped up box-office receipts of $200 and escaped.

Jack Warner on Coast

HOLLYWOOD, Nov. 9.—Jack Warner arrived here today from New York.

Two in the Bronx

Two former film stars are making nightly personal appearances at Bronx restaurants.

Mary Nolan shows up every evening for the Shore Boat customers in the Kingsbridge section, while Evelyn Nesbit appears at Maxin's. Miss Nolan is in her first week at the Shore Boat, while Miss Nesbit is being held over a second.

Phil Selznick Forms New Production Firm

CLEVELAND, Nov. 9.—Phil Selznick, brother of the late Lewis J. Selznick and himself a former film executive, is forming a new production company to be known as Phil Selznick Pictures Co. His financial associates are his two nephews, Max Young of Canton and Sol Meltzer of Jersey City. Young owns theatres and a large brewery in Miami. Meltzer is interested in gas stations.

After a meeting here, Young and Selznick will go to New York to arrange for distribution of the John Alden Seltzer westerns on which they have an option. The Seltzer westerns were popular vehicles for William S. Hart, William Farnum and Tom Mix. Phil Selznick was manager of the Selznick exchange in the old days. For the past 10 years he has operated night clubs.

Pathe 39-week Net Given as $24,687

Pathe's net operating profit for the 39 weeks ended Sept. 26, after Federal taxes, totaled $24,687.22, it was revealed yesterday.

Net profit from laboratory operations amounted to $92,950.81. Net income from film rentals, after distribution allowances and producers' participation, aggregated $46,898.69. The loss sustained from selling, administrative and general expense was $98,726.96. Non-operating profit consisted of $131,842.42, of which $105,000 was interest and discount earned from dividends by DuPont.

Sales from film developing and printing work amounted to $509,995.17. The profit before interest and other items was $33,115.46.

A. T. S. Holds Meeting

DETROIT, Nov. 9.—The initial stockholders' meeting of the newly formed American Theatre Science, Inc., theatre service organization, resulted in a vote of confidence for the president, James M. Minter, and Frank Stuart, general manager. New member applications are being considered by the membership committee.

John F. Wharton West

HOLLYWOOD, Nov. 9. — John F. Wharton of Selznick International is here for two weeks of conferences.

Harry Lotz, of U. A., Chicago, Succumbs

CHICAGO, Nov. 9.—Harry Lotz, 47, Chicago branch manager for United Artists, died early Sunday morning at St. Francis Hospital, Evanston, following a heart attack suffered at his office Saturday afternoon. Treatment in an oxygen tent failed to save him. The body was sent to Buffalo, where burial will take place Wednesday.

Lotz came to Chicago 13 months ago from Milwaukee, where he had headed the United Artists' office. In his short tenure here he made many friends on Film Row. He is survived by his wife and a son, Harry, Jr., a salesman for Grand National here.

Chic Sale Funeral Held

HOLLYWOOD, Nov. 9.—Funeral services for Charles "Chic" Sale, who died of lobar pneumonia Saturday, were held here today at the Little Church of the Flowers. Only immediate members of the family attended the rites. Interment was in Forest Lawn Cemetery.

Mrs. J. P. Medbury Dead

LOS ANGELES, Nov. 9.—Mrs. John P. Medbury, wife of the screen-commentator, died Saturday of pneumonia. Mrs. Medbury, who was 40 years old, was formerly known as Phyllis Eltis of the musical comedy stage and vaudeville. Funeral will take place Tuesday at Forest Lawn.

Charles Furthman Dies

HOLLYWOOD, Nov. 9.—Charles Furthman, formerly scenario editor at Paramount, died here Saturday of pneumonia. He was 56 years old. Surviving are two brothers, Jules and William Furthman, and a sister, Mrs. Mara Cole. Services will be held tomorrow at Forest Lawn.

Hold Rites for Seiver

ST. LOUIS, Nov. 9.—Funeral services were held here today for William Seiver, 75, who died Saturday. He was at one time the owner of the old Central here.

J. L. Traub Passes

HOLLYWOOD, Nov. 9.—J. L. Traub, a screen writer at various times for Warners, Universal and Columbia, was found dead in bed in his hotel room here last night.

Barrymore Weds Barrie

YUMA, Nov. 9.—John Barrymore married Elaine Barrie, his protege, here early this morning. It was the actor's fourth marriage.

J. L. Rome Marries Today

J. Louis Rome, Baltimore exhibitor, will be married today to Mrs. Bessie Miller in the Waldorf-Astoria by Rabbi Alexander A. Steinbach.

AT&T Seeks New Issue

The second record refunding of the A. T. & T. was placed on the calendar yesterday when directors of the company authorized the registration with SEC of a $160,000,000 issue of 30-year debenture 3¼s.

"Passage" at Criterion

"One Way Passage," hit film of four years ago, will be presented in reissue form tomorrow at the New Criterion.

Dorothy Lamour

. . . who is she?


She's a girl with a terrific screen personality, lots of what the beauty ads call *allure*. And she's just the girl to put over Paramount's thudding, thundering big-time romance of the Malay jungle . . . **"THE JUNGLE PRINCESS"** and make it an even bigger grosser than "King of the Jungle". . . Gentlemen . . . here's **DOROTHY LAMOUR.**
Paramount Pictures

Lee Plans a Daily Television Program

Los Angeles, Nov. 9.—Don Lee television station W6XAO today inaugurated a new series of daily daylight television image tests under the direction of Harry R. Lubcke. The broadcasts are 300-line, high definition television emanating from the local station and received at Lubcke's home almost four miles distant. There is an added reception hazard in the form of two hills located close to the residence. Lubcke stated that increased transition mileage would result if the broadcasts were held under more favorable circumstances.

Today's broadcast extended from 8.30 A.M. until 6.30 P.M. Tomorrow the program will extend from 10 to 11 A.M., on Wednesday from 11 to noon, on Thursday from noon until 1 P.M. and so on throughout the week, giving amateur television operators the opportunity to test the value of the transmission at each hour of the day.

The original Don Lee tests were inaugurated in 1931 and used 80-line television. Today the station conducts tests each evening from 6.30 to 7.15 P.M.

Tomorrow Lubcke will conduct a synchronization test of image and sound with the sound originating at KHJ and the image at W6XOA. He will check reception from his home. The tests will be independently conducted. Experiments have been in progress since 1930. Tests during the past two years, however, have been private. Newsreels and short subjects are used as broadcast subjects.

Pick Picture Contest Judges

Hollywood, Nov. 9.—The judges for the "Picture of the Month" program, which will be a weekly Don Lee coast network program over KHJ, have been finally selected. They are Ken Frogley of the *Illustrated Daily News*, Herb Kane of the *San Francisco Chronicle* and Jean Muir, Warner player. The new feature will be inaugurated Nov. 17.

Film Program Sustains Interest

Providence, Nov. 9.—The FNO Movie Program on WPRO is proving consistently popular with fans cooperating with the station which is tied-in with downtown theatres. The first 10 patrons to write in get passes and others are given pictures of favorites or stills.

Seek Gable for Broadcast

Hollywood, Nov. 9.—The William Esty Agency is negotiating for Clark Gable to team with Claudette Colbert on the Camel Caravan program for Nov. 17 over the Columbia network. The feminine half of the deal has already been signed.

RCA-Hazeltine Trial Opens

Wilmington, Nov. 9.—Trial in the patent litigation of Hazeltine Corp. against RCA opened here today in U. S. District Court before Judge John P. Nields. Hazeltine charges infringement of an automatic volume patent for radio receiving sets.

Named Program Director

Kansas City, Nov. 9.—Manny Marget has been named program director of Station W9XBY, succeeding Ward Keith.

NBC Hiking Its Air Prices; Red Chain, $8,000 an Hour

A rate increase of 10 per cent for sponsored time on the Red and Blue NBC networks, respectively, will be instituted shortly, it was learned yesterday. First to be affected, on Dec. 15, will be the 21 basic stations comprising the Red. Two weeks later, on Jan. 5, the advance will be enforced on the Blue, also numbering 21 basic stations.

With the additional 10 per cent, new prices for the Red network will be as follows: One hour, $8,000; half-hour, $4,800; quarter-hour, $3,200. Similarly, the Blue network prices will be one hour, $7,200; half-hour, $4,320; quarter-hour, $2,880.

However, network advertisers who have contracts with NBC as of Dec. 15 may continue on the present basis for any period up to and including Dec. 14, 1937, providing they continue existing broadcasts without interruption. Additions to such facilities may be made on the old rate basis, but the adjusted rates are applicable to all new broadcast series contracted for on and after Dec. 15, 1937. Discount brackets will remain unchanged under the new rate.

Explaining its reasons for the new rate, NBC points out that its company's coverage has greatly increased since the current rates were established and that the cost of radio advertising, per listener, is still relatively lower than that established by any previous rate schedule in the history of the company. The last NBC increase was established in February, 1935, and was 16.6 per cent.

Using figures compiled by the Joint Committee on Radio Research, an organization representing advertisers, agencies and broadcasters, NBC, as of Jan. 1, 1936, estimates 22,869,000 radio families in the United States, an increase of 4,920,838 radio families over the 17,948,162 of 1934, on which the current NBC rates were computed. The comparison is between a 10 per cent rate increase and a 27 per cent radio family increase.

Appraised of the impending NBC rate increase and queried as to Columbia's policy, Victor M. Ratner, advertising and sales promotion director at the latter chain, stated that insofar as he knew, Columbia at the present moment was not contemplating any increase.

Many at NBC Party

Seven internationally famous personalities in the fields of radio, business, government and science addressed the 1,600 guests at the National Broadcasting 10th anniversary banquet at the Waldorf last night. The principal speakers were Anning S. Prall, chairman of the Federal Communications Commission; David Sarnoff, president of RCA; Lenox R. Lohr, NBC president, and Maurice Rampert, president of the International Broadcasting Union. The speeches of the latter were broadcast from 10 to 11 P.M., E.S.T., over the NBC-Blue network.

Chairman Prall conveyed the personal regrets of President Roosevelt, who was unable to attend the banquet because of press of White House business. Prall pointed to the great progress made by radio during the four years of the Roosevelt administration, and gave the President credit for bringing the country generally out of the depression. He envisioned an even brighter future for the nation and for radio under the next four years of Roosevelt leadership.

In conclusion he scored forces that have been working for government-owned radio in this country and lauded the industry for its impartial granting of time to all political candidates.

Among the 1,600 guests present were the 25 members of the International Broadcasting Union; 101 owners of NBC's associated station; advertising executives, and business leaders.

Merlin S. Aylesworth, first president of NBC, paid high tribute to David Sarnoff, Owen D. Young, and others instrumental in the founding of the National Broadcasting Co.

One of the highlights of the evening was the reading of a facsimile of a message of congratulation sent to NBC via radio from Italy by Signor Gugliemo Marconi, inventor of radio.

Guests of honor included two members of President Roosevelt's cabinet; a former vice-president of the United States; a member of the French Cabinet; a prime minister of the Dominion of Canada; and notable figures in the field of religion, finance and industry.

These included Henry A. Wallace, Secretary of Agriculture; Postmaster General James A. Farley; French Minister of Communications Robert Jardillier; Charles G. Dawes, former vice-president of the United States; the Hon. C. D. Howe, Minister of Transportation, Canada; and Major General James G. Harbord, Chairman of the NBC Advisory Council and Chairman of the Board of the General Electric Corp.

Walk Out on Films

Sunday night Chevrolet tried something new in ether showmanship by offering films, sans any admission price, to the studio audience gathered in the CBS Playhouse to witness the regular Chevrolet broadcast. The clips were 90 percent sales promotional in effect, with the result that when the 30-minute reels were run off, half the house was empty.

Three 10-minute clips were shown and all pointed to prove that Chevrolet motor cars were built sturdily enough to withstand tests by fire, water, poor roads, etc. The pictures, produced by Jam Handy, were pictorially satisfactory and expertly produced, but lacked sufficient entertainment punch to hold an audience. However, the commercial plugs were held down to a minimum.

Similar pictures will be shown at all subsequent Chevrolet broadcasts, according to present plans.

Pearl Returns

After an absence of more than a year, Baron Munchausen, as interpreted by Jack Pearl, returned to the air last night over the NBC-Blue network at 9:30 P.M., E.S.T. The result must be noted on the debit side of the ledger.

Pearl's delivery of lines, his interpretation of the Dutch dialect, were perfect. But his gags had about as much life as the Republican Party after the election. Jack is definitely not a comedian of other days, but his jokes last night most certainly were.

A multitude of stooges were used on the program, but, as usual when it comes to stooging, Cliff Hall was tops. Morton Bowe's tenoring and Tommy Dorsey's music were excellent.

With a bit of perking up in the gag department, the Baron should do better and find a sincere welcome back on the air.

BANNER

Mantle Lamp Signs McConnell

The Mantle Lamp Co. begins sponsorship of a new WOR-Mutual network program featuring Smilin' Ed McConnell next Saturday from 9:15 to 9:30 P. M., E. S. T.

After Irene Dunne

J. Walter Thompson, in the interest of the Rudy Vallee program, is currently trying to entice Irene Dunne to affix her signature to a contract calling for her guest appearance on Thursday night's Vallee program. Thus far with no success.

Crosby, Stueckgold, Et Al

Short Shots: Bing Crosby will sing a duet with Grete Stueckgold, Metropolitan Opera star, on the Kraft Music Hall broadcast Thursday night . . . 101 NBC station managers and owners are in town for the week of NBC's 10th anniversary celebration . . . Dorothy Page flying in from Hollywood for special "Paducah Plantation" broadcast for the Oldsmobile dealers. Irving Cobb, of the same troupe, arrives tomorrow on the Century . . . Adrian Samish, formerly with Cleveland Chase Co., and William P. Dumont, formerly with J. Sterling Getchel, have joined Arthur Kudner, Inc., New York, in executive capacities . . . Ben Pratt, formerly head of radio for Republican National Committee, now in New York to start own talent agency . . . Stanley Evans, NBC sustainer, now auditioning for commercials at several agencies . . . Willie and Eugene Howard, now in California with George White's Scandals, will play several months of musical stock in Hollywood at the end of the "Scandals" run. Comedians also will guest shot on several Hollywood programs shortly . . . The *Philadelphia Inquirer* soon to take on a radio columnist.

And on the Coast

Short Shots from Hollywood: E. Callison, former secretary to C. C. Pyle, now secretary to Salvatore Santaella, KMTR music maestro. K. R. Fredricks succeeds as Pyle's secretary. Universal Microphone Co. has a new portable recording machine for film people. . . Fenton Earnshaw, director in Earnshaw Radio Prod., back from a three month motor jaunt during which he contacted broadcasting stations. . . L. R. Barbley head of a syndicate which has just bought XAOK in Tia Juana. . . Bill Betting, sales manager for Earnshaw-Young, back from a trip through Arizona and New Mexico.

Loew Circuit Insisting on UniformSound

(*Continued from page* 1)

placing the orders for the new equipment for the remainder of the circuit, Loew's insisted that it incorporate either the same refinements or their equivalent in reproducing quality.

The circuit's specifications give it a new type of rotary stabilizer in Western Electric equipment and a cellular horn patterned after the improvements conceived by Douglas Shearer of M-G-M in the RCA equipment, according to Lester B. Isaac, in charge of the sound reproduction and projection department of Loew's. The result, he declares, will insure a uniform reproduction. The claim is also made that advancements in recording technique which have been made at the M-G-M studio under Shearer will not be dissipated in reproduction.

The Loew move anticipates the wider use of RCA recording under new agreements just closed by the latter company with Hollywood producers. It endeavors to correct flaws in sound reproduction which Loew's engineers believe result from recording which has been aimed for a single type of reproducer, and which may reproduce best only in theatres equipped with that reproducer. By encouraging the standardization of reproducing equipment, Loew's believes that it can not only overcome the problem presented to its own and other theatres by individual methods of recording, but that it can also expect greater uniformity of sound reproduction for M-G-M pictures wherever they are played and on whatever sound equipment, it was stated.

The idea is reported to be winning favor with other large circuits and studios, and in line with this definite basic moves are under way in Hollywood looking to greater uniformity in sound recording methods.

ITO and Merchants Will Fight "Chains"

LITTLE ROCK, Nov. 9.—In a move calculated to combat what is characterized as the "chain influence," the I. T. O. of Arkansas today decided upon joint action with the Arkansas Independent Retail Merchants Ass'n, following addresses at this morning's session of the convention by C. W. Lithicum, secretary of the merchants' association. The committee appointed to work with the merchants comprises W. E. Malin of Augusta and J. M. Ensor and "Hy" Sanders of Little Rock.

Tribute was paid to the late H. D. Wharton, a former director, by Elit Whitney Cotlin. Sidney Wharton, son of the deceased, was elected to fill the vacated post.

Cecil Cupp of Arkadelphia was elected unanimously as vice-president to succeed L. F. Haven, who became president upon the resignation of Ray Morros of Malvern, now a Robb & Rowley partner.

Ed Kuykendall was the principal speaker at today's session.

Attorney General Jack Holt addressed the guests at a dinner dance which closed the convention at the Hotel Marion.

'Black Limelight' Strong in Title, but Skiddy as Play

(*Continued from page* 1)

suspicions and its net closer 'round her husband. Then suddenly, up he shows—this is a month later—conveniently slips through the police cordon and convinces his wife he is not guilty of murder, although damned guilty of infidelity. A telltale clue sets her on the trail which, by this time, has ended sharply and on all four brakes at the door of George Curzon, the mouse-like lawyer friend who, from the first, sides at large with the police and not as a lawyer as well as friend might be expected to.

The clue is a handkerchief which her frightened husband has brought home. And that's strange because he hadn't left with it. The wife, thinking sharply, recalls it was Curzon who had borrowed it. She sets out to follow through and arranges the stage, brave woman, for a cat-and-mouse play with her suspect. Withholding the information that the police have apprehended her husband at her behest, although more quickly than she had planned, she implants the thought that, by her murder, the suspicion would logically fasten itself on her husband. This would allow Curzon and his homicidal mania to further disrupt the English countryside and keep Scotland Yard off its financial keel by added overtime.

Lady and Gent in Brawl

Curzon goes for it, dowses the lights and is ready to spring. But Miss Lenihan, taking a very long chance indeed, has doped out that the villain suffers from an eye disease which gives him perfect sight in the dark and practically none at all in the light. She, therefore, hits him between the optics with a strong flashlight—the kind that never helps when something goes wrong with your automobile—and under its searchlight glare batters the heavy's resistance until he confesses. But, don't go away. There's more. Curzon upsets her on the 40-yard line and is about to toss another goal when the police clatter up for a picture finish.

Miss Lenihan gave a curiously uneven performance, alternating between terror and just conversation; Kirkland had little to do. It was Curzon who was as good as the play by Gordon Sherry allowed. The lack of logic could be called deplorable and even something stronger. And the flashlight scene almost got the audience—with snickers, not shivers.

Bob Goldstein, immediately in front, suddenly woke up at the close and remarked:

"I wish I had that flashlight. I'd go looking for the author."

The play? It was "Black Limelight" and it opened at the Mansfield last night. But not for long.

"Green Waters" Folds

"Green Waters," which opened at the Masque Nov. 5, closed Saturday night with a run of five performances.

Resume Shows on Friday

PITTSBURGH, Nov. 9.—The Stanley will resume stage shows on Friday, one week after the settlement of differences with the musicians. The opening attraction will be Major Bowes' All-Girl Revue.

Patron Service

New Orleans, Nov. 9.—Henry Lazarus, owner of the new Center, which re-opened recently, renovated the house and installed two clocks at the entrance, side by side. Over one of them a sign reads: "This is the time you go into the theatre." Over the other one a sign says: "It will be this time when you come out," and this week there is an hour and 45 minutes difference in the time of the two clocks.

Sales Heads Attend 20th-Fox Meet Here

Twentieth Century-Fox sales executives yesterday wound up final meetings on the fourth annual S. R. Kent sales drive with a session at the New York exchange.

Home office personnel attended with Harry H. Buxbaum, Joe Lee and the local sales force and bookers.

Among those present were John D. Clark, William Kupper, William C. Gehring, William Sussman, Jack Sichelman, Clarence Hill, Charles E. McCarthy, William Clark, Harvey Day, Walter Hake, Jack Skirball, Lee Balsley, Roger Ferri, Harry Mersay, Martin Moskowitz, Edward Collins, Nat Finkler, Jack Bloom and G. McEvoy.

The conclave took about three hours. It was announced Roy Del Ruth will direct the first of two Eddie Cantor pictures for next season, "Saratoga Chips." Other pictures discussed included "On the Avenue," "Lloyds of London," "One in a Million," "Banjo on My Knee," "Reunion" and "Pigskin Parade." The last named picture will open at the Roxy on Friday.

Johnston May Again Use Franchise Plan

W. Ray Johnston, president of Monogram, may revive the company on an active working basis without Wall St. financing, it was intimated yesterday.

Johnston has two deals under way for downtown sponsorship, but in no event is anxious to relinquish control of the stock, which he holds. He is understood to be considering plans to establish the new company on the former basis whereby franchise holders participated in the financing.

Under the planned setup, Monogram franchise holders will not be permitted to distribute outside product unless the pictures are approved by executives and directors of the company.

Johnston will leave tomorrow for Chicago, Kansas City and Los Angeles where he will contact former Monogram exchange men. He will remain on the coast several weeks and then visit the Dallas Fair. According to present plans, Monogram will produce 26 dramas, eight westerns, and possibly two serials. Stories are now being lined up by Louis Lifton.

Canada Music Rates Below Recent Pact

(*Continued from page* 1)

but obviously any theatre unwilling to pay the higher schedule adopted two weeks ago could not be required to now.

Officials of Ascap which, with the British Performing Right Society is an equal owner of the Canadian Performing Right Society, said yesterday that it was probable that the Canadian organization might have to refuse to license exhibitors who declined to pay only the scale prescribed by the Dominion Government. In this case, it was said, such exhibitors would be required to negotiate for performing rights with the individual owners of the copyrighted music which they used.

E. C. Mills, general manager of Ascap, who is now en route to the coast, said last week that refusals by exhibitors to pay more than the rates which might be prescribed by the Dominion were anticipated, but added that he was confident that cases of the kind could be amicably adjusted without the necessity for a hearing before the Canadian music tax commission. If the rates agreed upon independently with the leading exhibitors can be maintained, there would be no necessity for discontinuing the Canadian licensing society as contemplated earlier, it was stated at Ascap.

Phila. Percentage Is Dropped by G.N.

(*Continued from page* 1)

with an exhibitor committee here last week. The meeting was called following protests by the exhibitor organization against Grand National's policy of designating 10 of its pictures for percentage playing. The promised policy of the distributor, according to the exhibitor unit's bulletin, will be the setting of a "fair schedule of honest prices flexible enough to take care of every situation."

In addition, the distributor has decided to re-write any burdensome contract already signed, the U. M. P. T. O. bulletin states.

In commenting on Grand National's action, George P. Aarons, U. M. P. T. O. secretary, says: "It's a welcome relief to find one producer with enough respect for the opinion of his customers to meet with them and adjust their grievances. Such a spirit of cooperation, if adopted by the other producers, would make ours a grand and glorious business. That kind of cooperation means contracts. Your decision . . . might well be copied by other film companies."

Ed Peskay, Grand National general sales manager, said yesterday that the Philadelphia exhibitor committee was told that the company does not adhere to any fixed national sales policy and that it endeavored to make all contracts on a fair and equitable basis. The flexibility of this policy, he said, did not mean that Grand National would not sell any percentage engagements, nationally or otherwise, but that it did permit the company to determine fair terms for individual selling situations.

When You CHARGE on with WARNER BROS.

KEEP YOUR EYE ON THE

SHORT END

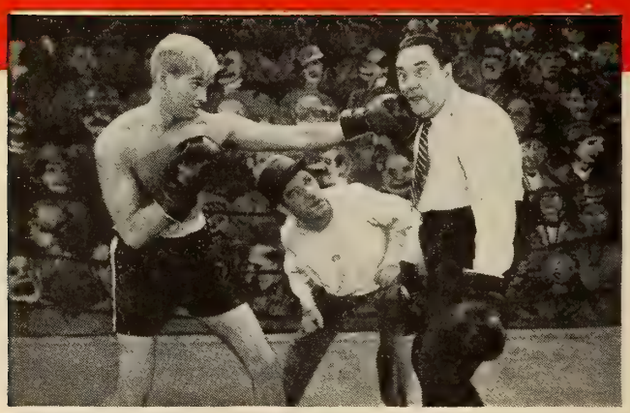
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Watch the Way Warner Bros. Keep Pace with the Strongest Line-up in Their History with

THE BIG 4 OF THIS SEASON'S SENSATIONALLY POPULAR

VITAPHONE SHORTS



JOE PALOOKA

Faithfully followed in films by the 35,000,000 readers of Ham Fisher's famous comic strip! Daily in 250 major newspapers—on the screen in the 8000 theatres happily cashing in on the fastest fun-series today!

Starring **SHEMP HOWARD** and **ROBERT NORTON**

Directed for the 2-Reel 'Broadway Brevity' Series by Lloyd French



KEN MURRAY AND OSWALD

Building a bigger following with every coast-to-coast broadcast and ready right now to turn 40-million radio listeners into 40-million ticket buyers. The fun comes fast—and so will the fans . . . see **'CAN'T THINK OF IT!'** and you'll see why!

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COLORTOUR ADVENTURES

They travel in *class* when they travel in natural COLOR with E. M. Newman's new, improved, and unequalled thrill-trips to ports unknown! Actually the fastest-selling scenic series on the market!



PICTORIAL REVUES

Women in sports, women at work, women at home, women in fashion! Produced partly in natural COLOR — and entirely with a unique feminine appeal never before approached in a short subject series!

WINNING THEIR A TIME EVERYWHERE!

Broadway Brevities • Merrie Melodies
Colortour Adventures • Pictorial Revues
Melody Masters • Big Time Vaudeville
Vitaphone Novelties • Looney Tunes

Mayor Issues Ultimatum in Union Battle

(Continued from page 1)

said, will be ordered before Commissioner of Accounts Blanshard for action, on the theory that the study of the union situation is in reality "an investigation into the handling of the situation by the Police Dep't."

The full membership of the board was present, including Howard Cullman, Samuel A. Lewisohn and William Collins. Attending from the industry were Joseph D. Basson, president of Local 306; George E. Browne, president of the I.A.T.S.E.; Harry Brandt, president of the I.T.O.A., and his brother, William Brandt.

Allied and Empire, the two unions which, with 306, are engaged in the jurisdictional battle, will appear at a later meeting, probably that which is scheduled for today at the Mayor's office. It will be a closed meeting of the survey board.

It is understood that all three unions will cease picketing of New York houses while the survey board is conducting its investigation.

Orders Return of Records

Justice Isidor Wasservogel in N. Y. Supreme Court yesterday ordered the police to return to Local 306 all records and other material seized last week during a raid on the headquarters of the union following the bombing of several theatres. The court condemned the raid, said it should not have been conducted without a warrant, and declared he was inclined to regard the raid as illegal. "It was all wrong," said Justice Wasservogel.

Assistant District Attorney William H. Barr of Queens County appeared and said the Queens Grand Jury has begun an investigation of the bombings, requesting the court direct union officials to produce the records seized, in the event they are called for by the Queens jury. Justice Wasservogel so directed.

The union on Saturday had sought an injunction against the Police Dep't. to force it to withdraw a policeman stationed at the union offices, but withdrew the plea when the police discontinued the surveillance.

Local 306 Sues Police

Local 306, through its attorney, Matthew M. Levy, yesterday, according to the union, filed suit in the N. Y. Supreme Court against Police Commissioner Valentine, Lieutenant Pike of the police Bomb Squad, and others who participated in the raid last week on union headquarters which resulted in the seizure of union records and other material.

The union is said to be suing for damages of $500,000, claiming the seizure was illegal, that it paralyzed the activities of the union and that the police action amounted to defamation of the character of the union.

Fox Fine Upheld

WASHINGTON, Nov. 9.—Orders of the Federal District Court in New York holding William Fox in contempt for his failure to appear for questioning in connection with a judgment against him in the sum of $297,412.91, were today affirmed by the U. S. Supreme Court, on a holding that the orders were not final and that there was no error in a ruling that they are not subject to appeal.

The judgment against Fox was secured by the Capital Co., which, upon default in payment, began supplementary proceedings. Fox failed to respond to a subpoena, which, he contended, was served upon him outside the jurisdiction of the court. He was held in contempt and fined $235,082.03, then unpaid upon the judgment, and an additional $10,000 to cover the costs of attorneys of the judgment creditors, and a warrant was issued whereby he was to be confined in jail until payment of the fine, with the proviso that except for the costs of the proceedings the fine would be remitted upon submission to the subpoena.

"Petitioner does not question the compensatory or civil quality of so much of the fine as may be avoided at any time by obeying the subpoena," the court pointed out in its opinion. "He takes the ground, however, that the fine of $10,000 which was imposed conditionally, is in excess of any damage suffered by the force of the contempt, and from this he moves to the conclusion that the penalty was inflicted as retribution for a crime. But the conclusion does not follow, though the premise be accepted.

"The court may have erred in its assessments of the costs required for reparation. As to that we do not intimate an opinion one way or the other. What is very plain is the fact that the assessment was made in a genuine endeavor to reimburse a harassed creditor for the damages occasioned by obstruction and delay."

F. W. C. Denies Charge

LOS ANGELES, Nov. 8.—In their answer to the appeal brief filed several weeks ago by William H. Neblett, F.W.C. attorneys entered a straight denial of all charges. The answer was filed in the U. S. Circuit Court of Appeals at San Francisco on Friday.

Neblett's brief, filed on behalf of T. L. Tally and the Corbar Corp., seeks to reopen the F.W.C. bankruptcy on the ground that the adjudication was obtained by fraud and conspiracy.

Fox Theatre Claims Set

Two orders involving Fox Theatres Corp. were issued yesterday in U. S. Circuit Court of Appeals by Judge Martin Manton.

One of the orders confirmed the report of Special Master Courtland Palmer made last Dec. 6, and reduced and allowed the claim of Franklin Operating Co. for $23,399. The claim was reduced from an original petition asking for $816,666.

In the second order the court allowed the claim of the Ridgewood Operating Co. for $11,568. This allowance was in place of an original request for $550,000.

The Franklin and Ridgewood companies had filed suit against Fox Theatres Corp. on two leases entered into in 1926 and which were to run until 1947 at a yearly rental of $100,000 for the Savoy in Brooklyn. The company paid until June, 1932, when it went into receivership. The sum allowed yesterday by Judge Manton covered actual damages to Feb. 15, 1933. The court denied a claim for future rent through the expiration of the lease.

Shipment Verdict Reversed

WASHINGTON, Nov. 9.—Reversing a decision of the South Carolina Supreme Court, the U. S. Supreme Court today held that the Pastime Amusement Co. was not entitled to damages from the Southeastern Express Co. for the latter's failure to deliver a film to be exhibited as advertised.

The company sued for and secured a verdict for $1,500, despite the limitation of liability in the express tariff, although the value of the shipment made from Jacksonville, Fla., to Charleston, S. C., was declared as $50, the lower court ruling that the suit was for damages for interruption of the plaintiff's business caused by the delay alleged to negligence.

The Supreme Court held that the lower court was in errror and that the Federal statute applying to damages for delay in making delivery should prevail.

Quashes M-G-M Action

CINCINNATI, Nov. 9.—U. S. District Judge Robert R. Nevin has sustained motions of M-G-M to quash the service made upon them in the suit of Margaretta Tuttle, local author, against them, charging infringement of her book, "Kingdom Come," in the film, "The Unguarded Hour."

Memories

Prints of "Queen Elizabeth," released in 1912 and the first picture handled by Adolph Zukor 25 years ago will be available to exhibitors in connection with Paramount's Silver Jubilee in January honoring Zukor. It will be screened at a studio celebration to be held Jan. 7.

Unger and Kusell Back

J. J. Unger and Milt Kusell yesterday returned from an 11-day tour of the country in connection with Paramount's Silver Jubilee, during which 7,000 miles were covered. Key cities visited were Washington, Atlanta, New Orleans, Dallas, Los Angeles, Kansas City, Chicago and Cleveland, in the order named.

Kusell will leave today for Boston where he will confer with the sales staff, then return to New York and in a day or so leave again for the midwest and south on a three-week checkup.

Can't Film Parliament

LONDON, Oct. 31.—Prime Minister Baldwin, in his first utterance in the House of Commons since his indisposition, said:

"The answer is in the negative" to a suggestion from Harry Day, M. P., that "in view of the interest taken in British topical talking films, he will consider whether facilities should be granted by the Government for filming the proceedings of one of our debates."

Chicago to Change Time

CHICAGO, Nov. 9.—This city will return to Central Time, starting Nov. 15. The change is due to an election referendum.

In the summer Chicago will adopt the eastern time schedule in a daylight-saving plan. Theatremen generally approve of the change. Since E. S. T. has been used here railroad schedules have been on C. S. T. This has been confusing.

UMPTO Unit Talks Exchange Picketing

(Continued from page 1)

percentage pictures too many. This territory is being discriminated against in the rankest fashion on film rentals. A nation of exhibitors is up in arms against Metro's ruinous rentals. Whatever legal steps exhibitors adopt to combat the 'Lichtman Formula' count on us to join you.

"To Paramount, Warners, Columbia and RKO, who last season delivered pictures so poor that state righters would have blushed to release them, we say: 'Deliver what you sell or make good if you fail.' This organization serves a solemn warning that it will picket any exchange or any customer of an exchange that persists in its attitude of unfairness to the organized theatremen."

The advisability of a play date "strike" being fostered on a national basis as a protest against high rentals and unfair sales policies is listed for consideration by a meeting of the exhibitor organization at the Broadwood Hotel, Friday. Also listed is the subject of national support for a fight against M-G-M's sales policy as exemplified by the percentage picture groups said to have been classified by Al Lichtman, assistant to Nicholas M. Schenck. The exhibitor organization's bulletin refers to Lichtman as "Exhibitor Enemy No. I."

New Union Drive On

ST. LOUIS, Nov. 9.—Another drive is on in this territory to organize doormen, ushers and other service employes at local theatres. Rolla Dennis, business agent for Theatrical Amusement Employes' Union, is directing the campaign and is understood to have signed up the help at Municipal Auditorium.

Picket St. Louis Houses

ST. LOUIS, Nov. 9.—Local 1 of the International Brotherhood of Electrical Workers is picketing the St. Louis and Missouri here in a jurisdictional fight with the I.A.T.S.E. over 22 jobs in the two houses.

Term British Loew Buy an "Investment"

(Continued from page 1)

wouldn't be interested in the transaction. However, you're not the only one who has asked about it."

David Bernstein, vice-president of Loew's, said: "The sale is without significance and, certainly, can have no effect on control. It is only a drop in the bucket. The purchase was made for investment only."

At current market prices the transaction involved approximately $2,200,000.

Feinstein Chief Booker

PITTSBURGH, Nov. 9.—Harry Feinstein has been named chief booker for Warner Brothers in the Pittsburgh zone, succeeding Oscar Kuschner, who has been transferred to the Memphis theatre department under Harry Waugh. Although he hails from Pittsburgh, Feinstein first joined Warners six years ago in New Jersey. When Harry Kalmine came from there to this city in 1933, he brought the new chief booker along, then as a manager.

"Broadcast" With $8,200 Tops Seattle

SEATTLE, Nov. 9.—"The Big Broadcast of 1937," dualled with "Sworn Enemy" at the Paramount was the best bet, drawing $8,200 against an average of $6,000. The bill moved to the Blue Mouse for an extended run.

"The Great Ziegfeld" bettered the $7,000 Fifth Ave. average by $1,100 in its second week, and moved to the Music Box. Other takes were below par, with cold and rainy weather partly responsible.

Total first run business was $39,050. Average is $36,500.

Estimated takings for the week ending Nov. 6:

"CAIN AND MABEL" (W. B.)
"THE BIG GAME" (RKO)
BLUE MOUSE—(950), 25c-40c-55c, 7 days, 2nd week, extended run from Paramount. **Gross:** $3,200. (Average, $4,000)

"THE GREAT ZIEGFELD" (MGM)
FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days, 2nd week. **Gross:** $8,100. (Average, $7,000)

"THE LEGION OF TERROR" (Col.)
"COME CLOSER FOLKS" (Col.)
LIBERTY—(1,800), 25c-30c-40c, 7 days. **Gross:** $3,800. (Average, $5,000)

"A MIDSUMMER NIGHT'S DREAM" (W. B.)
MUSIC BOX—(950), 25c-40c-55c, 7 days. **Gross:** $3,600. (Average, $4,000)

"VALIANT IS THE WORD FOR CARRIE" (Para.)
"TWO IN A CROWD" (Univ.)
ORPHEUM—(2,450), 25c-30c-40c, 10 days. **Gross:** $7,150. (Average, 7 days, $6,000)

"FOLLOW YOUR HEART" (Repub.)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Vaudeville headed by Jed Dooley. **Gross:** $4,500. (Average, $4,500)

"BIG BROADCAST OF 1937" (Para.)
"SWORN ENEMY" (MGM)
PARAMOUNT—(3,050), 25c-30c-40c, 7 days. **Gross:** $8,200. (Average, $6,000)

"Broadcast" Dual Milwaukee Leader

MILWAUKEE, Nov. 9.—The week's big noise was "The Big Broadcast of 1937" with "The Accusing Finger," which grossed $12,000 at Fox's Palace. This is $7,000 above average. The bill was moved to the Strand.

Second money went to "Dimples" and "Seven Sinners," grossing $9,800 at Fox's Wisconsin. This was $1,800 to the good. Other business was off.

The weather was spotty with rain over the weekend.

Total first run business was $31,100. Average is $24,500.

Estimated takings:

Week Ending Nov. 4:
"THE GAY DESPERADO" (U.A.)
"THE CASE OF THE BLACK CAT" (F.N.)
WARNER—(2,400), 25c-35c-50c, 6 days. **Gross:** $4,000. (Average, $5,000)

Week Ending Nov. 5:
"THE BIG BROADCAST OF 1937" (Para.)
"THE ACCUSING FINGER" (Para.)
PALACE—(2,400), 25c-35c-50c, 7 days. **Gross:** $12,000. (Average, $5,000)

"DOWN TO THE SEA" (Republic)
RIVERSIDE—(2,300), 20c-25c-30c, 7 days. Stage: "Circus de Paree" with Three Byrons, The Saxonettes, Larrimore and Hudson, Violet Rooks, Billy Carr, Cariell Trio, Florence Hinlow, Nobel Hamiter, Mlle. Mazone. **Gross:** $4,300. (Average, $5,000)

"CAIN AND MABEL" (W.B.)
"DON'T TURN 'EM LOOSE" (Radio)
STRAND—(1,400), 25c-35c-50c, 6 days. **Gross:** $1,000. (Average, $1,500)

"DIMPLES" (20th-Fox)
"SEVEN SINNERS" (G.B.)
WISCONSIN—(3,200), 25c-35c-50c, 7 days. **Gross:** $9,800. (Average, $8,000)

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Plot Thickens"

(*Radio*)

HOLLYWOOD, Nov. 9.—As a light mystery-comedy this compares favorable with similar offerings and should please in houses showing that type of entertainment. The film is the third in the series depicting the adventures of detective Oscar Piper and his voluntary assistant, Hildegarde Withers.

James Gleason again portrays Piper, but the Withers role is played for the first time by Zasu Pitts. The pair work together, playing the scenes for comedy and suspense alternately. Their problem is to track down a gang of art thieves who have committed two murders and stolen a valuable relic from a museum. In orthodox fashion Miss Pitts discovers the real clues as Gleason fumbles.

The competent supporting cast includes Owen Davis, Jr., and Louise Latimer for the romantic interest, with Arthur Aylesworth, Paul Fix, Agnes Anderson and Richard Tucker as assorted policemen and crooks. The screen play is by Clarence Upson Young and Jack Townley from the Stuart Palmer original and is intelligently directed by Ben Holmes. William Sistrom produced.

Production Code Seal No. 2,666. Running time, 66 minutes. "G."

"The Big Show"

(*Republic*)

HOLLYWOOD, Nov. 9.—A western that goes behind the scenes for many novel and amusing situations, an "opera" that is replete with plenty of music and singing, and a moving and spectacularly exciting script, this production is of a fine, pleasing grade.

Gene Autry doubles for a western film star in the more hazardous part of his work and these are excitingly filmed scenes. The story takes its stride when the temperamental actor goes off on a fishing trip, leaving his studio uninformed. A conniving press agent who had booked him for personal appearances at the Dallas Centennial as a publicity stunt is frantic when he fails to return from location.

Instead he takes Autry. Enroute to Texas they cut off the trailer truck which is transporting Kay Hughes' prize steers and the animals stampede. Autry rounds up the herd and ingratiates himself with Miss Hughes. At the fair Autry makes a name for himself and his romance with Miss Hughes develops. Complications are introduced by the demon press agent and gangsters attempting to collect a gambling debt.

However, things straighten out in whirlwind fashion as Autry uses the public address system and Texas Rangers to apprehend the criminals. This culminates his romance with Miss Hughes satisfactorily.

Smiley Burnette lends plenty of comedy interest. Others in the cast include Sally Payne, Max Terhune and Charles Judel. For the most part the action is on the site of the Centennial and this should prove an audience draw. Mack C. Wright directed. It is handsomely photographed by William Nobles and Edgar Lyons. The screenplay is the joint work of Dorrell and Stuart McGowan.

Production Code Seal No. 2727. Running time, 70 mins. "G."

"Can This Be Dixie?"

(*Twentieth Century-Fox*)

HOLLYWOOD, Nov. 9.—One of the few worthwhile qualities in "Can This Be Dixie?" is Jane Withers' personal performance, which, in the face of things, is below par and once in a while Claude Gillingwater's work is satisfactory. From a possible entertainment or commercial standpoint the rest of the cast just goes through the motions.

There are a couple of fairly good specialty song and dance numbers and a pair of spectacle features that might have been the basis for better things, but their effectiveness is lost in a meaningless, meandering story that never rises to a point where spontaneous interest can be anticipated.

Probably the loyal dyed-in-the-wool Withers clientele will accept the show, but others will be disappointed.

Production Code Seal No. 2,562. Running time, 70 minutes. "G."

(Additional Reviews on Page 14)

Simmons Sells Story

HOLLYWOOD, Nov. 9.—M. L. Simmons has sold "Venus Makes Trouble," an original, to Columbia, and has been engaged to write the script.

Conn. Allied to Meet

NEW HAVEN, Nov. 9.—Allied Theatres of Connecticut, Inc., new Allied States affiliate, will hold a luncheon-meeting at the Hotel Garde on Tuesday, with Harry Lavietes in the chair.

"Libeled" Up In Two Loew Boston Spots

BOSTON, Nov. 9.—In spite of rain and political rallies "Libeled Lady," at the two Loew houses, grossed $16,500 at Loew's Orpheum and $15,000 at the State. The Orpheum take was $4,500 over par and the State tally was $4,000 up. The film was held over in both spots.

"Valiant Is the Word for Carrie" at the Metropolitan with Blackstone and Red Nickols on the stage did $26,000, over normal by $4,000. "Ladies in Love" at the RKO Memorial was $2,000 up on a $14,000 take.

Total first run business was $97,500. Average is $79,500.

Estimated takings for the week ending Nov. 5:

"DIMPLES" (20th-Fox)
"ROSE BOWL" (Para.)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $5,000. (Average, $4,500)

"LADIES IN LOVE" (20th-Fox)
RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days. **Gross:** $14,000. (Average, $12,000)

"LIBELED LADY" (M-G-M)
LOEW'S ORPHEUM—(2,970), 35c-45c-65c, 7 days. **Gross:** $16,500. (Average, $12,000)

"LIBELED LADY" (M-G-M)
LOEW'S STATE—(3,537, 35c-45c-65c, 7 days. **Gross:** $15,000. (Average, $11,000)

"VALIANT IS THE WORD FOR CARRIE" (Para.)
METROPOLITAN—(4,332), 35c-50c-65c, 7 days. Stage: Blackstone and Red Nickles and Band. **Gross:** $26,000. (Average, $22,000)

"DIMPLES" (20th-Fox)
"ROSE BOWL" (Para.)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $8,000. (Average, 7,000)

"GIRL ON THE FRONT PAGE" (Univ.)
RKO BOSTON—(3,246), 25c-50c-65c, 7 days. Stage: "Living Models." **Gross:** $13,000. (Average, $11,000)

"Pigskin" on Dual Best in New Haven

NEW HAVEN, Nov. 9.—Although all houses started with excellent weekend business, only the Poli beat election week radio competition to any extent. "Pigskin Parade" and "Adventure in Manhattan" rolled up a $9,200 gross, $2,200 over par, and held four days at the College.

"My Man Godfrey" and "Postal Inspector" scored $200 over the $4,800 average in the second week at the Paramount, after a first week's take of $8,000. The College, with "Man Who Lived Twice" and "They Met in a Taxi," stayed at the $2,800 par; while "Don't Turn 'Em Loose" on the Roger Sherman dual with "The Captain's Kid" was $700 short.

The weather was favorable throughout. Although election returns were announced in all houses, the attendance was sparse on the big day.

Total first run business was $21,000. Average is $19,300.

Estimated takings for the week ending Nov. 6:

"THE MAN WHO LIVED TWICE" (Col.)
"THEY MET IN A TAXI" (Col.)
COLLEGE—(1,499), 25c-35c, 7 days. **Gross:** $2,800. (Average, $2,800)

"MY MAN GODFREY" (Univ.)
"POSTAL INSPECTOR" (Univ.)
PARAMOUNT—(2,348), 35c-50c, 7 days, 2nd week. **Gross:** $5,000. (Average, $4,800)

"PIGSKIN PARADE" (20th-Fox)
"ADVENTURE IN MANHATTAN" (Col.)
POLI—(3,040), 35c-50c, 7 days. **Gross:** $9,200. (Average, $7,000)

"DON'T TURN 'EM LOOSE" (Radio)
"THE CAPTAIN'S KID" (F.N.)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $4,000. (Average, $4,700)

"SMASH! STANDS WITH THE VERY BEST IN A SENSATIONAL YEAR!"

...HOLLYWOOD REPORTER

"A MASTERPIECE! BIG BOXOFFICE!"

...DAILY VARIETY

OF COURSE IT'S...

COLUMBIA'S TRIUMPHANT PRESENTATION OF

"THEODORA" IN

"Headed for important boxoffice figures!"
—*Motion Picture Daily*

"Boxoffice smash!" —*George McCall, Universal Service*

"Prize surprise of the year!"
—*Leo Townsend, Modern Screen Magazine*

"One of the most delightful offerings of the season!"
—*Welford Beaton, Hollywood Spectator*

"Finest performance of Irene Dunne's career!"
—*Carl Schroeder, Screen Guide*

"Entertainment at its very best!"
—*Virginia Wood, Screenland Magazine*

"Splendid! Audiences will enjoy it to the utmost!"
—*Mayme Ober Peake, Boston Globe*

"Utterly gay and delightful madcap comedy!"
—*Alice Tildesly, Philadelphia Public Ledger Syndicate*

"A hit as exuberant as its title!"
—*Edwin Schallert, Los Angeles Times*

"Knockout! Exceptional entertainment!"
—*Ruth Waterbury, Photoplay Magazine*



OPENING RADIO CITY MUSIC HALL,

IRENE DUNNE GOES WILD"

"A sure thing at any man's boxoffice! Audiences will go wild!"
—Boxoffice

"One of season's best! A triumph!" *—Film Daily*

"Columbia clicks again with the funniest picture of the year!"
—John Schwarzkopf, Motion Picture Magazine

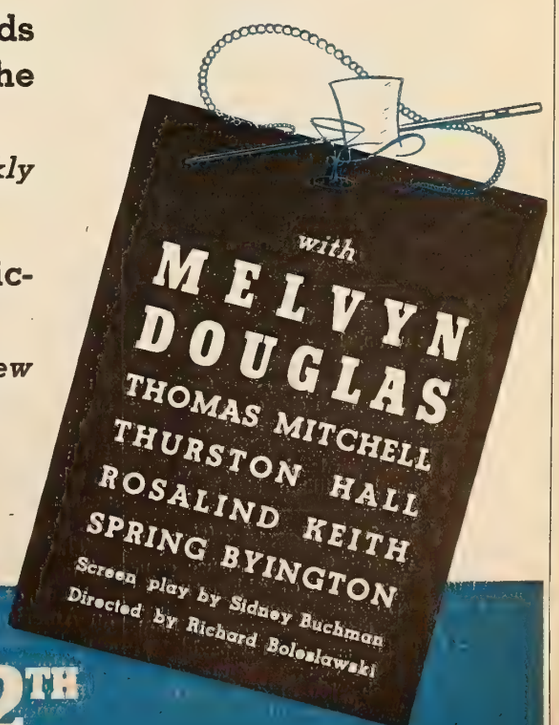
"Irene Dunne and Melvyn Douglas the most delightful romantic team of the year!" *—E. J. Smithson, Movie Classic Magazine*

"A riotous two hours!" *—Marion Rhea, Screen Play Magazine*

"Hilarious! Top honors for Irene Dunne!"
—Florence Johnson, Screen Book Magazine

"Brightest comedy since 'Mr. Deeds'!" Upholds Columbia's record of consistently turning out the best fun on the screen!"
—Clark Wales, Screen and Radio Weekly

"One of the most delightfully entertaining pictures of the year!"
—Joe Blair, Showmen's Trade Review



THURSDAY, NOVEMBER 12TH

U. A. Men Shifted In N. Y. and Brazil

Several changes have been made in the home office personnel at United Artists. Phillip Dow has been promoted to assistant to Harry Gold, eastern sales manager; George Roth is now in the circuit contract department and Lou Ginsburg has been placed in charge of sales control, with Richard Russo, his assistant.

Arthur W. Kelly, at present touring South America has appointed Marino Cestari manager of the Porto Alegre branch office of U. A. in Brazil. Cestari replaces Joao Freire and will assist Enrique Baez, the company's Brazilian sales manager.

Refuse Tax Cut on Screen Advertising

SPARTANBURG, S. C., Nov. 9.—The City Council has declined to rescind its action in passing an ordinance calling for an annual levy of $200 on each theatre for screen advertising.

One member of the council, defending its action, asserted that "theatre patrons have to pay to see these advertisements and they have to see them whether they want to or not, unless they leave the show. Inasmuch as newspapers are taxed on their income, and advertising provides their greatest source of income, theatres should also be taxed for advertising."

Raynor Quits F. & M.

ST. LOUIS, Nov. 9.—William Raynor, manager of the Fox for F. & M., has resigned to joint Paramount. As a result, Robert E. Hicks has been moved from the Ambassador to the Fox, while Harry Crawford, manager of the Hi-Pointe, is now at the Ambassador. Richard Halloran, assistant manager at the Fox, has been promoted to managerial head at the Hi-Pointe. Homer H. Harmon, manager of the Orpheum, has taken over publicity duties at the Ambassador, while Claude Brown, former assistant to Hicks, is now managing the Orpheum. Richard Williams, from San Jose, Cal., is at the helm of the Shubert-Rialto.

Hanson to Mexico City

Gerardo Hanson of Mex-Art Impulsora Cinemotagrafice, S. A., producer of "She-Devil Island," has returned to Mexico City after completing arrangements on the deal. Hanson plans to produce a special historical film in Mexico immediately. Columbia has the Spanish rights to all of Hanson's productions.

Set Technical Chairmen

HOLLYWOOD, Nov. 9.—Chairmen of the five sections of the Technicians' Branch of the Academy for the coming year have been elected as follows: Art directors, Bernard Herzbrun; equipment, Pete Mole; film editors, Harold J. McCord; photographic, Ray June; sound, William Mueller.

Object to Tampa Tax

TAMPA, Nov. 9.—The finance committee of the Board of Aldermen here is considering the protest of the theatres which play Screeno and Bank Night. They object to paying $1 more than the emergency tax of 25 cents on each $100 of gross receipts, merely because they play the games.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Hideaway Girl"

(Paramount)

HOLLYWOOD, Nov. 9.—This seems to have been made to concentrate attention more on Martha Raye's hoydenish and comedy clowning abilities than anything else. When she's on the film is lively fun; when she's off the picture is an artificial and complicated comedy-romance-melodrama. Not of sufficient strength in cast names, story content or production values to excite much interest, the show must depend upon Miss Raye's antics and a pair of musical numbers sung by Shirley Ross for audience attention.

The story revolves around Shirley Ross, who, fleeing the police, is picked up by Robert Cummings, play boy. Refusing to identify herself, Cummings' hotsy-totsy friends chose to accept her as his secret bride. The whole party gathers aboard Cummings' yacht, where after Elizabeth Russell, the boy's fiancee, gets jealous, there's a lot of weird goings on about some stolen jewels. Cummings suspects his uninvited guest, but when crooks arrive after police have made a stake out, Miss Russell is revealed as the thief in league with Monroe Owsley, master mind, with whom Miss Ross had been forced into a loveless marriage. Following the round up, it looks as though there will be a real marriage for the hideaway girl.

The youthful character of the film as well as those featured establishes it as attraction for youthful audiences.

Production Code Seal No. 2,714. Running time, 70 minutes. "G."

Looking 'Em Over

"Song of the Gringo"

(Grand National)

There appears to have grown up a new school of western picture production, that in which an attempt is made to inject as much rambling, guitar-strumming music as possible into each film. The result necessarily has been a serious hampering of the basic furious pace which is vital to the type of entertainment which the western is and always has been.

That is one of the major faults of this initial Edward Finney production for Grand National—that and what may be called too much story and not enough action. The audience which attends the western wants action, more action and still more action. This picture lacks enough of that all-important ingredient.

Tex Ritter, singing radio "cowboy," sings well, but could do with considerably more realism in his performance and more punch. Joan Woodbury is adequate in the feminine lead and a number of western film standbys fill in the other spots. Tex is a deputy sent to join the gang in an effort to smoke them out of their Mexican hacienda headquarters. He does so, via song, guitar, romance with Miss Woodbury and some action.

Lindsley Parsons supervised and John P. McCarthy directed.

Production Code Seal No. 2,791. Running time, 62 minutes. "G."

"Janosik"

(French M. P. Corp.)

This is the story of an almost legendary Czecholovakian peasant hero who revolted against the feudal aristocracy in 1711 and carried on a kind of Robin Hood banditry until finally trapped through a ruse played on his sweetheart. He is hung.

The title role is played by a tall, striking young man named Palo Bielik, who, in addition to having some of the acrobatic skill of Douglas Fairbanks, can also sing. A blonde girl, Zlata Najdukova, who plays the peasant sweetheart, succeeds in being impressive without appearing to try.

The scenic background, laid in the mountainous regions of Czecholovakia, are beautiful.

Some of the fights, escapes, holdups and pursuits are reminiscent of an American western. Music and native dances are the elements which are different.

Titles in English make the story easy to follow, but the appeal of the film will be limited to the audiences which like foreign product.

Running time, 90 minutes. "G."

Short Subjects

"Spanish Civil War"

(Marcy Pictures Corp.)

There is nothing in this collection of supposedly uncensored shots of the rebellion in Spain which might arouse or excite audiences. Regular newsreel scenes have been re-edited and cut and there is presented a summary of the conflict since the first outbreak. Much destruction, troop movement, commanding figures and some comparatively tame battle scenes are shown. Also, a running narrative, quite passionate in its denunciation of war, but it is delivered unexcitingly.

Reviewed without production code seal. Running time, 26 mins. "G."

"The Sporting Quiz"

(Rice-Paramount)

Husing, the inquisitor, asks the questions and the audience is given opportunity to answer. If they don't, Husing answers himself. The short being good entertainment. With lively humor the film commentator offers queries on such subjects as "catching a crab," what is a half gainor? a fungo bat? behind the eight ball? what is a charlie horse? and others, concluding with shots of famous personalities of past years. Production Code Seal No. 01,218. Running time, 10 mins. "G."

"Birds In Love"

(Mintz-Columbia)

A mild cartoon offering in Technicolor, "Birds in Love" is just so much diversion. The lovebirds bill and coo to distraction and when their antics are threatened by a feathered vacuum cleaner salesman the male end of the family, returning from work, disposes of him and all is serene again. Production Code Seal No. 2,481. Running time, 8 mins. "G."

"The Star Reporter in Hollywood"

(Paramount)

Ted Husing delivers the results of his findings in the film capitol. Among his finds are Benny Bartlett, the child actor, singer and composer, Joer Rardin, who can imitate an orchestra with his voice; Dorothy Lamour, singer, and Vera Marshe and Louis Da-Pron, dance team. Clever and snappy. Production Code Seal No. 01,320. Running time, 10 mins. "G."

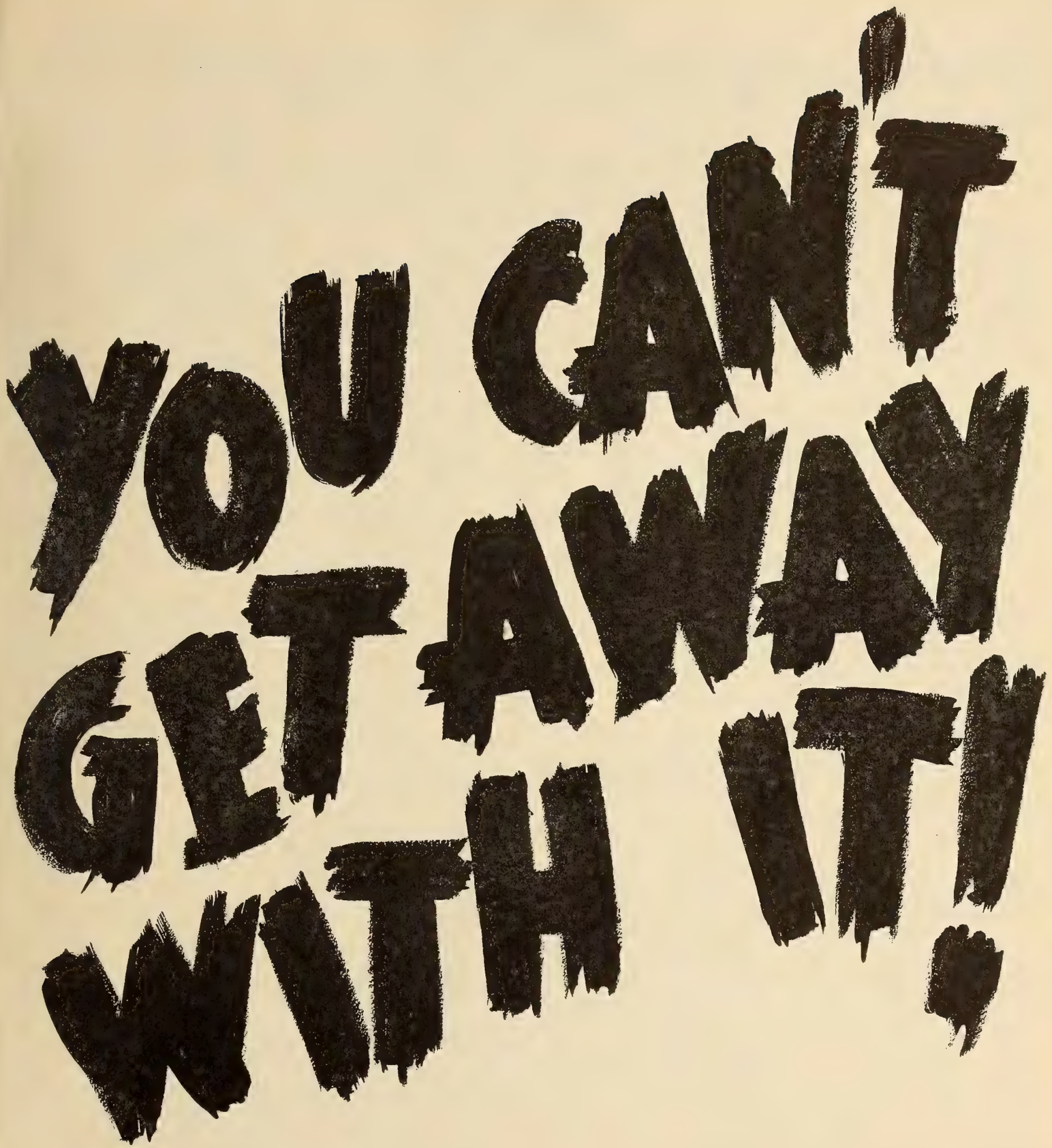
"Screen Snapshots No. 2"

(Columbia)

A visit to the old Mexican quarter of Los Angeles, Joel McCrea's ranch, Edward Everett Horton's estate, Anna Sten's swimming pool and finally to a studio where the various phases of production are shown. It is interesting and good amusement. Production Code Seal No. 2,541. Running time, 10 mins. "G."

Cummings an Heir

HOLLYWOOD, Nov. 9.—Robert Cummings, actor under contract to Paramount, has received word that he and his mother, Mrs. Ruth Cummings, are heirs to a large fortune. The inheritance comes from the estate of Dr. C. C. Cummings, the actor's father, and has been realized from the sale of gold mine stock purchased by the doctor many years ago.



THE SCOOP OF THE CENTURY!

Exhibitor in Victory Over British Quota

By BRUCE ALLAN

LONDON, Nov. 3.—An important decision regarding the exhibitors' obligation to show British films under the quota provisions of the Films Act was handed down by Everard Dickson, magistrate at the Old St. Police Court.

In a case instituted by the Board of Trade against C. A. Mathes, a member of the council of the Cinematograph Exhibitors' Association, the magistrate ruled that a default in the number of British films shown in the year from October, 1934, to September, 1935, was due to the fact that "it was not commercially practicable to exhibit the full quota."

Evidence was that during the period in question, in place of the statutory quota of 15 per cent of British films the defendant had shown 13.8 per cent of features and 12.77 per cent of all films. Mathes declared that there were not enough good British films to supply his needs at the theatre, in view of his competitive situation. He admitted that he could have filled the quota by supplying bad British films, but his audiences were too critical.

The case was regarded as a test by the C. E. A., and the decision is held of the greatest importance, as recognizing the standard of the British films available to be a factor to be taken into consideration in deciding on the possibility or otherwise of complying with the statutory quota.

Before the case came into court, the Board of Trade refused a certificate of exemption to Mathes and it was stated in evidence that only 19 such certificates were granted in 1935, to exhibitors who established the impossibility of obtaining sufficient British films.

Hungary Is Seeking New Pact with Reich

By ENDRE HEVESI

BUDAPEST, Oct. 31.—Janos Bingerth, general manager of the Hunnia Studios here, is in Berlin negotiating with German authorities for a new German-Hungarian film agreement. Long unsuccessful, the trade here is hopeful that Bingerth will be able to obtain a German market for Hungarian films dubbed in German.

It is expected, however, that Germany will not be disposed to grant Bingerth's request except on the condition that Hungary increase its imports of German films, which last year dropped to a new low. In the event Bingerth is successful, American companies obviously will be faced with a curtailment of the Hungarian market.

Of 17 films released in local houses in September, nine were American, three German, two French, one Austrian and two Hungarian, indicative of the preeminent place U. S. films hold in this market.

* * *

"Top Hat" started well in the city, but fell off during the second week, presumably because it was shown late, after several other musicals had been shown with considerable success. "White Angel" did poor business, but "Strike Me Pink" was strong.

Polish Production Shows an Increase

By R. SILLEI

WARSAW, Nov. 3.—Production in Poland is showing steady advances, with 30 features and 45 short subjects scheduled for production during the 1936-37 season.

The number seems small in comparison with other countries, but the film business, as did others, was forced to start from the beginning only a comparatively few years ago. Furthermore, the Polish Government does not aid the film industry financially, its only assistance consisting in more favorable tax conditions for domestic product, as compared to importations.

The greatest drawback to the success of native product is the lack of variety in stories. Often ideas are borrowed from imported American product. When the stories are original, they deal almost exclusively with the history of Poland. Films are comparatively weak in technical quality, but find favor with the public.

Poland has only 743 film houses for a population of 30,000,000. Of the total, 99 are still not equipped for sound. The seating capacity totals 261,000. Consequently the market is very small for foreign product, and has been decreasing in recent years. In 1933, 318 foreign films were released in Poland, in 1934, 268, and in 1935, only 242.

Extremely rigorous censorship makes importation still more hazardous. Of 714 Polish and foreign films submitted last year, only 348 were passed by the censors.

U. S. Sends 22 to Reich in 9 Months

By J. K. RUTENBERG

BERLIN, Oct. 31.—Durinfi the first nine months of 1936, 125 features were passed by the German censoring authorities, of which 22 were from the United States. A total of 80 were German productions, which compares with 55 German films in 1935.

The 22 from the United States were more than the imports from all other countries combined. Austria imported 11, France six, Czechoslovakia two, and Holland, Poland, Italy and Hungary, one each.

In the new season which has just started, Twentieth Century-Fox is expected to bring in six, M-G-M eight, and Paramount 12, for a total of 26.

* * *

Agfa here demonstrated a new system for recording colors, which is claimed to be inexpensive and easy to handle. The system consists of three individual colors embedded in three extremely thin layers on one side of the film.

India Bans 18 U. S. Films in Two Years

LONDON, Nov. 3.—A total of 40 features were banned by various authorities in India in the two-year period from Aug. 1, 1934, to July 31, 1936, of which 18 were American. The information was given in the House of Commons by Assistant Secretary of State Butler, speaking for the Indian Office, in reply to a question from Harry Day, M. P.

The 40 were divided as follows: American, 18; Indian, 17; British, four, and Italian, one.

New Austrian Deal To Hit U. S. Films

By HANS LORANT

VIENNA, Nov. 3.—American companies face a serious curtailment of the Austrian market in the outcome of the negotiations to start shortly on a new agreement in German-Austrian film relations.

It appears at this stage that Austrian companies, in order to save as much as possible of "frozen assets" in Germany, impossible to retrieve because of German Government restrictions on the transfer of money, will be forced to import a far greater number of German films than heretofore, thus cutting the market for other foreign product.

Austrian interests are seeking to have Germany increase the import quota on Austrian product, and release the money due them. Germany, on the other hand, will seek to cut the importation of Austrian films still further, claiming such a move necessary to strike a balance between the film trade of the two countries. Austrian producers may also be forced to produce in Germany, as another means of getting their money.

* * *

"Mr. Deeds Goes to Town," in its fifth week here, thus far has been the greatest success of the season. "Follow the Fleet" did so well in its first week at two first runs that it has gone into another group of five houses. "The General Died at Dawn" was average, "Little Lord Fauntleroy" did fair business, and "The Man Who Could Work Miracles" was weak.

Study Refinancing For Greater Union

By CLIFF HOLT

MELBOURNE, Oct. 13. (*By Air Mail, Via London.*)—Stuart F. Doyle, managing director, at the annual meeting of Amalgamated Pictures, Ltd., said that the board had under consideration negotiations he had satisfactorily carried out while in London for the refinancing of Greater Union Theatres, Ltd., and if considered practical they would be brought before the shareholders.

The balance sheet showed that Greater Union Theatres profits to June 30 last were £15,895. The distribution business showed a loss chiefly because of the expense of establishing new British product, but theatre results had been maintained. Doyle said he had returned from abroad with many ideas which he was confident would improve the company's trading results in the future.

* * *

Produced by the Australian producing organization, National Prod., Ltd., in association with Gaumont-British, "The Flying Doctor" will be distributed in Australia by Twentieth Century-Fox free of cost. Sir Hugh Denison, chairman of the board of National, estimates that this will save his company approximately £12,000. Publicly acknowledging Twentieth Century-Fox's generosity, he said:

"This is an astonishing gesture on the part of an American picture corporation, and it certainly shows beyond any possible doubt where Twentieth-Century-Fox stands in support of the local producing industry.

" 'The Flying Doctor' stars Charles Farrell.

Soviet's Film City Awaiting Word to Start

By BEATRICE STERN

MOSCOW, Oct. 31.—Government approval is awaited here of the plans for the Soviet Hollywood, to be constructed in the area occupied now by three villages in the Crimea, Beidary, Laspy and Fiolent.

B. Z. Shumiatsky, director of Russia's state-controlled industry, has just returned from an inspection of the production site, and has submitted the plans to the Government. The center will be known as Kino-Gorod (Cinema City). Construction will begin immediately consent is obtained.

The center will occupy a total area of 8,397 acres in the three villages. The Crimean climate will permit approximately 215 days of outdoor shooting each year. The state has set a minimum of 300 films during the first year and 1,000 annually thereafter, for domestic and export use. Equipment in the new plant will be predominantly American.

* * *

The industry has not fulfilled its plan as set by the state for the first nine months of this year. A. Dovzhenko, director, in an article in *Pravda,* official Government organ, attributes the failure to high production costs, the extremely slow pace of production, and the lack of production schedules. Unsatisfactory training of directors is the basic cause, he declared, and advised changes in the teaching system for directors, making for more practical application. Most films require a year to produce.

Plan Buenos Aires Release Revisions

By N. BRUSKI

BUENOS AIRES, Oct. 27 (*Via Air Mail*).—The Ass'n of Distributors here has submitted to the Society of Impresarios (exhibitors) a revised exhibition plan for this city and its suburbs, which is designed to aid exhibitors in recouping the losses in attendance they have sustained recently. The exhibitor group had requested such a plan of revision from the distributors.

The plan includes a limitation on the number of films to be shown on any one program, provides for increased protection for first run theatres, the elimination of the price difference between stall and balcony seats, with a uniform price to be set for each, the designation by each exhibitor of the classification of his house, the permitting of lower prices on old films on Mondays, and the requirement that exhibition dates must run consecutively on each film. If approved, the plan will go into effect Jan. 1.

* * *

The producers, studio and laboratory owners of Argentina held a meeting here with the object of forming the Ass'n of Argentine M. P. Producers. A managing committee appointed includes: Dr. Sebastian Naon, president; Jorge Mendez Delfino, vice-president; Dr. Emilio Carreiro, secretary, and Julio Lofiego, treasurer.

INTERNATIONAL

MEMO FROM:
Nate Manheim,
General Foreign Sales Manager,
Universal Pictures Corporation:

I have been keenly interested in watching the steady progress you are making in handling foreign news in Motion Picture Daily.

It is by far the ablest coverage in the field.

You are rendering a real service to the export departments of the industry and I for one want to thank you.

MOTION PICTURE DAILY

SUBSCRIPTION RATES: ONE YEAR: $6.00 TWO YEARS: $10.00

Purely Personal

MRS. NED DEPINET and her sister, "Tootsie" Bartlett, flew to Dallas over the weekend to see what goes on, racing-wise, at the Arlington track. It is their first visit to the home town in 12 years.

•

Anthony Ricci, formerly general representative for Nuovo Mundo, has joined the local G. B. sales staff under Irving Gumberg. Ricci for many years was attached to the New York sales staff of Twentieth Century-Fox. He has been assigned to cover northern New Jersey for G. B.

•

William Danziger has returned from Mexico after a rest cure. After he left the M-G-M home office publicity department, Danziger joined the studio staff, resigning after a time to rest up in Mexico.

•

Kay Magenheimer, former advertising and publicity director for the Brunswick Record and Columbia Phonograph Co.'s, has opened an advertising and publicity service.

•

Mitchell Klupt will be tendered a birthday party by the Monday Knighters Round Table unit at the Tavern on Nov. 25. His birthday falls on Thanksgiving Day.

•

Harry L. Royster, Paramount special theatre representative, returned yesterday from a tour of key cities in the east. He is due to leave later in the week for the south.

•

Edward Schnitzer, eastern district sales head for Republic, will leave today for Albany, Cleveland, Detroit and Pittsburgh. He plans to be gone two weeks.

•

Loet C. Barnstyn, brother of Jack, foreign head of Grand National, is due from The Hague the end of the month.

•

Joe Miller, Columbia Buffalo branch manager, returned to his upstate headquarters yesterday after a short visit.

•

Mrs. Pandro Berman reached New York from the coast yesterday and will be joined next Monday by her husband.

•

L. Jack Schlaifer, western division sales head for U. A., is back from a tour of the west and middle west.

•

Mildred Gilman, former *N. Y. Evening Journal* reporter, has completed her first play, "Deadline," handled by the William Morris office.

•

Harry Seed, Warner Buffalo office manager for 14 years, was dined by the Variety Club last night prior to assuming a similar post in Pittsburgh.

•

John D. Clark and William C. Gehring returned over the week-end from a tour of the Twentieth Century-Fox exchanges.

•

Abe Montague is trying to make up Max Thorpe's mind when to leave for a look-see at the Columbia coast studios.

•

Pat Rooney, Jr. and Herman Timberg, Jr., are making an Educational comedy short under the direction of Al Christie at Astoria.

•

Barney Hoffman of Warner's chairman of the opening evening of the New England "Y" conference at the Hotel Taft.

•

Adela Rogers St. John's story, "Angle H Shooter, has been purchased by First National.

•

Jimmy Orr of the F. & M. office, flew to the coast yesterday via American Airlines.

•

Hubert Voight, Universal coast publicity head, is due from the studio this week.

•

Sidney Kaufman has joined M-G-M's publicity staff for special work on "The Good Earth."

•

Allan Vaughan Elston's story, "The Mutineer," as yet unpublished, has been acquired by First National.

•

Eddie Bonns, Universal short subjects sales manager, leaves today for a tour of southern exchanges.

•

Arthur Pelterson of the Mitchell May Jr. Co., flew to St. Louis Saturday. He is en route to the coast.

•

Y. Frank Freeman left for Atlanta yesterday for a brief visit. He is expected back about Thursday.

•

Charles Koerner is in from Boston for talks with RKO theatre officials.

•

Bob Goldstein returned from Hollywood yesterday.

•

Olivia de Havilland flies back to the coast this afternoon.

•

Beatrice Kaufman is the new eastern story editor for M-G-M.

•

Harry Gold will arrive in New Orleans today from Dallas.

•

Irene Dunne off for the coast again.

•

Mrs. Harry Charnas well again after a siege of illness.

•

Jack Benny expected from the coast shortly.

"Brigade" Grosses $37,000 at Strand

"The Charge of the Light Brigade" tallied $37,000 in its first week at the Strand. The picture is being held until Thanksgiving Day, when "Three Men on a Horse" will bow in.

"Romeo and Juliet" garnered $9,000 in the 12th week at the Astor. "Lloyds of London" will make its debut at the two-a-day house on Nov. 25.

De Sylva to Universal

Buddy De Sylva will produce four pictures a year for Universal in accordance with a long-term contract just signed with R. H. Cochrane.

B. & K. Unit Takes State-Lake Theatre

Chicago, Nov. 9.—The 12-story State-Lake Bldg., which houses the State-Lake Theatre, on Saturday became the property of 190 North State St., Inc., a corporation wholly owned by B. & K. The property was purchased for an estimated $650,000. B. & K. will take over the management of the building at once, but Jones, Linick & Schaeffer have until May to relinquish the theatre.

According to the executives of B. & K. no plans for the theatre have been made as yet, such plans being held in abeyance pending the disposition of the lease to the McVickers Theatres, on which the school board is asking bids which will be opened the latter part of this month. Both B. & K. and J. L. & S. are after the McVickers, possession of which may alter the Loop theatrical situation considerably.

Set Bank Night in N. O.

New Orleans, Nov. 9.—Bank Night has invaded the downtown sector here, with drawings to start at the Liberty, a Mort Singer house, today, and to be scheduled for each succeeding Monday. It is expected to result in cash giveaways by the three major houses, the Saenger, State and Orpheum.

"Get It" to Rivoli

"Come and Get It" opens at the Rivoli tomorrow, replacing "Ladies in Love."

Wall Street

Uneven Trading on Board

	High	Low	Close	Net Change
Columbia	40¾	39½	39½	— ⅝
Consolidated	4⅞	4⅝	4¾	+ ⅛
Consolidated, pfd.	17½	17⅜	17½	.....
Eastman	178	177½	178	.....
Gen. T. Equip.	28⅝	28¼	28⅜	+ ¼
Loew's, Inc.	63⅛	62⅛	62⅜	— ⅞
Paramount	19⅜	18¾	18⅞	— ⅛
Paramount 1 pfd.	139½	137	138	+ ½
Paramount 2 pfd.	18	17½	17⅝	— ¼
Pathe Film	9½	9	9	— ⅛
RKO	8¾	8½	8⅝	+ ⅛
20th Century-Fox	37⅝	36¼	36½	+ ⅝
20th Century, pfd.	46½	45	45½	+ ¾
Warner Bros.	16⅝	16	16	— ½
Warner, pfd.	64½	64	64½	+ ½

Universal Curb Leader

	High	Low	Close	Net Change
Grand National	3⅝	3⅜	3⅜	— ⅛
Sonotone	2	2	2	.....
Technicolor	22⅝	22½	22½	—1
Trans-Lux	5¼	4⅞	5⅛	+ ⅜
Universal Pict.	12¾	11	12¾	+1¾

Bonds Show Gains

				Net
Keith B. F. 6s '46 ww	97½	97½	97½	+ ½
Loew's 6s '41 ww deb rights	101¼	101	101¼	+ ¼
Paramount B'way 3s '55	67	67	67	+1
Paramount Pict. 6s '55	99¼	99	99	.....
RKO 6s '41 pp.	96¾	96½	96¾	+1¼
Warner Bros. 6s '39 wd	98	97¾	98	.....

(Quotations at close of Nov. 9)

Operate on Morrison

Memphis, Nov. 9.—A. B. Morrison, veteran manager of Warners here, underwent an operation for an infected foot at his home, following a spider bite. He is in no danger.



The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

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Propaganda on Air Banned by 21 Countries

World Plan Sponsored By League of Nations

By BERTRAM F. LINZ

WASHINGTON, Nov. 10.—The adoption of an international convention under which broadcasting is not to be used in any manner "prejudicial to good international understanding" has been obtained by the League of Nations, already signed by 21 nations, according to reports reaching Washington today.

The convention will remain open until May 1, next, for further signatures.

A movement to prevent the use of broadcasting to bring about international complications was started by the League in 1931. Support for the proposal increased as various European nations began to develop their shortwave services for the purpose of disseminating nationalistic propaganda.

Under the convention, direct appeals to the inhabitants of another country are prohibited and signatory states are bound to prohibit any broadcast likely to prejudice good international understanding by misleading or inaccurate statements. There

(*Continued on page 6*)

Legitimate Theatre Broadcast Hits Snag

Plans for a weekly radio broadcast designed to re-sell the legitimate theatre to the public have been stalemated and may not be revived again, due to the inability of the principals to advance the idea along practical lines, it was stated in theatrical circles yesterday.

The stage's promotional radio hour was the idea of John Golden, producer, and when broached to Actors

(*Continued on page 6*)

ITOA Queries MGM On Broadcast Plans

Contending that Sunday nights are the exhibitors' salvation at the box-office, the I.T.O.A. has sent a letter to Nicholas M. Schenck, president of M-G-M and Loew's, seeking information on reports that M-G-M is negotiating with Ford Motor Co., for a one-hour hookup from 9 to 10 P.M. on Sundays.

No response has been received from

(*Continued on page 6*)

M-G-M Checkers Going into Six More Exchange Centers

M-G-M will install its own checking system in Detroit, Cincinnati, Cleveland, Pittsburgh, Buffalo and Albany, it was stated yesterday by Col. E. A. Schiller, following a weekend meeting in Cleveland of branch and office managers of these exchanges with Jack Flynn, district manager, and Alan Cummings. The plan has been in effect in the company's offices at New York, Washington, New Haven and Boston.

Declaring that the system is to bring about a closer cooperative spirit with exhibitors, Schiller, organizer of the plan with Cummings as his assistant, said: "M-G-M has no fault to find with any other checking plan, but the company feels it wants to try out the system with its own representatives."

Checkers working for M-G-M cannot be employed by any other company and it is believed this policy will prove beneficial to the company as well as make exhibitors happy. Schiller also believes the M-G-M checker will serve to bring about a closer

(*Continued on page 10*)

Prosperity

Revelstoke, B. C., Nov. 10.—Because of the new prosperity brought to this community by the making of "The Great Barrier," in this vicinity, during the past summer, the local City Council has decided that no measures for special relief to unemployed will be necessary during the winter months.

Universal-Wilcox Talent Swap Is Set

HOLLYWOOD, Nov. 10.—Charles R. Rogers, vice-president of Universal, stated upon his arrival here today that Universal has completed arrangements with Herbert Wilcox and General Film Distributors for the interchange of Hollywood and European talent. The arrangement is looked upon here as a means of evading the British quota.

Rogers, who was accompanied by Bill Pierce, stated that Universal will have 52 films on its program for next year.

Play Sales at 126 Despite Contract Row

Only three fewer plays were bought for production during the current stage season than in 1935, despite the withdrawal from the play producing scene of the major film companies this season, according to a report submitted to a membership meeting of the Dramatists' Guild by Sidney Howard, president, yesterday.

The report, compiled by Luise Sillcox, executive secretary, disclosed that 126 plays had been bought for production during the period from Feb. 1, 1936, to Nov. 1, last; whereas 129 plays were bought during the same period last year.

However, the new contract for playwrights and managers was not adopted until March 1 of this year and a large number of plays were bought by film companies under the old contract

(*Continued on page 10*)

Howard's "Hamlet" Good, But Gielgud's Is Superior

Performances should be appraised strictly on their merits. So goes the theory and it is a good one. But when, in one season, two "Hamlets" come along with only a handful of weeks to separate them, any play reviewer must be pardoned for drawing comparisons. He simply cannot help himself and, after all, the reviewer is entitled to consideration along with the play, the producer and the cast.

The word, then, coming out of last night's "Hamlet" at the Imperial is that John Gielgud's performance outdistances Leslie Howard's; that Leslie Howard's production outruns John Gielgud's and that:

"Hamlet is what it is and, if it seemed an unholy length of time and conversation had to elapse before the drama of the duel between Hamlet and Laertes, the end of the mother by poison and the doing to death of the king by his nephew, the blame either rests with Shakespeare or with an age

(*Continued on page 11*)

Hearst Name Dropped from His Newsreel

Appears First Time as "News of the Day"

All screen connection with Hearst Metrotone News was dropped by the William Randolph Hearst interests yesterday when that newsreel, beginning with Issue No. 215, appeared merely designated as "News of the Day, distributed by M-G-M."

Edgar B. Hatrick, general manager of the Hearst film interests, had denied any change in name was contemplated as recently as Nov. 4. Mike Clofine, editor of Hearst Metrotone News, yesterday had no comment to make and added, in response to a query, that "everyone knew the situation." He also stated no formal statement would be released to the press.

First agitation against Hearst Metrotone News began last spring at Williamstown, Mass., when students demanded the withdrawal of a clip considered by them to be war propaganda. The movement spread in college towns having anti-war groups and picketing developed in a number of places.

The reel also has been the butt of Communists' ire and Communist activities in widely separated areas resulted in occasional picketing and boycotting of theatres exhibting the

(*Continued on page 10*)

Para. to Grant 10% Film Cancellation

Paramount is prepared to grant exhibitors an unconditional cancellation privilege of 10 per cent of the company's complete picture schedule and will approve the establishment of local conciliation boards, as part of its concessions under the M.P.T.O.A. trade practice program, it was learned yesterday.

Indications are that the company

(*Continued on page 10*)

Hays in Rome Seeks To Ease Money Rule

ROME, Nov. 10.—Will H. Hays, president of the M.P.P.D.A., will arrive here this week to attempt to negotiate a settlement of a situation which may end the American film business in Italy. The Government's refusal to permit American companies to export more than one-third of their

(*Continued on page 10*)

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RKO to Direct Own S. A. Distribution

Distribution of the 1935-'36 product of RKO in Argentina, Paraguay, Uruguay and Chile by Cia. Commercial Radiolux, S. A., will terminate the arrangement of the local company with the Latin American organization and will be followed by the establishment by RKO Export of its own exchanges in the territories named.

Phil Reisman, vice-president in charge of foreign activities, is working on details at the present time. Max Liebeskind, manager in Brazil, has been named director in Argentina with headquarters in Buenos Aires. He will be succeeded in Brazil by Bruno Cheli, formerly his assistant.

RKO Sets Lasky's First

HOLLYWOOD, Nov. 10.—Jesse L. Lasky's first picture for RKO will be "Radio City Revels," a musical comedy revue which will be produced on an elaborate scale, Sam Briskin stated today. The production will probably be an annual extravaganza.

Alex A. Aarons, former Broadway producer, has been assigned to assist Lasky.

Insiders' Outlook

By RED KANN

A NUMBER of first run operators are giving the fishy eye to release schedules for the first three weeks of December. A very piscatorial eye. And more. They are slightly defiant and ready to take on any distributor who can point out one—a mere, solitary one—outstanding attraction boasting a topflight star for release between December 1 and 25. They also hope against hope on both bended knees that they are wrong and stand ready to retract their defiance and their skepticism in Macy's window if so proven. Also do they find that the one sunshine ray penetrating the gloom disappeared this week when Metro moved up release of "Love on the Run," a Gable-Crawford starrer, from December 4 to November 20. . . .

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It's quite a blanket of gloom. The more pessimistic among those showmen assert the release schedules for the pre-Christmas weeks are so unpromising that they will be forced to reinstate stage shows or bolster such shows with added "Name" acts where on-the-stage entertainment is already the existing order of the day. Listen to one circuit booker: "If we are to count on the pictures being released during the first three weeks of next month to show a profit, we might just as well close up from Thanksgiving to Christmas." You may think he is gilding the lily black, but he means it. . . .

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Quotation from another: "Distributors had us believing this summer that we would never again face a shortage of good pictures the year 'round, because of the record business done by a steady succession of good pictures released during the midsummer months. From the middle of June to the middle of September there was at least one outstanding film released every week. All of them played to excellent business and one of them, 'San Francisco,' was probably one of the best grossers of all time. The sales managers began pointing with pride. It was their idea and it worked. It proved, we were told, that there is no off-season for a good picture. Now they have revised that to none." . . .

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Yet for the Christmas-New Year's Week, the theatre's proverbial bonanza period, product looks superior and plentiful, thereby emphasizing anew the feast-or-famine rule from which this business never breaks far away. You might conclude that a tidal wave made up of genuine attractions would and should keep everyone happy, not excepting the men who run theatres. But the complaining ones not only yell about the interim period, but throw up their hands about the fatty one to follow. They assert most frankly that playdates will not be available for the six or eight potential humdingers; that curtailed "A" time must follow and distributor revenue held up because delayed dates on the remaining film will hold up all that follow. . . .

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It is their idea and it is urged that a few of the distributors who have real attractions ready, but not scheduled, for release until Christmas, have a heart for their customers and not so casually for themselves. The idea is a good one. We know much about the lows which precede the year-end holidays, but we also know that, latterly, time has given way to the goods when they are genuine and when they are properly advertised and handled. At the outset of the 1936-37 season, which is to say about August last, we doubled back on an old custom and in almost tearful words exhorted distributors to stagger their releases in order not to stagger the nation's box-offices. We knew then, as everyone else also knew, that the season would start off with two bangs and at least one wallop and then, as of yore, settle down to a peaceful slumber along about the middle of November. It was a forecast and accurate, but one about which we should prefer not to have been so infernally smart. . . .

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Mr. Goldwyn, about whom they tell funny stories, opens "Come and Get It" at the Rivoli this morning and for it, we go forecasting again by predicting a torrent of praise. That, however, should in no wise deter the exhibitor who at once recoils from films critic-wise blessed. It holds up very well with the reputation for painstaking effort which is a hallmark of Goldwyn's endeavors and is an attraction of formidable girth well equipped to hold its own in current and coming competition. "Come and Get It" is a drama of lumber and human beings or human beings and lumber, excellently produced and directed with Edward Arnold endowing the lead with a fine performance. It also includes

Local 306 Convenes With Mayor's Board

Representatives of Local 306, the Empire Union and the Allied Union met together for the first time yesterday afternoon in the office of Howard S. Cullman at the Roxy, in an effort to settle the jurisdictional fight in the city. The meeting followed Mayor F. H. LaGuardia's ultimatum of Monday, when he warned that theatres would be closed if the union situation was not satisfactorily settled.

The session was devoted to preliminary discussions on a possible basis for settlement of the multiple union status which the Mayor branded as an evil. Present at the meeting was the Mayor's survey board, composed of Cullman, Samuel A. Lewisohn, chairman, and William Collins. For Local 306 was Joseph D. Basson, president; for Empire, Benjamin S. Greenstein, vice-president, and Frank Asch, business agent, and for Allied, Henry Glover, president; Sol B. Fine, business agent, and David Karpis, recording secretary.

The appointment of the board by the Mayor and his subsequent ultimatum resulted from the recent bombings of theatres in the city.

Astaire-Rogers Win Actors' Guild Vote

HOLLYWOOD, Nov. 10.—Fred Astaire and Ginger Rogers won first honors for their joint performance in "Swing Time" in the September vote of the Actors' Guild.

Beulah Bondi was credited with the best performance in a supporting role for her work in "The Gorgeous Hussy."

"Dodsworth" Wins Poll

"Dodsworth" was voted the "Picture Hit of the Month" for October, in the monthly poll taken among film critics of the Scripps-Howard newspapers. In second place was "Libeled Lady" and "A Midsummer Night's Dream" was third.

Merge F. W. C. Districts

LOS ANGELES, Nov. 10.—In a realignment of Fox West Coast operating districts, the Cullen Espy and Earl Rice districts here have been merged under the supervision of Espy. Spencer Leve, who has been manager of the Ritz for several years, will be Espy's assistant, Rice taking over the Ritz management.

Serlin to Coast Studio

Oscar Serlin of Paramount leaves Friday for the coast to produce "Artists and Models," which formerly was scheduled to be made at the Astoria studio.

Serlin was the talent scout for Paramount in the east and his post in this section has been taken over by Boris Kaplan.

a young woman named Frances Farmer, who has appeared in a number of Paramount "B's" and "Rhythm on the Range." She seems headed for important things and gives the public a new face backed with charm and intelligence. Getting familiar with the name now will put you in the know later. . . .



"PLEASE BE PATIENT!"

The opening engagements of "TARZAN ESCAPES" have been so successful that showmen are asking us for reproductions of the promotion campaigns, to use in their own cities. These campaigns are just coming in from all parts of the country (*they're swell!*) and within a few days we will print them in the trade press. Meanwhile we urge our showmen friends to ballyhoo "TARZAN ESCAPES" like a circus. It's fun to exploit and the results are marvelous. "TARZAN ESCAPES" in its first engagements is beating M-G-M's previous Tarzan success! America loves this unique character—and there's only *one* Johnnie Weissmuller! So shoot the works! And watch the papers to see how other showmen are cleaning up with it!

CLOSE-UP VIEW OF



AN M-G-M AUDIENCE!



Propaganda on Air Banned by 21 Countries

(Continued from page 1)

is a special provision to the effect that contracting governments, especially in time of crisis, will insure the accuracy of the information concerning international relations broadcast within their respective territories.

The convention calls upon participating countries to take into account the influence that may be exercised by broadcasts calculated to harm the interests or offend the national, political, religious or social sentiments of other people, and to show particular vigilance in regard to programs intended for foreign listeners in a language other than that employed for the listeners of the country of transmission.

ITOA Queries MGM On Broadcast Plans

(Continued from page 1)

the M-G-M and Loew head, it was revealed at a board of directors' meeting of the exhibitor unit yesterday at the Astor. The letter follows:

"Please tell us that trade paper reports that you have under consideration a tieup with the Ford Motor Co. for a one-hour broadcast on Sunday nights, between the hours of 9 and 10, are false, as we cannot conceive how you possibly could give serious consideration to such a proposal when you know that 9 P.M. Sunday night is the exhibitor's only salvation at the box-office to cover or reduce any possible loss incurred in the operation of his theatre during the other 69 hours of that week.

"If you will multiply this time by the number of theatres throughout the country that would suffer by reason of such a tieup, you would realize that $25,000 a week revenue to your company would destroy an immeasurably larger sum to the exhibitors to whom your company furnishes its product."

The missive was signed by John Manheimer, secretary of the I.T.O.A.

"Gold Diggers" Take To Air on Saturday

Warners' airplane tour in behalf of "Gold Diggers of 1937" will get under way Saturday at Burbank, Cal., with Jeanne Madden, Rosalind Marquis and Fred Lawrence heading the talent lineup. Also on board will be 12 of Busby Berkeley's dancers. American Airlines is to supply the ship.

They will hit 26 cities in 29 days, if all goes well, and a flock of governors, mayors, chiefs of police, aldermen and others will be on hand to greet them. At every stop they will put on a show.

The stops will include El Paso, Fort Worth, Dallas, Memphis, St. Louis, Chicago, Detroit, Cleveland, Pittsburgh, Washington, Philadelphia, Boston, Providence, New York, Albany, Syracuse, Buffalo, Columbus, Cincinnati, Indianapolis, Kansas City, Denver, Salt Lake City, San Francisco and Los Angeles.

More Film Names Over Air; 23 on 7 Shows in One Week

Exhibitor complaints notwithstanding, Hollywood continues to move in on radio or radio on Hollywood. If the ever increasing wave of film players doesn't let up soon, it won't be long before it will become a real novelty to hear a bona-fide ether attraction on the air.

Here are the film celebrities—23 strong—who will be heard on various programs during the coming week.

On Friday, Nov. 13, "Hollywood Hotel" will feature Jeanette MacDonald, Luise Rainer, William Powell, Allan Jones, Una Merkel, Eleanore Powell, Frances Langford, Dick Powell, Clark Gable, Jean Harlow, Myrna Loy and Robert Taylor in a full hour over the CBS network, 9 to 10 P.M., E.S.T.

That same evening, over the NBC-Red, Elza Schallert will interview George Raft, from 10:45 to 11 P.M., E.S.T.

Over the Columbia network on Monday, Nov. 16, Lux Radio Theatre has Lily Pons and Adolphe Menjou in a dramatization of "Conversation Piece," from 9 to 10 P.M., E.S.T.

Also on Nov. 16, from 8 to 8:15 P.M., E.S.T., Jackie Cooper will interview George Bancroft over the Mutual Network.

Two days later, Nov. 18, Jackie will have as his guest Gloria Swanson, in one of her few radio appearances.

On Nov. 19, Bing Crosby will present as his guests on the Kraft Music Hall series Patsy Kelly and Robert Armstrong, over the NBC-Red at 10 P.M., E.S.T.

And finally on Nov. 20, Claudette Colbert will re-enact scenes from her new picture, "Maid of Salem," on the "Hollywood Hotel" program. Fred MacMurray, her leading man, will support her.

CBS Seeks License Shift

CBS yesterday applied to the Federal Communications Commission for permission to transfer to itself broadcasting licenses now held by its wholly-owned subsidiary stations. The stations are WABC, New York; WEEI, Boston; WBBM, Chicago; WJSV, Washington; KNX, Hollywood; WCCO, Minneapolis; WKRC, Cincinnati; KMOX, St. Louis; and WBT, Charlotte.

If and when the commission approves the application, the subsidiaries will be dissolved and the stations will be operated directly by Columbia. The purpose of the action is to simplify the corporate structure of CBS. No change in personnel or in the method of operation is contemplated.

Cook's Tours Over CBS

Thomas Cook & Son, after several years on other networks, will present "Cook's Travelogues," a new series of programs over the Columbia network beginning Dec. 6. The program will feature travel talks by Malcolm LaPrade, with organ accompaniment, and will be broadcast each Sunday from 2:45 to 3 P.M., E.S.T. L. D. Wertheimer Advertising, Inc., is the agency.

Gillette Re-Signs Cast

The entire Community Sing cast, sponsored by Gillette Razor Blades Co. each Sunday over the CBS network, has been renewed for an indefinite period by the sponsor. The series features Milton Berle, Wendell Hall, Jones and Hare and Dan Seymour.

Not Dropping Anthony Units

Los Angeles, Nov. 10.—Harrison Holliway informed Motion Picture Daily today that KFRC, San Francisco, which CBS is dropping for KSFO, is not an Earle C. Anthony unit, as reported on Nov. 4, but a member of the Don Lee network which switches to Mutual the end of December.

The Anthony stations are KFI and KECA, Los Angeles, local outlets for the NBC Blue and Red networks, and undergo no change.

"Brigade" Hookup with WMCA

WMCA will aid in the exploitation of the "Charge of the Light Brigade" now at the Strand by placing a microphone in the lobby of the theatre in charge of Don Kerr. He will interview the customers as they leave the theatres. The broadcasts begin today and will be heard at 3:15 P.M.

Mutual Gains 50.6 Per Cent

The Mutual network billing for October is 50.6 per cent over the same month's figure in 1935. Total billings for October, 1936, were $271,629.07. Last October they were $180,374.00.

Short Shots: Norman Corwin, head of radio bureau of Twentieth Century-Fox, now has an assistant, Mabel Drew, formerly with Universal . . . Richard Bonelli and Mildred Dilling signed as Floyd Gibbons' "Speedshow" guests for Nov. 21 . . . Jack Benny and troupe will leave Hollywood for New York on or about the first of January for a few weeks in Gotham. Announcer Don Wilson, however, will be left behind because of Rose Bowl assignment on New Year's Day . . . Conrad Thibault signed as next week's featured guest on Fred Astaire's Packard program . . . Harry Salter signed as musical consultant for the "Saturday Night Party" series, featuring the band of Ferde Grofe . . . John Charles Thomas signed as guest on General Motors symphony broadcast of Nov. 15 . . . Imogene Powell of the Chicago J. Walter Thompson office now in New York to supervise publicity for a cheese account. Herb Polesie of the coast branch of the same agency here for a short stay, flies back to Hollywood tonight . . . Henry Hull rushed into tomorrow night's Vallee broadcast when it was discovered that Irene Dunne was unavailable for the show . . . Joseph C. Green, formerly of the *Bloomington* (Ill.) *Pantagraph*, this week joins the NBC Chicago press staff . . . Dwight Fiske becomes a regular member of the Mark Warnow CBS Musical Show beginning Nov. 17.

Turns Evangelist

Pittsburgh, Nov. 10.—From sports announcing to evangelism. That's the plan of Jack Craddock, who has been broadcasting sports over station WSW for the last year. He has just resigned and will go south to conduct a series of evangelistic revivals.

So far his successor has not yet been picked.

Acquire Berkeley Station

Oakland, Cal., Nov. 10.—The direction of KRE, 400-watt station at Berkeley, has been transferred to the newly-formed Central California Broadcasting Corp. The First Congregational Church has operated the station since its start.

Arthur Westlund, general manager, will remain, with Donald Hambly as production manager. It is rumored that the intention of the new control is to develop a chain of low-powered stations throughout Central and Northern California.

Chain Adds New Station

Superior, Wis., Nov. 10.—The Head of the Lakes Broadcasting Co. has added a third point to its Arrowhead network with a station at Virginia, Minn., WHLB. In charge of operations at Virginia are Barney Irwin, local manager, and Maurice Cannelin, program director.

Inventor Describes Patent in RCA Suit

Wilmington, Nov. 10.—Allen Hazeltine, professor of physical mathematics at Stevens Institute of Technology, Hoboken, and Frank N. Waterman of Summit, N. J., consulting engineer, were the first witnesses on the stand in the patent infringement suit involving RCA Manufacturing Co., RCA Victor Co. and Hazeltine Corp. in U. S. District Court here today. Hazeltine charges infringement of an automatic control patent for receiving sets. The original and reissue Wheeler patents are involved.

Hazeltine, inventor of the neutrodyne receiving set, told the court this morning that his patent states that the invention relates to amplifiers used to modulate carrier current signaling systems. The amplifier, he said, is universally used as a three-electrode vacuum tube and its principle of operation involves the control of its output by electrical pressure or voltage impressed between its input electrodes which are grid and filament in ordinary tubes. The purpose of the patent is to control the volume of sound in a radio receiver within a narrow range instead of the wide range of variation, he testified.

Legitimate Theatre Broadcast Hits Snag

(Continued from page 1)

Equity Ass'n and the League of N. Y. Theatres both agreed to cooperate in the venture if acceptable program ideas capable of reviving public interest in and demand for the stage could be devised. Equity agreed to permit its members to appear on the programs without receiving compensation and the managers' organization indicated a willingness to aid in defraying the broadcasting charges. No acceptable program suggestions have been submitted up to now, however, and so far as could be learned the proposal is dormant for the time being, at least.

A Voice of Rare Freshness and Warmth



will soar from these lips to thrill your audiences with breathless ecstasy– as it now thrills millions on the air.

Deanna Durbin

"Dodsworth" Loop Smash; Gets $28,000

CHICAGO, Nov. 10.—"Dodsworth" at the United Artists was the outstanding Loop attraction. Advanced admission rates from 65c to 75c for the evening show helped the gross which was $28,000. or $13,000 above average.

The Marcus stage show at the Oriental, plus "Lady Be Careful," a type of picture best suited to this house, made it one of the best attractions downtown and the gross was $21,000 or $6,000 above normal. "Libeled Lady," moved over from a three-week stay at the U.A., did excellent business at the Garrick, $9,000.

"A Midsummer Night's Dream" returned to the Apollo at popular prices but was not in the big money.

A strong upward trend was shown immediately after election, the final days of the week being especially good with grosses climbing steadily.

Total first run business was $138,300. Average is $115,000.

Estimated takings:

Week Ending Nov. 4:

"DON'T TURN 'EM LOOSE" (Radio)
PALACE—(2,509), 30c-40c-60c, 7 days. Stage: "Folies Parisienne" Revue. **Gross:** $17,200. (Average, $19,000)

"ADVENTURE IN MANHATTAN" (Col.)
CHICAGO—(4,000), 35c-50c-75c, 7 days. Stage: Evans Dancers and Revue. **Gross:** $32,000. (Average, $32,000)

"LADY BE CAREFUL" (Para.)
ORIENTAL—(3,490), 25c-40c, 7 days. Stage: "Marcus Revue." **Gross:** $21,000. (Average, $15,000)

Week Ending Nov. 6:

"CAIN AND MABEL" (W.B.)
ROOSEVELT—(1,591), 30c-40c-60c, 7 days, 2nd week. **Gross:** $9,000. (Average, $11,000)

"DODSWORTH" (U.A.)
UNITED ARTISTS—(1,700), 35c-50c-75c, 7 days. **Gross:** $28,000. (Average, $15,000)

"A MIDSUMMER NIGHT'S DREAM" (W.B.)
APOLLO—(1,400), 30c-40c-60c, 7 days. **Gross:** $5,400. (Average, $4,500)

"LIBELED LADY" (M-G-M)
GARRICK — (900), 30c-40c-60c, 7 days. **Gross:** $9,000. (Average, $5,500)

"SATAN MET A LADY" (W.B.)
STATE-LAKE — (2,776), 20c-30c-35c, 7 days. Stage: Vaudeville revue. **Gross:** $16,700. (Average, $13,000)

Steubenville Gets Shows

STEUBENVILLE, O., Nov. 10.—The Rex, W. B. Urling house, has added stage shows to its film programs, the combination policy to be played on Friday, Saturday and Sunday of each week. The initial bill under the new policy consisted of a 50-minute unit show, with "The Preview Murder Mystery" and 30 minutes of shorts on the screen. Matinee admission is 15 cents, with the evening rate 25 cents.

M-G-M Signs Sessier

HOLLYWOOD, Nov. 10.—Michael Sessier, after serving as associate producer on two films, has been signed to a term contract as producer by M-G-M.. Sessier was a scenarist before becoming an executive.

Form Vaudeville Group

BOSTON, Nov. 10.—Boston vaudeville booking agents have formed a mutual association known as the Boston Booking Agents' Ass'n. Local theatre men are interested in the movement as an effort to clean house.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Reunion"

(Twentieth Century-Fox)

HOLLYWOOD, Nov. 10.—Story, production and player values are skillfully blended in "Reunion" to make a desirable attraction for exhibitors and audiences. Featuring the famous Dionne quintuplets in a way that the public likes to imagine them, the substantiating story is warm in human interest in which rich, homely humor, appealing pathos-tinged drama and intriguing topical incidents are intelligently combined.

Although several of "The Country Doctor" cast are present again and the locale is the same, the film emphatically is not a straight sequel to that picture. Rather, it is an engaging new and unique idea providing showmen with an ample opportunity to stimulate wide attention.

While John Qualen and Slim Summerville are again once more rivals for multiple paternity honors, the theme is the reunion of all the children brought into the world by Doctor Jean Hersholt. Thousands from every walk of life respond to his invitation. Many of them are facing great problems. As Hersholt was the man who brought them into life, he is looked to as the man who will adjust everything. In a kindly, understanding way he adjusts the menacing romantic problem involving Helen Vinson, Robert Kent and Rochelle Hudson. Returning Miss Vinson to her husband, Tom Moore, he assures marital happiness for Kent and Miss Hudson.

He makes it possible for Alan Dinehart, the governor, and his wife, Katherine Alexander, who are childless, to adopt George Ernest. He saves a passe actress, Esther Ralston, from suicide, marrying her to Jo Edward Bromberg. He almost reforms George Chandler, a pickpocket. Meanwhile he is devoted to his five most famous babies, who, in their big tea party scene, have a grand time cavorting in delightful childish manner. All is effected in a sincere and heart-warming manner.

As the film places in the hands of exhibitors a wealth of material for sock exploitation and delivers worthy entertainment for audiences, especially family patronage, it seems geared for box-office excitement.

Taking Bruce Gould's original which Sam Hellman, Gladys Lehman and Sonya Levien adapted, Norman Taurog directed with understanding and vision so that the full quality of all the elements involved reach the screen in a believable and pleasing fashion.

Previewed without production code seal. Running time, 80 minutes. "G."

Heywood-Wakefield Plan Wins Approval

BOSTON, Nov. 10.—The stockholders of Heywood-Wakefield, theatre supply company, yesterday at a special meeting here voted 70 per cent in favor of the company's plan of recapitalization. It is expected that the approval of the board of directors on the plan, which is necessary, will be forthcoming.

Under the terms of the proposed recapitalization, dividend arrears of $47.25 per share on the first preferred stock will be retired on the basis of $25 par value in bonds and $22.25 in cash. Dividend arrears of $50.25 per share on the second preferred stock will be retired on the basis of $50 par value in new preferred stock and 75 cents in cash.

Republic Signs Saenger

NEW ORLEANS, Nov. 10.—Leo Schexnadre, local Republic manager, has closed with the Saenger circuit and its affiliates for the showing of Republic product in 45 towns throughout the territory.

Delay Whaling Story

HOLLYWOOD, Nov. 10.—Universal has postponed the start of "Adventure's End" because no crew can be obtained for a whaling vessel during the coast maritime strike.

Pool in Pittsburgh Is Discussed Again

Negotiations are under way between Warners and Loew's to again pool the Stanley, Warner and Penn in Pittsburgh. The theatres were operated on a joint arrangement up to the time Loew's turned back the Penn several months ago to the first mortgage bondholders.

With Loew's completing a new deal and resuming operation of the theatre last week, talks are on again for pooling. Vaudeville will be featured in the Stanley, starting this week. Harry Kalmine, zone manager for Warners in Pittsburgh, is in town talking to booking agents about acts. Pooling discussions are expected to be completed by the end of the week.

Canavan Is Candidate

Edward Canavan has decided to run for president of Local 802 of the A.F.M. on the fusion ticket. He had previously decided not to be a candidate in the election, the first to be held by the union, in December.

New M-G-M Contracts

HOLLYWOOD, Nov. 10.—M-G-M has signed new contracts with Elizabeth Allen, Cora Witherspoon and Elen Dosia, the latter a singer from the Opera Comique.

Short Subjects

"Am I Having Fun?"

(Columbia)

Andy Clyde, a taxi driver, through his passenger, Arthur Houseman, an amusing, tipsy press agent, becomes involved in another treatment of the mistaken identity theme. Clyde's dictating spouse, Leora Thatcher, bears down on his impersonation of a visiting maharajah and complicates affairs in good, standard comedy style. It has fast-moving action and comic excitement which will satisfy the comedian's following. Production Code Seal No. 2,467. Running time, 20 mins. "G."

"Straight as an Arrow"

(Rice-Paramount)

George Hill, billed as the greatest archer in the world, takes first honors in this short. The production provides novel material, and is an interesting departure from the routine. Hill demonstrates his adeptness with the bow and the many shots repeated in slow motion, photographed against beautiful backgrounds, are compelling. It is remarkable stuff, well handled. Production Code Seal No. 01,152. Running time, 10 mins. "G."

"Skiing Is Believing"

(Columbia)

A diverting and entertaining short that builds up to exciting closing shots of high ski-jumping, this short has many compelling moments. Beginning with scenes of instruction in the technique of the sport it changes to the outdoor settings where the theory is put in to work. The result is a whole is pleasing. Production Code Seal No. 01,312. Running time, 10 mins. "G."

Alperson, Biddell West

HOLLYWOOD, Nov. 10.—Edward L. Alperson and Sidney Biddell arrived here today for Grand National product and story conferences.

Wall Street

Small Board Losses

	High	Low	Close	Net Change
Columbia	39¾	39¾	39½	....
Consolidated	4⅝	4⅝	4⅝	— ⅛
Consolidated, pfd.	17¾	17¼	17½	....
Eastman	180	179¾	180	+2
Gen. T. Equip.	28⅜	27¾	27¾	— ⅝
Loew's, Inc.	62½	61½	62⅜	....
Paramount	19¼	18⅝	18⅞	....
Paramount 1 pfd.	138½	137	137¾	— ¼
Paramount 2, pfd.	17⅞	17½	17¾	+ ⅛
Pathe Film	9¼	8⅞	8⅞	— ⅛
RKO	8⅝	8¼	8⅜	— ¼
20th Century-Fox.	36⅞	36⅛	36¾	+ ¼
20th Century, pfd.	45¾	45¼	45¼	....
Warner Bros.	16⅛	15¾	16	....
Warner Bros., pfd.	64	64	64	— ½

Curb Rise Slightly

	High	Low	Close	Net Change
Grand National	3½	3¼	3¼	— ⅛
Sonotone	2⅛	2	2⅛	+ ⅛
Technicolor	22⅝	22⅜	22⅝	+ ⅛
Trans-Lux	5¼	5⅛	5¼	+ ⅛

RKO Bonds Spurt 3¼ Points

	High	Low	Close	Net Change
Keith B. F. 6s '46	97⅛	97	97⅛	+ ⅛
Loew's 6s '41 ww deb rights	101	100⅞	101	+ ¼
Paramount B'way 3s '55	67	67	67	....
Paramount Pict. 6s '55	99⅛	99⅛	99⅛	— ⅜
RKO 6s '41 pp	100	97	100	+3¼
Warner Bros. 6s '39 wd	98	97½	97¾	....

(Quotations at close of Nov. 10)

All-Continent Writ Modified by Court

ATLANTIC CITY, Nov. 10.—Vice-Chancellor W. Frank Sooy today modified his restraining order against All-Continent Corp., the asserted Fox family trust, disposing of its assets. The modification will be "only to the extent necessary so that All-Continent may be free to carry on its ordinary business," until a further hearing Dec. 8.

Murry C. Becker, Fox attorney, said here today that the U. S. Supreme Court order that Fox pay a judgment of $235,082 to the Capital Co. of San Francisco or be jailed, "by no means ends the matter." The next probable step, he said, would be habeas corpus action.

Rosika Schwimmer, international peace advocate who conceived the idea of Henry Ford's futile "peace ship" in 1915, created a stir when she appeared in the hope of seeing Fox. She declared Upton Sinclair did her a grave injustice in his book, "Upton Sinclair Presents William Fox." However, Fox did not appear.

M-G-M Sued on "Frisco" Song

Los ANGELES, Nov. 10.—Asking that all prints and the negative of "San Francisco" be impounded until a Federal court judge can determine the merits of the complaint, Samuel Gornbein today filed suit against M-G-M and others.

Gornbein asserts that the defendants copied the musical composition entitled "Setting for Love," using it in the title song of the film. He also declared that the chorus of the composition and the chorus of "San Francisco" are identical. He asks an injunction, the restraint against further use of the composition and $250 damages for each entrenchment.

Tax Liens Against Film People

Los ANGELES, Nov. 10.—B. P. Schulberg is named in an income tax lien of $60,716.64 for 1935 in papers filed in Federal Court here today by the Collector of Internal Revenue.

Ken Maynard, Stepin Fetchit, Zoe Akins and Ralph H. Blum, film attorney, are also named for lesser amounts.

To Attend Lotz Rites

L. Jack Schlaifer, U.A. division sales head, will leave by plane today for Buffalo to attend funeral services for the late Harry Lotz, Chicago branch manager. Jack Goldhar, district manager with headquarters in Chicago, will also attend.

No successor to Lotz will be named for another week.

Wallace John Laut Killed

TORONTO, Nov. 10.—Wallace John Laut, formerly with the advertising and publicity department of Famous Players Canadian here, was killed instantly when he fell beneath the wheels of a train in northern Ontario.

Leonard Bishop's Wife Dies

TORONTO, Nov. 10.—Nancy McGregor Bishop, wife of Leonard Bishop, well known theatre manager of Famous Players, is dead in Hamilton, Ont., after a lengthy illness.

June Caprice Is Dead

HOLLYWOOD, Nov. 10.—June Elizabeth Millarde, the June Caprice who starred for Fox in the silent era, died here yesterday.

Purely Personal

GEORGE KAMEN, London manager for WALT DISNEY; JACQUES CHARLES, manager of the Paramount in Paris; VAL PARNELL of General Theatres Corp. and JOHNNY HINES, actor and director of BIP, sail today on the *Normandie*.

•

JACK SKIRBALL, general sales manager of Educational, is back on his feet, following a hospital sojourn which resulted from injuries sustained when he fell off a horse. He is taking it lightly, however.

•

WALTER READE has gone to the coast, using plane and train, with several stopovers en route. It's purely a pleasure trip and has nothing to do with American Community Theatres. He's due back Dec. 1.

•

IRVING BARRY is trying to figure how to get his car back from Salinas, Kan. He was supposed to drive in from the midwest city, but at the last minute flew in with SPYROS SKOURAS and EDWARD ZABEL.

•

PAUL RADIN, member of the Republic advertising department, will be married today to GERTRUDE FRANKEL. They will sail on the *Queen of Bermuda* for a honeymoon.

•

NATE BLUMBERG, general manager, of RKO Theatres, is winding up a lightning-like tour of the Middle West and is due back in New York tomorrow.

•

JOSEPH I. BREEN, Production Code administrator, who arrived here last Friday, paid a quick visit to Philadelphia and will return to the coast today.

•

SAM SERWER took the air route yesterday for Memphis where he will push the "Gold Diggers" campaign for Warners.

•

PATRICIA WILDER, RKO contract player, arrived by plane from the coast Monday.

•

HAROLD KEMP, head of the F. & M. office in Hollywood, is in town looking over the legitimate stage talent.

•

SAM MOSCOW, southern district head for Columbia, is in town from Atlanta.

•

MRS. HOWARD DIETZ left last night for the coast by plane.

•

JOE PINCUS left yesterday for Boston. A short distance, perhaps, but he flew it.

•

LEW AYRES is stopping at the Warwick. CAPT. HOWARD HAWKS also has taken an apartment there.

•

JIMMY CAMPBELL, head of G. B. music, is due in town today from the coast.

•

GRACE BRADLEY will be in our midst for another week before leaving for the coast.

•

AL LICHTMAN has delayed his return from the coast another week.

•

GEORGE SCHAEFER is in Dallas for a short business trip.

EDDIE CANTOR will arrive tomorrow for a few weeks here, including conferences with DAMON RUNYON, whose story, "Saratoga Chips," will be CANTOR's next.

•

FLORENCE BROWNING and MILDRED SHAPIRO of the M-G-M home office, and HOWARD LEVY, salesman at the New York exchange, celebrate birthdays Nov. 15. Next Saturday WILLIAM KIERNAN, ad sales manager of the local branch, adds another year to his age.

•

HERMAN RIFKIN, Republic franchise holder in Boston, was given a diamond ring by the 300 guests which attended his Silver Jubilee and homecoming party last week.

•

W. RAY JOHNSTON has acquired "Wanted by the Police," by LEONARD ST. JOHN; "Hell Ship" by HERBERT BRADFORD and "Sweet Sixteen" by NORMA YOUNG.

•

JERRY ADLER, who is handling the film buying for the City, Highland Falls, N. Y., is convalescing at his home here from a nervous breakdown.

•

MEL HEYMANN of the M-G-M publicity staff is recovering at Wyckoff Heights Hospital, Brooklyn, following a minor operation.

•

BEATRICE KAUFMAN has been named eastern story editor for Samuel Goldwyn, not M-G-M as was indicated yesterday.

•

BEN BERNIE opens at Loew's State on Friday and will be followed by RUDY VALLEE, and then HARRY RICHMAN.

•

DOROTHY BURGESS has returned from Hollywood to play in JOHNNIE WALKER's "This Pretty World," now in rehearsal.

•

MRS. ARTHUR MAYER arrived in Hollywood yesterday. She'll be there a couple of weeks.

•

MAX THORPE, Columbia's London sales manager, has left for the coast and conferences with JACK COHN.

•

FRED QUATRANO isn't calling football signals when he says "10, 2, 6." Those are junior's feeding hours.

•

HERBERT MUNDIN expected from Hollywood shortly. Vacation stuff.

•

MILTON BERLE has written a song called, "You've Got Something There."

•

MRS. MERVYN LEROY arrives from the coast next Monday.

•

SOPHIE TUCKER postcards cheerios from London.

•

CLARENCE BROWN in from the coast.

•

. . . Houston

FRANK STARZ, district publicity director for Interstate, was a visitor this week.

E. B. COLEMAN, southern publicity representative for M-G-M, spent a week here on the premiere of "Romeo and Juliet" at Loew's State.

JEAN FINLEY, Columbia representative from Dallas, has been here.

L. O. DANIEL, JR., former publicity director for the Horwitz Theatres has resigned and will go into another line of business in Dallas.

•

. . . London

SIR SAMUEL HOARE, First Lord of the Admiralty, to be guest of honor at annual dinner of London C. E. A. branch at the Savoy, Dec. 8.

REDD DAVIS holiday-making on the Continent.

CLIFFORD JEAPES is patentee of a new wipe device which needs no optical printer.

GRETA NISSEN operated upon for appendicitis.

MARLENE DIETRICH down with tonsilitis.

SIR HARRY LAUDER in person at the Twentieth Century-Fox trade show of "The End of the Road," Fox-British film.

MAJOR A. J. GALE to be a candidate for the London County Council.

•

. . . Memphis

BILL HENDRICKS of the Warner is trying to line up a squadron of Army planes to escort the "Golddiggers" special to the airport on Nov. 17.

M. A. LIGHTMAN scored again as the star of the Little Theatre's version of "Yellow Jack." He played the role of WALTER REED.

•

. . . New Haven

HARRY NOBLE will be associated with the Warner office, Newark, upon his recuperation from a recent illness.

EARL WRIGHT of Twentieth Century-Fox has moved into a new home.

JOHN PAVONE of Warners is sporting a new car.

HENRY PHANEUF is planning a new house in Putnam.

•

. . . Omaha

J. E. LEACH has opened a new house at Adams, Neb.

R. E. FALKENBERG has purchased new sound for the Ralfex at Lexington, Neb.

A. R. MILLER has installed a new screen in the Broadway at Adubon, Ia.

WILLIAM J. HEINEMAN, director of Universal's national sales drive, visited the local exchange this week.

C. K. OLSON, Warners' exchange manager; BOB MORSMAN, Universal booker; R. G. OLSON, Universal salesman; NORMAN NIELSEN, assistant RKO booker; JOHNNY HARMS, Paramount's second booker, and DICK STAHL of Scott Ballantyne Co., joined the trek of hunters to outstate Nebraska as the pheasant season opened.

JACK RIGGS, Central City exhibitor, is recuperating after an operation.

•

. . . Washington

MRS. HARDIE MEAKIN and Little HARDIE are back from the West Coast.

From Philadelphia to attend the annual Horlacher drivers' dinner were WILLIAM J. CLARK, THOMAS H. LARK, OSCAR NEUFELD, JOSEPH KENNEDY.

SAMUEL N. WHEELER is recuperating from a cold.

BEN TENDLER has renamed his M St. Theatre—the Lido.

CAROL F. WINCHESTER, who used to manage the Fox, is the manager for MORTON THALHEIMER's Wilson, over near Clarendon.

J. J. UNGER, in for a conference with the Paramount branch manager, HARRY HUNTER, has the staff all pepped up for the Silver Jubilee Drive.

Play Sales at 126 Despite Contract Row

(Continued from page 1)

during the month preceding. This was in anticipation of the new contract with its terms which film companies found to be objectionable, being put into practice as scheduled. Although the Dramatists' Guild did not make public the actual number of plays bought last February in advance of the adoption of the new contract, it was admitted that the number was more than for February of 1935. No plays at all were sold during March and April of this year, the Guild's report set forth, but a few were sold in May and the number increased in June. July and August, and September sales were the heaviest for the current season.

The membership elected the regular list of nominees to the council for a three-year term. The new council members are George Abbott, Maxwell Anderson, Gene Buck, Russel Crouse, Owen Davis, Jules Eckert Goodman, Lillian Hellman, George Middleton, Bertrand Robinson and Samuel Spewack. Of the 30 members of the council, 10 are elected annually for three-year terms.

The members were acquainted by Miss Sillcox with current plans being fostered to revitalize the legitimate theatre nationally. Dramatists may contribute their plays to little theatre groups free of royalties as an aid to the movement, in which Actors Equity Ass'n, the League of N. Y. Theatres and other theatrical organizations are cooperating.

Hays in Rome Seeks To Ease Money Rule

(Continued from page 1)

earnings has led several distributors to inform the Government that they will close their branches.

The Italian authorities had suggested that the balance of the earnings be invested in the Italian industry or American production in Italy. The distributors rejected the proposal. Hays is expected to attempt to persuade the Government to modify its monetary regulations.

G. B. Promotes Two

Joseph Loeffler, formerly a salesman in the Cleveland office of G. B., has been promoted to the position of branch manager. He replaces Harry Scott.

Thomas Charack, a salesman in the Minneapolis office, has been made branch manager at Omaha, a newly-created post.

G. B. List to Randforce

Irving Landes of the G. B. New York office has closed with Randforce for the showing of the 1936-'37 program in the circuit's houses.

Shea Starts in Dallas

DALLAS, Nov. 10.—J. Frank Shea, former salesman for United Artists here, has assumed his new post as manager of the exchange, to which he was appointed by A. W. Smith, general sales manager, following the resignation of Doak Roberts.

M-G-M Checkers Going into Six More Exchange Centers

(Continued from page 1)

contact between distributor and exhibitor.

By the time the plan is adopted by the six additional exchanges there will be approximately 225 checkers and 10 supervisors on the payroll. There will be a supervisor for every branch with a top supervisor guiding the activities of the branch men.

While there are no immediate plans to expand the system, Schiller said that as soon as the work of setting up branches already planned is completed Cummings will assume full charge of the department.

Supervisors will make periodic trips to the territories to discuss details of the system, in addition to going over various ideas on product.

Another trip to cement the friendship and extend cooperation between the production, distribution, advertising and exploitation departments of the company and the exhibitor, who are regarded as M-G-M partners because of percentage arrangements in which the distributor shares in the receipts, is planned by William F. Rodgers, Howard Dietz and William R. Ferguson shortly after Rodgers returns from the west. He is due the latter part of the week.

A series of meetings with Warner and B. & K. heads was held recently in Philadelphia, Pittsburgh, Washington and Chicago, the results of which were found to be very favorable by M-G-M executives.

Rockefeller Claim Is Delaying RKO Moves

Failure of RKO reorganization principals to make definite progress on an agreement for the settlement or treatment of the Rockefeller Center claim of $9,100,000 against the film company continues to stand as a bar to further significant progress toward the completion of a reorganization plan for RKO, reliable sources reported yesterday.

The efforts to arrive at an agreement with Rockefeller Center are continuing, but reorganization factors are unwilling to hazard a guess as to when they might be completed. The status of the claim appears to be the major obstacle to the immediate completion of the plan. With the claim out of the way, indications are a plan might be put before the Federal court within a matter of days thereafter. There appears to be little likelihood, however, of an agreement being reached within the next week.

New Delay Seen for Roxy Reorganizing

Another delay is seen in the hearing on reorganization plans for the Roxy, scheduled for Friday before Federal Judge Francis G. Caffey. Carlos Israels of White & Case, attorneys for the first mortgage bondholders, has not completed negotiations for a lease on the theatre lobby.

Other matters have since cropped up to divert Israels' time from the reorganization, indicating he will seek from two to three weeks additional time when the case is called Nov. 13.

Made Naval Officer

New Orleans, Nov. 10.—Collector of Customs A. Miles Pratt, owner of the St. Charles, has been sworn in as lieutenant-commander in the United States Navy Reserve and has been presented an American flag and an eagle-tipped standard at ceremonies in his office at the Custom House.

The flag and standard were the deferred gifts of a committee which arranged a luncheon for him when he retired as acting mayor of New Orleans last summer.

Para. to Grant 10% Film Cancellation

(Continued from page 1)

will not agree to the use of the short form of contract or to the elimination of the score charge. It will take a stand against the forcing of shorts with features, against the granting of unfair clearance and against knowingly aiding an exhibitor in overbuying of product.

The Paramount statement on trade practices is in preparation and may be made public today or tomorrow. Replies to the national exhibitor organization on its proposed trade reforms are also expected almost daily from Twentieth Century-Fox, RKO and Columbia.

Chinese Government Bars Para's Films

SHANGHAI, Nov. 10.—Because it considered Paramount's reply unsatisfactory, the National Government at Nanking today barred importation of all of that company's product.

The Government originally demanded Paramount remove from and destroy world distribution of "The General Died at Dawn" and "Klondike Annie" which were viewed as "unsatisfactory."

Because Paramount's reply was deemed inadequate, the prohibition on all of its output was made public today.

Close in Md. Sunday

BALTIMORE, Nov. 10.—Theatres in Anne Arundel County as well as all dance places are closed Sundays on an order to the sheriff from the Grand Jury. Theatres in Annapolis and Glen Burnie, usually open Sundays with a portion of the proceeds going to charity, are closed.

Bans Insurance Plan

OMAHA, Nov. 10.—A proposal to establish a Bank Night insurance company by P. W. Downs was turned down here today by the Insurance Director. Downs says he intends to submit the proposal to the insurance departments of Iowa, Illinois, Missouri and Wisconsin.

Hearst Name Dropped from His Newsreel

(Continued from page 1)

subject. The reports of an impending change in name, moreover, have been recurrent for weeks.

News of the Day made its appearance at many Loew theatres in New York yesterday and was dropped into the regular programs of the Capitol and Loew's State. Aside from its introductory title, the reel impressed a MOTION PICTURE DAILY reporter who caught it at the State last night as essentially the newsreel under its former title. There were differences, however. He discovered no mention of Edwin C. Hill as the commentator and left the theatre with the definite impression that the voice of the narrator was not that of Hill.

News of the Day, as shown at the State where it runs four minutes, opened with several shots showing the return to the Capitol of President Roosevelt after his reelection, followed by scenes of the landing in Capetown of Jimmy Mollison, who made a solo flight from London, Secretary Hull prior to his departure to the Buenos Aires peace conference, while strikers picket the boat on which he sails; a shipwreck at Cornwall, England, King Edward VIII riding through the rainy streets of London en route to Parliament, insurgent troops marching on to Madrid, Mussolini in a fiery speech at Milan and the pigskin highlights of the Fordham-Purdue and Northwestern-Wisconsin games.

Canada Establishes Uniform Music Rate

TORONTO, Nov. 10.—The Dominion Government's music tax commission has prescribed the same rates for theatres as those agreed upon here Oct. 30 by representative Canadian theatre interests and E. C. Mills of Ascap, and Leslie Boosey of the British Performing Right Society. The action fully legalizes the rates agreed upon independently by the latter groups and, in addition, makes them applicable to all theatres in Canada.

Complaints against these rates may be made to the government commission during December and adjustments may be made if the complaints are found to be well grounded. The Government will make an official announcement of the 1937 rates about Jan. 1.

It was erroneously stated yesterday that the maximum music tax allowed by the Government rate commission was 12 cents a seat as compared with the 15 cents a seat tax agreed upon by the music licensing and theatre representatives earlier. It is now learned, however, that the Government commission's rates are the same in all respects as the others.

B. I. P. Seeks Operas

LONDON, Nov. 10.—W. Mycroft, director of production for B. I. P., is negotiating with D'Oyley Carte for the rights to the Gilbert and Sullivan comic operas, in competition with Paramount, which last week was reported negotiating for the shows.

New Central Depot For Film Delivery

With film delivery service companies in Philadelphia, Des Moines and Minneapolis having adopted the plan, George Callahan of Exhibitors Film Delivery Service in Pittsburgh will inaugurate a central shipping depot.

Horlacher's in Philadelphia was the the first to institute the central shipping plan with Isles & McKinney in Des Moines following. Charles McCarthy of Minneapolis put the idea into effect last week and it is understood M. Jamison of Kansas City will shortly bring the plan into that city.

Independent product in all of the key cities mentioned is being handled through the central depot. It is hoped to extend this service to major distributors.

James Clark, president of National Film Delivery Carriers, and also head of Horlacher's, leaves for the Quaker City today after a two-day visit. Callahan will return to Pittsburgh today after conferring with Clark here.

Censor in Maryland Wants Judge Named

BALTIMORE, Nov. 10.—Mrs. Harry T. Phoebus, member of the Maryland censor board, suggests that the name of any judge upsetting a censor board ban on a film should appear on the film instead of the board's seal.

Her suggestion is an aftermath of the action of Judge Joseph N. Ulman in upsetting the board's ban on "Girls for Sale."

State Senator Harry T. Phoebus, husband of the censor, says he will propose an amendment to the censor act providing for this change when the next legislature meets.

Legion Attacked in Ontario

TORONTO, Nov. 10.—O. J. Silverthorne, chairman of the Ontario Board of Censors, charged the Legion of Decency today with unfairness and inconsistency in the classification of films by placing features in the category "Unobjectionable for general patronage" when, in the opinion of official censors, some of these pictures are not suitable for children. On the other hand, said Silverthorne, some films classified as "Objectionable in part" were subsequently passed by his board for family patronage.

The chairman promised that the Ontario Government would publish its own listings in the daily press for the guidance of parents.

Cut Censor Secretary

MILWAUKEE, Nov. 10.—Abolition of the $600 annual salary paid George Hampel as secretary of the city film censor board has been voted by the board of estimate's examining committee. A raise to $960 had been asked. Mayor Hoan, a member of the board, may veto the elimination. He remarked that the board "can't expect to get anybody to do the secretary's work for nothing."

RKO Takes Wing Film

Ward Wing, Ltd., headed by Ward Wing, has completed arrangements with RKO for the distribution of "Tea Leaves in the Wind," which Wing will produce in India. A native cast will be supported by English and American players. Negotiations are under way to star Richard Dix in the film.

Howard's "Hamlet" Good, But Gielgud's Is Superior

(*Continued from page* 1)

that reacts restlessly to ponderous and slow-arriving climaxes.

Now before you go into any brain cudgeling and endeavor to remember where you may have read these lines before, this is to tell you that, if they are familiar at all, you scanned them in this very space the morning after Gielgud's "Hamlet" opened at the Empire on the evening of Oct. 7. It struck this reviewer then and it strikes him so 34 nights later.

The whispers circulated the Imperial's lobby last night were that Howard was to emerge the victor in the inevitable comparison. This was after the first act during which genuine excitement reached out from the performing side of the footlights and gripped the audience. In the second act, it began to wane and to grasp its original hold once, at least, when Howard delivered the famous "to be or not to be" soliloquy. Certainly, at the moment he transcended Gielgud's interpretation. Whereas the earlier rendition impressed as too thoughtful and too lacking in intensity, Howard conveyed the fury of the burning fires that seared through Hamlet's brain after his father's ghost had bidden him to wreak vengeance.

Ending Is Strong

In dramatic value and in rising tempo, the Howard play regained lost ground again in the closing scene, where rapiers and poison take their toll and Hamlet is carried off on Viking war shields to the offstage accompaniment of drums and martial music. Yet, it could be argued and argued accurately that it would be a poor "Hamlet" indeed which failed to bestir its audience with such dramatic threads to spin into a final curtain.

Howard's Prince of Denmark was interesting, always intelligent, occasionally fiery yet sometimes failing to sufficiently impress. Wilfrid Walter was a generally good Claudius, barring occasional mouthing of his lines. Mary Servoss as the queen, this department thought, excelled Judith Anderson's interpretation in the Gielgud play. Pamela Stanley, as Ophelia, made a lovely picture, conveyed her madness well technically, but failed to arouse the wave of sympathy which the tragedy befalling her should have. Aubrey Mather's Polonius was one of the best characterizations of them all; yet Arthur Byron's parallel role in the Gielgud play, to this way of thinking, was superior.

Mounting Is Flawless

While these things have been said about the cast, there is nothing but the most lavish of praise to offer for the settings and costumes designed by Stewart Chaney and the richness in pageantry, pomp and lighting with which the production is invested. On those scores, magnificent is the word.

Bad throats were common last night. The audience coughed, hissed and presumably spat, in the polite manner, of course, all through the evening. There are those who will tell you quickly enough that audiences forget about those incidentals when there is enough of what it takes on the stage to capture their attention and keep it unwaveringly riveted.

Luncheon Series to Aid Charity Drive

In an effort to raise the $200,000 amusement quota for the annual drive of the Federation for the Support of Jewish Philanthropic Societies a series of luncheons is to be started next Wednesday. The first will be at the Hotel Edison.

Albert Warner, co-chairman of the committee in charge, says the idea is to tell what the federation is trying to do. David Bernstein is the other co-chairman.

Among those who attended a meeting yesterday to discuss the plan were: Leo Brecher, J. J. Bregman, Jules Brulatour, Irving Caesar, Jack Cohn, Sam Dembow, Jr., Leopold Friedman, Leon Goldberg, Jules Levy, Jack Milstein, Sam E. Morris, Dan Michalove, Phil Reisman, Budd Rogers, Louis K. Sidney, Steve Trilling, A. P. Waxman, Alex Yokel, H. Lerber, Max Rudnick and Red Kann.

Loew's Stays at Astor

Loew's has taken a four-month extension on the Astor, the new lease with City Investing Co. giving the circuit possession of the house until May 1. Twentieth Century-Fox has entered into a temporary lease with Loew's for the showing of "Lloyds of London." Following this, M-G-M is scheduled to present "The Good Earth."

To Announce G. N. Plans

Grand National's foreign plans will be announced tomorrow by Jack C. Barnstyn at a special luncheon to be attended by the foreign and domestic trade press. Reporters will first meet at Barnstyn's office and then go to a restaurant to be designated later.

Sloan Planning for 4 More at Detroit

DETROIT, Nov. 10.—Saul Sloan, Detroit real estate man and contractor, who built the Alger and Norwest and leased them to United Detroit Theatres, and who is now building the Radio City, a 1,500-seater, in Ferndale, local suburb, has announced plans for four additional houses in the metropolitan area.

Sloan will make his debut as an exhibitor, operating the new Ferndale house in conjunction with William Schulte, of the Schulte circuit.

One of the additional theatres will be a 3,200-seat house and the other three about 1,700 seats each.

Sherwood on "Polo"

HOLLYWOOD, Nov. 10.—Robert E. Sherwood has been signed to work on the screenplay for "The Adventures of Marco Polo," which Samuel Goldwyn and Douglas Fairbanks will produce with Gary Cooper starred.

Bill Scott Recovering

PITTSBURGH, Nov. 10.—Bill Scott, Stanley manager who has been ill for several weeks, is coming around nicely and his physicians say he will be able to return to his post by the end of this week.

Johnston Organizes Holding Corporation

W. Ray Johnston has organized Sterling Pictures Corp. in Delaware as a holding company for his new producing and distribution enterprise. It will control the stock in the distributing company; in Sterling Prod., Inc., the California producing unit, and in Sterling International Corp., the foreign subsidiary.

Whether the name Monogram will be retained for the distributing company, or whether it will be merged or absorbed by the new company will be decided at a meeting of Monogram stockholders in December at Chicago.

Working capital has been obtained, it is stated, and the public will not be asked to participate.

Johnston says applications for distribution have been received from Great Britain and other sections of the British Empire, Brazil, Argentina, Holland, Belgium and Australia and that negotiations are being held up pending the completion of organization plans.

Twenty-five story properties have been acquired.

Johnston has gone to the coast for a vacation trip and will visit the Texas Centennial on the return trip.

Capital MPTO Again Headed by Brylawski

WASHINGTON, Nov. 10.—A. Julian Brylawski was elected today to serve his 10th term as president of the M.P.T.O. of the District of Columbia. Other reelections were: Sidney B. Lust, vice-president and delegate to the national convention; Dr. William B. Herbst, treasurer, and Nat B. Browne, secretary.

The organization went on record as approving the screening of postoffice and social security trailers.

Fishman for Allied Board

NEW HAVEN, Nov. 10.—Allied Theatres of Connecticut, Inc., today elected Dr. J. B. Fishman as representative of the unit on the national Allied board. Nathan Yamins, Sidney Samuelson, Arthur Howard and Frank Leyden spoke.

Resolutions were passed protesting Victor McLaglen's leadership of the Light Horse, which was described as a "militaristic organization."

Midwest M. P. T. O. A. Meets

OMAHA, Nov. 10.—Twenty-five exhibitors attended the opening session of the M.P.T.O.A. of Nebraska and Western Iowa held here today. At a closed meeting, Charles Williams, president, appointed a committee consisting of Walter Creal of Omaha, Dick Kerberg of Sheldon, Ia. and Dale Goldie of Cherokee, Ia. to draft resolutions for presentation at the closing session tomorrow.

Warners Being Audited

An audit of Warners' financial status is now being prepared by Price, Waterhouse & Co., and is expected to be completed next Monday, a day before the regular board meeting of the company. Stockholders will be sent the annual report the latter part of next week, following approval by the board on Nov. 17. The company's annual stockholders' meeting will be held in Wilmington, Dec. 14.

Grand National

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WEST VIRGINIA THEATRES
RANDFORCE THEATRES
SCHINE THEATRES
WOMETCO THEATRES
MIDWEST THEATRES

CURRENT RELEASES

★

"IN HIS STEPS"
with Eric Linden & Cecilia Parker

•

"DEVIL ON HORSEBACK"
with Lili Damita & Fred Keating

•

"WHITE LEGION"
with Tala Birell & Ian Keith

•

"YELLOW CARGO"
with Conrad Nagel & Eleanor Hunt

•

"SONG OF THE GRINGO"
with Tex Ritter, Fuzzy Knight and Joan Woodbury

•

"CAPTAIN CALAMITY"
with George Houston, Marian Nixon and Movita

★

Coming

TWO BIG HOLIDAY ATTRACTIONS

BORIS PETROFF'S Production of
"HATS OFF"
with
MAE CLARKE • JOHN PAYNE
HELEN LYND • LUIS ALBERNI
SKEETS GALLAGHER
200 GORGEOUS GIRLS

NOV. 26th — DEC. 25th

JAMES CAGNEY
in
"GREAT GUY"
with
MAE CLARKE
A DOUGLAS MacLEAN Production

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 114 NEW YORK, THURSDAY, NOVEMBER 12, 1936 TEN CENTS

306 Absorbs Allied Union By New Pact

10-Year Agreement Calls For Wage Increase

An agreement has been reached among Local 306, the Allied Union and the I.T.O.A., headed by Harry Brandt, by which the Allied Union will be absorbed into Local 306, the I.A.T.S.E. and A.F.L. affiliate, and the theatre owners will grant a 25 per cent wage increase to Allied projectionists. The agreement, which was a signed arrangement, and described as an "agreement to agree," was arrived at following a lengthy conference under the guidance of the Mayor's board of survey at the office of Howard S. Cullman in the Roxy.

The agreement will be for a period of 10 years, it is understood, and will provide for the absorption of the entire membership of Allied into Local 306.

The initial step in the move toward eventual peace in the jurisdictional fight took place yesterday, when three houses, the Windsor, Sutter and Flatbush, in Brooklyn, were manned by 306 men in place of Allied members.

It was pointed out yesterday that

(*Continued on page* 5)

To Appeal Argentine Distributor Verdict

An appeal is expected to be taken from the decision of the Argentine Federal Court in Buenos Aires yesterday by which the Argentine Ass'n of Film Distributors was found guilty of "coercive measures," in an anti-trust action, it was indicated in distributor circles here yesterday. The association is composed of representatives of all major American distributors in Buenos Aires and two Argentine distributors.

The suit was instituted by Hector

(*Continued on page* 11)

National Theatres Has First Dividend

National Theatres, holding company for Fox West Coast, Intermountain Theatres, Fox Midwest, Fox Wisconsin, Evergreen States, and numerous other subsidiaries, has declared a dividend, reported to be the first since the company was organized over two years ago.

The corporation is a closed one with Chase National Bank and Twentieth Century-Fox as the only stockholders. Harry Cox, treasurer of National

(*Continued on page* 5)

Radio-Film Tilt to Coast; WPA Troupes Get NBC Time

Means of controlling the appearances of film stars on radio programs to lessen competition with theatres and interference with production schedules will be left to Hollywood to devise, in the opinion of responsible home office executives who were queried yesterday.

New York executives are fully aware of the seriousness of the problems which can result from unregulated broadcasting activities of studio personalities, but most of them appear to be convinced that no inflexible

(*Continued on page* 11)

Negotiations which began five months ago between the Radio Division of the Federal Theatre Project in New York and National Broadcasting for a WPA program over the latter chain were completed last night at a secret meeting presided over by John S. Royal, NBC vice-president, and attended by Leslie E. Roberts, local supervisor of the WPA radio division; Phil Carlin, NBC sustaining program manager, and Rubey Cowan, head of NBC Artists Service. A general announcement to this effect

(*Continued on page* 11)

16 Pictures Rejected in Year in N.Y.

ALBANY, Nov. 11.—Only 16 films were finally rejected entirely, out of 1,902 reviewed by the Motion Picture Division of the N. Y. State Education Dep't. during the year ended June 30, 1936, according to the annual report of Irwin Esmond, director of the division to Frank P. Graves, Commissioner of Education. The film division of the department is the state censor.

In all, 19 pictures were rejected initially, but three were later approved after revisions. Eliminations were made in 180 films upon statutory grounds, the report revealed. In addition to the 16 films finally rejected in

(*Continued on page* 11)

Industry Will Shy Off Code To Await Law

Official participation by the industry in preliminary efforts to revive labor and trade practice codes under the supervision of Federal industrial agencies is unlikely, in the opinion of industry observers. However, in the event enabling legislation is enacted by Congress after it convenes next January, the industry undoubtedly would participate in any move to draft enforceable wage and hour provisions or an effective code of trade practices, it is believed.

Industry opinion shows no indications of being averse to the revival of some of the basic aims of its NRA code. Independent efforts, even, were

(*Continued on page* 5)

Farce on Bridge Tries for Grand, Gets a Little Slam

This wearisome observer of the drama does not indulge in bridge. In the first place, he has too many plays to catch before they fold on their way to Cain's. Secondly, he has contemplated some of his inner circle wax batty and yell queer noises when four spades or something like it cry out to be made. No student of Culbertson and, as a consequence, a decided social problem, he does, nevertheless understand that a seven no trump bid is like scaling Olympus. He also recalls vaguely that this is referred to as a grand slam. But the Casper Milquetoast hero of "Double Dummy," last night's debutante at the Golden does it—on the stage. The rest of the evening was not even a little slam, but a couple of measly clubs.

This play by Tom McKnight and Doty Hobart seeks to capitalize on the popular American pastime, so usually relied upon by hosts and hostesses everywhere to tide over their own and their guests' social delinquencies.

In a vehicle made up of two acts, 19 scenes, blackouts that are funny and some of which are strained to the last ineffectual dregs, the central character, played adequately enough by John McGovern, carries an aura

(*Continued on page* 14)

Conciliation Boards Likely To Be Started

Seven Majors Expected To Approve Plan

The establishment of local conciliation boards as proposed under the M.P.T.O.A.'s 10-point trade practice program appears assured with indications that seven major distributors will approve the project and cooperate in bringing them into being. The cooperation of only four major companies would be sufficient to assure their establishment, exhibitor spokesmen assert.

The organization of the boards would be undertaken locally with nominated exhibitor and branch manager representation, according to current ideas. The number of board members, their selection and the type of complaint or problem which could be placed before them, all appear to be matters which are destined to be determined in individual local situations. Even the question of whether or not an exchange center is to have one of the boards will be left for local determination. Palpably, no attempt can be made to foist a conciliation board on an unwilling locality as their functions, findings and effectiveness will

(*Continued on page* 5)

Pathe May Reenter Production Field

Pathe may re-enter the production field next year when a special one-year agreement with Grand National expires around June, it is learned. For the present, the company is not interested in financing production, but indications are that a step in this direction may be taken in the next eight months.

Pathe received 400,000 shares of the stock from Grand National, in addition to a substantial interest held in

(*Continued on page* 5)

New Hearst Newsreel Name Is Countrywide

Elimination of Hearst Metrotone News as the name of the Hearst-produced newsreel for the new title, News of the Day, is national in scope, an M-G-M sales executive stated yesterday. The first impression when the new name appeared Tuesday was that the change would be confined to the local area. This, however, is not the case.

Confirming MOTION PICTURE

(*Continued on page* 5)

MOTION PICTURE DAILY
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Rivoli "Early Bird" Scale Up Five Cents

With the opening of "Come and Get It," the Rivoli yesterday tipped its "early bird" admission to 40 cents, a five cent increase over the former price. Brisk autumn weather yesterday stimulated business at all box-offices on Broadway, schools being recessed for Armistice Day, as well as banks and all markets.

At 6 P. M. last night, "One Way Passage" at the new Criterion had grossed $1,907 at regular weekday prices.

"The Big Broadcast of 1937" tallied $32,000 on the third week at the Paramount. "Polo Joe" garnered about $7,000, while "Ladies in Love" in its second stanza at the Rivoli took in around $14,000.

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TO RENT for eight days with further option fully equipped first-class theatre within downtown area New York City.
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Purely Personal

OSCAR SERLIN was tendered a farewell party at the Cotton Club last night by Paramount's eastern production department. RUSSELL HOLMAN acted as toastmaster, with JEFF LAZARUS as his assistant. SERLIN leaves for the coast tomorrow to act as associate producer on "Artists and Models."

•

SOL A. ROSENBLATT got back from Washington yesterday and next week will leave for Tampa, where he will speak before the A. F. of L. convention. Up to yesterday, ROSENBLATT didn't know when he would leave and on what topic he would talk.

Quip of the Day

Ali Gaga returned to New York yesterday after an extended absence and told of a Bronx exhibitor who got mixed up on his marquee and advertised:

William Powell
in
"My Man Gottlieb"

HAROLD OXLEY has arranged a European tour for JIMMIE LUNCEFORD and his orchestra. Countries in the itinerary will include Norway, Sweden, Denmark, Holland, Belgium and France.

•

WALTER READE is in New Orleans to purchase a number of horses. He intends to visit Dallas the end of the week, and then to Mexico City and Hollywood.

•

MILT KUSELL returned yesterday from a quick trip to Boston. He doesn't intend to leave New York on Paramount's Silver Jubilee for another week.

•

IRA COHEN, Twentieth Century-Fox exchange manager in Pittsburgh, has returned to the Smoky City after a short visit here with BILL SUSSMAN.

•

LOU CHAPMAN of Quigley Publications, was stricken with appendicitis yesterday and is in Fifth Avenue Hospital.

•

FATHER LEONARD, Pastor of St. Malachy's Church, is rapidly recovering from an injury received several weeks ago.

•

DAN FRANKEL is a benedict of 11 days' standing. He intends to take a belated honeymoon later.

•

MONTE PROSER, flushed with prosperity, will buy himself a new grey striped suit today.

•

FELIX JENKINS will return from the coast on Monday.

•

N. L. NATHANSON here again from Toronto.

•

MAX KRAVETZ is in from the coast.

•

EDDIE CANTOR is in town.

•

. . . Cincinnati

PAUL BENSON in town ahead of "The Glorified Follies," booked for the RKO Shubert.

EARL MYERS, Chillicothe, has returned from a trip to the west coast territories.

ELMER SHARD improving his Monte Vista at an estimated cost of $25,000.

LEE GOLDBERG, manager Big Feature Rights, east on business.

STANLEY C. JACQUES, RKO branch manager, has enrolled his twin sons at Michigan State College, Lansing.

•

. . . Columbus

C. E. DAVIS, New Lexington, O., has purchased the Majestic, at Corning, formerly operated by MRS. S. DEIME.

JAMES E. SCOVILLE has been appointed manager of the Parma, Parma, O.

HOLDEN SWIGER, managing the Palace, Akron, a Monarch unit, for several years, has resigned, and will operate his own house in the east.

•

. . . Dallas

DOAK ROBERTS is the new manager of the local Warner exchange succeeding W. E. Calloway, transferred to Los Angeles.

SPANKY MCFARLAND motored in with family to visit his grandmother, Mrs. H. E. Phillips.

FRANK STARZ, Interstate publicist, achieved a major upset by winning golf tournament staged by Variety Club.

JAKE BOLES met his brother, John, as the actor passed through en route to Greenville to visit their parents.

WILLIAM MELNIKER, head of M-G-M's foreign theatre division, is back after a trip to several South American countries.

•

. . . Denver

LON FIDLER, manager for Grand National here and in Salt Lake City, is in Montana on business.

CHARLES KEMP, former office manager for United Artists in Chicago, and ART HUOT, exchange manager for Educational a few years back, have been added to the sales staff of United Artists.

B. E. MARINER, United Artists office manager, is the father of a baby boy.

EDDIE LOY has taken out a $5,000 building permit for a new house. He is a salesman for Fox.

J. T. SHEFFIELD has returned to his headquarters in Seattle after spending several months in Denver.

FRED CURTIS of Thermopolis, Wyo., seen on Film Row.

L. M. TELLER has purchased the Kiva at Imperial, Neb., from E. C. DETTMAN.

•

. . . London

LIONEL ATWILL and MRS. ATWILL arrived on the *City of Havre*.

RICHARD TAUBER, at present ill with throat trouble in Switzerland, is booked for a song recital previous to the charity screening of "Land Without Music" on Dec. 2.

SIDNEY TAYLOR appointed London sales manager of Gaumont-British Distributors and R. SHAW placed in charge of shorts sales.

FRANCIS MEYNELL, of G. B. and ROY SIMMONDS of Twentieth-Fox talking on "Selling the Pictures" to the Publicity Club.

GEORGE BERNARD SHAW presiding at lecture by DR. ERNEST ESDAILE on the standard of film English at M-G-M private theatre.

HERBERT MARSHALL evading questions at Dorchester press party.

New Tax Regulations Applied to Brokers

WASHINGTON, Nov. 11.—An amendment of the regulations governing the reporting and payment of admission taxes to require separate returns on tickets sold at prices in excess of the established price was announced today by the Bureau of Internal Revenue.

A special form has been provided for brokers for this purpose, to be attached to their monthly returns.

The revised regulations also require that all theatres and other places of amusement shall keep separate records of all tickets sold to brokers or others.

With the special reports from theatres, revenue agents will be given additional facilities for checking on the activities of brokers and other re-sellers of tickets.

The new regulations were adopted as a means of preventing tax evasions by re-sellers, on which, it is said, there has been considerable complaint.

Eastman Sets Wage And Stock Dividends

ROCHESTER, Nov. 11.—A wage dividend of $2,220,000, a million dollars in excess of that paid during the last corresponding period, has been declared by Eastman Kodak Co. At the same time, an extra dividend of $1,688,000 was announced. The wage dividend is payable on March 1 to each employe who has been five years with the company on Dec. 5.

Additionally, an extra common stock dividend of 75 cents a share is payable on Dec. 10 to stockholders of record Nov. 20.

The two regular dividends of the company will be paid on Jan. 2.

Lewin Going Abroad For a 3-Month Rest

Albert Lewin, who recently joined Paramount's production ranks, will sail Nov. 25 on the *Normandie* for an extended vacation abroad. He will visit England, France and several other countries.

Lewin stated yesterday he had not determined how many he will produce for Paramount the first year. He added his contract does not call for a limit on the number he is to make. Due back at the studio on March 1, Lewin said he would return early in February to spend a few weeks in New York before heading west.

M-G-M Forms British Laboratory Company

LONDON, Nov. 11.—Initial moves by M-G-M, Ben Goetz and Louis B. Mayer to establish a modern developing and printing laboratory were taken today with the formation of Metro-Goldwyn-Mayer British Studios, Ltd. Capital is listed at $125,000.

Goetz has been here several weeks on the project and will sail shortly for New York and Hollywood.

U. A. Stockholders Meet

HOLLYWOOD, Nov. 11. — United Artists held its second stockholders' meeting today. The confab lasted about an hour. No statements were issued by the company.

Industry Will Shy Off Code To Await Law

(*Continued from page* 1)

launched within the industry following the demise of the NRA to salvage some of the code's better features with a view to continuing them in force if legal means of doing so could be found. After a study of the situation by an industry committee of which J. Robert Rubin of M-G-M was chairman, however, the efforts were abandoned because of the complete lack of enforcement provisions for any trade agreements which might be legally devised. The situation existing then has not altered since and is not likely to until the Administration's industrial aims have been defined and brought to realization through an enabling act by Congress, it is pointed out by industry authorities.

The theory now being advanced that the Federal Trade Commission could take over either the administrative or enforcement functions for industrial codes is of a wholly unofficial character, as the commission is without power to act along these lines until means have been devised of giving it new grants of authority.

Enforcement Question Paramount

It is this situation which prompted the industry to take no official part in the last conference called by Major George L. Berry of the Council of Industrial Progress and which will more than likely govern its official attitude toward the new conference now being arranged by Berry, it was said. Several thousand invitations will be dispatched to industrial leaders by Berry within the next week and the film industry will be included among them, but regardless of the significance of such an overture, industry leaders are unanimous in the belief that nothing material is possible of accomplishment until Congress has convened and acted on a definite Administration program for industry.

Berry Office Issues Statement

WASHINGTON, Nov. 11.—Members of the film industry will be given another opportunity to join in the work of the National Council for Industrial Progress, created last year by Major George L. Berry, President Roosevelt's coordinator for industrial cooperation, to develop a successor to NRA, it was said today at Berry's office.

Invitations were issued to the industry last year to attend the meetings at which the organization was projected, but the companies failed to take an active interest in the plan. Invitations will again be extended so that the industry may have an opportunity to participate in the deliberations of the council.

The meeting will be held in the early part of December, but no date has yet been set, nor have announcements gone out. At the forthcoming conference, it is planned to consider and adopt reports which have been prepared by various committees set up a year ago.

The council is composed chiefly of labor representatives with a few independents from small industries. The first meeting last year broke up in a row when some of the delegates objected to Berry's steam-roller methods, and the labor and independent group got together and formed the council, on which big business has been conspicuous by its absence.

Banquet

Winnipeg, Nov. 11. — Some thief, identity unknown, is all set for a banquet. Breaking into the Leyland, he stole a large quantity of the gift dinnerware, some cash and the tuxedo suit of Manager Sam Rosenblatt.

Pathe May Re-enter Production Field

(*Continued from page* 1)

the First Division pictures being liquidated by the latter. It was estimated that the stock and film interest figured at around $1,000,000. Pathe distributed to its stockholders as dividends most of the 400,000 shares, and Grand National has completed liquidating the outstanding First Division contracts.

Frank F. Kolbe, a director and former president of Pathe, recently resigned as a director of Grand National. Robert W. Atkins recently denied he would quit the Grand National board, but the report persists.

Pathe on Monday issued a financial report for the 39 weeks ended Sept. 26, which showed a net profit of $24,687, after taxes and other items. Net profit from its laboratory operations aggregated $92,950.81, while an additional revenue of $46,898.69 was returned from film rentals.

Officials of the company yesterday denied any plans were on foot to either re-enter production or finance production.

Dan Frankel has been officially appointed sales manager for Pathe. He has been supervising sales of laboratory work for some time without title.

New Hearst Newsreel Name Is Countrywide

(*Continued from page* 1)

DAILY's tip-off yesterday, Edwin C. Hill has been replaced as commentator by Jean Paul King, radio announcer over both NBC and CBS networks. King has a one-year contract with options. Hill is a columnist for Hearst and continues "Human Side of the News" for the publisher's newspapers. King is understood to have a series of options after the first year.

Rodgers in Northwest

PORTLAND, Ore., Nov. 11.—William F. Rodgers, general sales manager of M-G-M., outlined sales policies and declared the company ready to stand back of the exhibitor in the course of conferences here and in Seattle with leading representatives of Hamrick Evergreen and the Sterling circuits, and others. Rodgers was accompanied by George M. Hickey, division supervisor.

Street Closed Yesterday

Trading activities on the Stock Exchange, Curb and bond markets were suspended yesterday in observance of Armistice Day.

306 Absorbs Allied Union By New Pact

(*Continued from page* 1)

there are a great many details of the arrangement still to be worked out. This is being done by representatives of the two unions and the I.T.O.A. With reference to the report that unemployed members of Allied will not be taken into 306, it was emphatically stated that "every member of Allied will be taken care of."

This initial arrangement does not take into account the Empire union, the third of the three organizations. Another meeting at Cullman's office, probably on Friday, will take up that phase of the problem. Approximately 85 theatres employ Empire members, about 300 use 306 men and approximately 120 have employed Allied members.

Pending the outcome of the negotiations by the Mayor's board, and pending the final settlement of the situation, all picketing by Allied and 306 members has been abandoned.

A statement issued yesterday by the survey board, of which Sam A. Lewisohn is chairman, and Cullman and William Collins are other members, noted that the settlement effects 537 out of 587 theatres in Greater New York.

Lewisohn and Brandt Concur

Lewisohn said: "A sound basis has been laid for bringing about better conditions of employment and the discontinuance of disputes between the two unions which have in the past caused considerable inconvenience to the public. The commission will continue its investigation and make all efforts to bring a small minority into a similar understanding and thus ensure lasting peace."

Harry Brandt, although he had no comment to make on the details of the agreement, said: "Anything done to bring about a permanent peace is a good thing. I think the commission is a very knowing one and the cooperation of the Mayor himself has been very good."

It is understood that the agreement will also include a provision that a two-men-in-a-booth arrangement will be substituted for the present basis of one man to each machine.

National Theatres Has First Dividend

(*Continued from page* 1)

Theatres, would not reveal any information regarding the disbursement, as the company is closed to the public and "of no interest to it."

Unofficially, it was reported Twentieth Century-Fox received more than $1,500,000 when the dividend was declared last week. The Chase check was said to be considerably larger.

Gordon Seeks Patent

BRIDGEPORT, Nov. 11.—David Gordon has applied for a patent on his invention of a method for the projection of screen images in which a three-dimensional effect is given. The application is pending at the U. S. Patent Office in Washington.

Conciliation Boards Likely To Be Started

(*Continued from page* 1)

be completely dependent upon voluntary action.

It is assumed at the outset by the champions of the boards that not all exchange centers will have one. In some territories, local conditions do not warrant their establishment and in others, local opposition may prevent their establishment. Once approved by at least four major companies, however, steps could be taken at once to organize a board in any locality which desired one.

The M.P.T.O.A. anticipates that complaints of overbuying or inability to obtain sufficient product will be the most numerous to be presented to the boards for action. Unreasonable clearance, cut-throat competitive tactics and non-theatrical competition are also expected to be brought before the boards for consideration in large volume. Many such complaints will involve grievances between exhibitors only and, having no bearing on contractual terms, solutions could be attempted immediately. This is pointed out by the boards' champions merely to demonstrate that the boards could become operative immediately.

Cooperation Essential

The boards' findings will not be enforceable and their utility and effectiveness will depend largely upon the ability of the board members to bring together the principals involved in a complaint and assist in the adjustment of their differences. The extent to which branch and home office cooperation is forthcoming, once solutions have been agreed upon between the parties to a complaint, particularly in the case of overbuying adjustments, also will go far toward spelling the success or failure of the boards. The effectiveness of the boards will be dependent in most cases on a sense of fairness in the disputants and the powers of persuasion of the board members, M.P.T.O.A. officials admit.

Midwest M.P.T.O.A. Ends Meet

OMAHA, Nov. 11.—Asserting that their efforts to obtain justice from distributors have been futile, members of the M.P.T.O.A. of Nebraska and Western Iowa concluded their meeting here with resolutions stating:

(1) We will help to enact the Pettingill Bill or any other national legislation which will assure us the operation of our theatres at a reasonable profit and make it possible to show desirable pictures.

(2) We hold that broadcasting by film stars is detrimental to theatre owners and ask that the practice be discontinued between the hours of 7 P. M. to 10 P. M.

All officers of the organization, including Charles Williams, were carried over until an election is held following the meeting of the Legislature in January.

Takes Selwyn Next Year

Harry Brandt, who has purchased the Selwyn theatre and building, will assume operation of the house on Sept. 1 next. Max Cohen is now operating the 42d St. house.

News "Pirating" to U. S. Supreme Court

WASHINGTON, Nov. 11.—Alleged "pirating" of news dispatches was today before the U. S. Supreme Court, which has been asked to decide whether the Associated Press has an 18-hour monopoly on its dispatches.

Suit was pressed by the A.P. to restrain radio station KVOS, Bellingham, Wash., from broadcasting its news until 18 hours after publication. The injunction was granted, and upheld by the Ninth Circuit Court of Appeals, and the broadcaster brought the case to Washington.

Wheeler Patent up at Trial

WILMINGTON, Nov. 11.—Testimony regarding the Wheeler volume control patent featured today's session of the trial of the Hazeltine Corp.'s suit against RCA Mfg. Co. in U. S. District Court. Virgie M. Graham, director of the tube application of the Hygrade Sylvania Corp., was on the stand.

Graham, who was in charge of the radio engineering laboratory of the Stromberg-Carlson Telephone Mfg. Co. at Rochester in 1936, testified his company built a set using the Wheeler patent and shipped it to Wheeler Aug. 2, 1926.

Prof. Allen Hazeltine of Stevens Institute of Technology and Frank N. Waterman, consulting engineer, were called back to the stand today.

WLW Operation Split

CINCINNATI, Nov. 11.—In keeping with the policy recently established, WLW, 500,000-watt Crosley station, hereafter will be operated by department heads, with Lewis Crosley acting in an advisory capacity. Those who will actively participate in the station's operation: are Bob Kennett, head of the program production department; William Stoess, in charge of the music department; Jim Carruthers, contact department, and Frank Smith, general sales manager.

Daily Gossip Broadcast

CHARLOTTE, Nov. 11.—Every morning except Sunday 15 minutes of gossip about Hollywood stars and films reach Carolina radio audiences.

Station WBT of Charlotte has for some time conducted the program daily and at 9:45 A. M. WSOC, Charlotte's only other station, does not have such a program. The feature offers to answer any questions about stars. Plenty are asked by the radio audience.

Renews "Vox Pop" Programs

CLEVELAND, Nov. 11.—Station WGAR has started another "Vox Pop" program, duplicating its last season's plan of asking questions of the people on the street. The program will be broadcast Mondays, Wednesdays and Fridays at 7:45 P.M. The initial program originated in the lobby of Loew's State.

Form El Paso Broadcasting

EL PASO, Tex., Nov. 11.—El Paso Broadcasting Co., capitalized at $30,000, has been incorporated by Dorrance D. Roderick, T. E. Roderick and Kelton B. Clark.

Adelaide Poli Makes Debut

NEW HAVEN, Nov. 11.—Adelaide Jeanne Poli, granddaughter of S. Z. Poli, made her air debut over WELI the other afternoon.

7 New Stations Licensed; 9 Get Increase in Power

WASHINGTON, Nov. 11.—Seven new broadcasting stations today were given licenses to operate by the Federal Communications Commission and a number of others were granted authority to increase their power.

The new stations are located at Waycross, Ga., Merced, Cal., Abilene, Tex., New Albany, Ind., Tuscaloosa, Ala., Valley City, N. D., and Lowell, Ariz. Five are limited in power to 100 watts, but the New Albany and Merced stations are allowed 250 watts.

Stations obtaining an increase in power were: KFPY, Spokane, given day power of 5,000 watts; WTAD, Quincy, Ill., day power of 1,000 watts; WBEN, Buffalo, day power of 5,000 watts; KWYO, Sheridan, Wyo, day power of 250 watts; WBCM, Bay City, Mich., day power of 1,000 watts; KGKB, Tyler, Tex., day power of 250 watts; KRNR, Roseburg, Ore., day power of 250 watts; KMA, Shenandoah, Ia., day power of 5,000 watts; WEAU, Eau Claire, Wis., day power of 1,000 watts.

Silent on "Court" Criticism

J. Walter Thompson Co., advertising agency handling the "Good-Will Court" program and Standard Brands, sponsors of the program on behalf of Chase and Sanborn coffee, yesterday refused to comment on the report of the New York County Lawyers' Ass'n attacking the show.

Recently the board of directors of the association designated a special committee to investigate the workings of the "Good-Will Court," air program. The committee assailed it for its "exploitation of private woes."

Recommendation was made that the Appellate Division of the New York State court system adopt a rule making it illegal for an attorney to "advise inquirers or render an opinion to them through, or in connection with, a publicity medium of any kind in respect to their specific problems, whether or not such attorney shall be compensated for his service."

Dinner Sunday for Flamm

Donald Flamm, president of WMCA, will be honor guest at a dinner at the Hotel Plaza, New York, this Sunday, which will be attended by radio and political notables. Among those who will be on hand to fete Flamm are Anning S. Prall, chairman of the Federal Communications Commission; James J. Walker, David Sarnoff, president of RCA; Alfred McCosker, president of WOR; Ferdinand Pecora, judge of the N. Y. Supreme Court; Max Steuer, prominent lawyer; Rudy Vallee, Grover Whalen, Gabriel Heatter, Gene Buck and Eddie Dowling.

The dinner is being tendered by the Board of the Infants Home, Brooklyn. WMCA will broadcast the talks from 10 P.M. to midnight.

Ulric Replacing Bankhead

Lenore Ulric will be Ed Wynn's initial guest when the latter's new cigarette series bows in over the NBC-Blue network on Nov. 14, at 8 P.M., E.S.T. Acquisition of Miss Ulric blots out Tallulah Bankhead, originally slated as the premiere guest.

This series, incidentally, has been a headache to Young and Rubicam ever since the agency contracted Wynn to star on the program. It's an open secret along Radio Row that Wynn has been trying to be relieved of his contract, due to ill health and worry over domestic matters. Only last week a confab is reported to have taken place at Wynn's hotel, with lawyers from the agency, client, and the comedian's attorney arguing it out. Confab ended with Wynn reputedly resigned to the fact that he must go on with the show.

His Favorite

Jack Benny asked Kenny Baker the other night who his favorite film star is.
"Tallulah Bank Night," replied Kenny.

Colgate Preparing New Show

Colgate-Palmolive-Peet, through its advertising agency, Benton and Bowles, is now auditioning acts for a new air series. Over the weekend, company officials listened to competing comic acts furnished by Sam ("Schlepperman") Hearn, and Pick and Pat, Negro dialect comedians. Al Goodman's orchestra has been signed to provide music for the act winning the assignment. The new program will begin sometime after Jan. 1, with time and network still undecided. At present, Colgate is sponsoring three network shows—Community Sing, Goose Creek Parson, and Gang Busters—all on CBS.

"Stainless Show" Now

Allegheny Steel Corp. yesterday closed for a new NBC program to be known as the "Stainless Show" (even NBC workers grin at mention of the title.) The program will feature talks on the romantic aspects of the steel industry by commentator and announcer Ford Bond, vocals by baritone Mario Cozzi, and orchestra under the direction of Josef Stopack. Starting date is Nov. 27, 7:15 to 7:30 P.M., E.S.T., over a coast-to-coast Blue network hook-up.

Air Show for Foundation

The Philadelphia Orchestra, combining with Paul Whiteman's group, will offer a concert at the Hippodrome on Dec. 1, the proceeds to be split two ways. Half of the revenue will be donated toward the pension fund of the Philadelphia Orchestra; the remainder to the Hall of Modern American Music Foundation at Williams College, which was founded a year ago by Whiteman. Deems Taylor will serve as narrator.

Cantor Party for Miss Durbin

Eddie Cantor will hold a reception at the Pierre Nov. 17 for Deanna Durbin, who sings on his Sunday programs and who is featured currently in "Three Smart Girls."

Laughton, Korda Taking Air

Charles Laughton and Alexander Korda will be heard this Sunday at 2 P.M., E.S.T. on the Magic Key Program over the NBC-Blue network.

The voices of Laughton and Korda will be picked up via short wave from London. After discussing their latest film, based on the life of Rembrandt, Laughton and a supporting cast will present several scenes from the film.

Film-Radio Cartoon Idea

Vic Erwin, musical director of the CBS "Popeye" program, and Sam Sax currently are huddling over plans for a proposed series of Vitaphone shorts disclosing how animated cartoons are filmed. Before coming to the air, Erwin created the scores for the Betty Boop, Popeye, and Mickey Mouse shorts.

Marconi and Sarnoff Converse

In a four-way short wave broadcast from his yacht cruising in the Mediterranean off Genoa, Guglielmo Marconi yesterday talked with David Sarnoff, president of RCA. The inventor predicted rapid strides in the field of television. Sarnoff talked talked from his New York office.

Bowes, Cronican, Et Al

Short Shots: Major Bowes' Capitol Family program celebrates its 14th anniversary on the air Sunday . . . Lee Cronican appointed chief announcer of WMCA and Inter-City group. James Clemenger and Bob Carter named to assist Cronican in his new job . . . Julio Manuli, WHOM announcer, now president of the Alba Film Corp., producers of shorts distributed in Italian film houses . . . Ralph Kirberry off to Wilmington this weekend to purchase his second airplane . . . H. L. McClinton, N. W. Ayer agency personal contact to Henry Ford, now in town for the auto show . . . Rubey Cowan, NBC Artists Service head, off to Canada for week to supervise the first showing of the new Rudy Vallee stage units, featuring performers heard on the Vallee Hour . . . Harold Jackson, NBC engineer in Chicago, the father of a boy . . . Maurice Lowell, former director of the Federal Radio Project in Washington, now with NBC production staff in Chicago.

Coggins Switches Post

SPARTANBURG, S. C., Nov. 11. — James Coggins, announcer at WSPA, has resigned to join the announcing staff of WAIM, Anderson, S. C. Coggins handled many broadcasts originating in Spartanburg theatres.

Ruggles Dated for Nov. 17

HOLLYWOOD, Nov. 11.—Following a series of postponements, Charlie Ruggles has been penciled in for the Camel Caravan program of Nov. 17. The rest of the broadcast has not been set.

Martin to Replace Newell

HOLLYWOOD, Nov. 11.—Tony Martin will replace Jimmy Newell in the singer's spot on the Burns and Allen program over CBS.

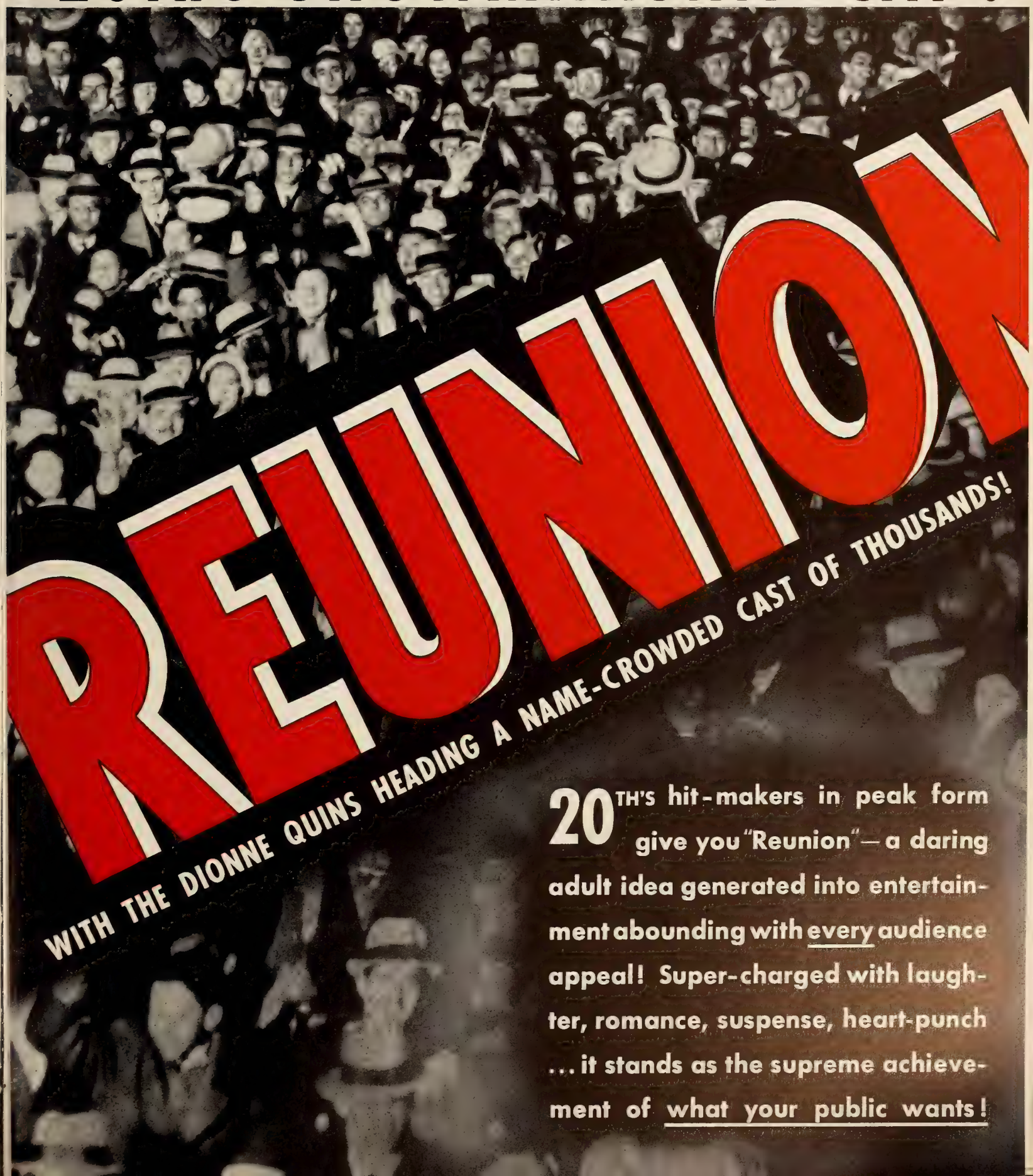
CBS to Start New Studio

HOLLYWOOD, Nov. 11.—Wrecking of the Christie Studios on Sunset Blvd. will start soon to make room for the new CBS headquarters.

Chester Matson Joins CBS

HOLLYWOOD, Nov. 11.—Chester Matson, recently with KHJ here and also with the Hillman-Shane agency, has joined Harry Webb's sales staff at CBS.

THE PROUDEST FEATHER IN 20th's SHOWMANSHIP CAP!



20th HAS LOADED IT WITH



RETURN!

THE DRAMATIC HOME-COMING OF THE COUNTRY DOCTOR'S 3,000 GROWN-UP "BABIES"!

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

EMOTIONAL SURPRISES ★



★ ALL THESE TANGLED LIVES IN A STORY SENSATIONALLY UNUSUAL:

•

A pair of sweethearts whose love faces heartbreak!

•

A husband and wife on the verge of separation!

•

A fading motion picture star and her girlhood flame!

•

A statesman and his wife, lonely till an orphan brings them happiness!

•

A young doctor, trapped by an unscrupulous woman!

•

An editor fighting to get his youth back again!

•

A young nurse, whose love is nearly betrayed!

•

and

Those inseparable comedy pals, the Quins' father... and the Sheriff who ordered SEXTUPLETS from the stork!

•

HE QUINS ARE A SHOW IN THEMSELVES

(They play the piano, dance, and entertain in a dozen different ways)

but SELL THE *whole* SHOW..

TO GET *all* IT HAS TO GIVE!



THE DIONNE QUINTUPLETS in REUNION

with

JEAN HERSHOLT

ROCHELLE HUDSON • HELEN VINSON
SLIM SUMMERVILLE • ROBERT KENT
Dorothy Peterson · John Qualen
Alan Dinehart · J. Edward Bromberg
Sara Haden · Montagu Love
Tom Moore · George Ernest
Esther Ralston

Scenes of the Dionne Quintuplets photographed under the Technical Supervision of Dr. Allan R. Dafoe.

Directed by Norman Taurog

Associate Producers Earl Carroll & Harold Wilson
Screen play by Sam Hellman, Gladys Lehman, Sonya Levien. Based on a story by Bruce Gould
Darryl F. Zanuck in Charge of Production

Hours for hold-overs

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

WPA Troupes To Go on an NBC Network

(Continued from page 1)

will probably be released in a few days.

The program tentatively has been assigned to the NBC-Blue network, 9 to 10 P. M., E.S.T., beginning next Wednesday, and weekly thereafter. Competing for listeners' attention during this period are the programs of Fred Allen over the NBC-Red network, and the Chesterfield and Palmolive-Peet Community Sing offerings, both heard on the CBS network. The latter shows star Nino Martini, Andre Kostelanetz, and Homer Rodeheaver, respectively.

Road units comprising talent heard on the program will be sent on tour, it was definitely determined at last night's meeting. It is almost certain that the units will play film houses, as an adjunct, just as the Major Bowes and Rudy Vallee stage units are now doing. The NBC artist bureau will book the units at the usual fee. Actors selected for road work will be taken off the WPA payroll and will receive salaries conforming to regular road unit standards.

Niblo As M. C.

Fred Niblo, former film director, will be master of ceremonies on the radio program. Niblo, however, is under exclusive NBC management, and will not be identified as a WPA artist.

Efforts are being made by the NBC sales department to sell the program commercially. WPA players assigned to the program will receive a sum no lower than $15 and no higher than the regular WPA salary scale, $23.80, for their stints.

Casts will be completely turned over each week and the compensation received for a radio performance will supplement and not supplant the sum paid WPA artists, unless the performer is assigned to a road unit.

It is understood that the program also will offer opportunities to unemployed actors not on the WPA payroll. Only professional talent will be utilized.

Boldest Venture of WPA

Music for the series will be provided by a regular NBC house band, which will be paid regular union wages.

The new series unquestionably is the most elaborate and ambitious radio program yet attempted by the WPA. At present the only other WPA network program is a 15-minute offering called "Department of Education Series" and heard Mondays over the CBS network from 4 to 4:15 P. M., E.S.T. The series is sponsored by the Federal Dept. of Education, but the actors are WPA recruits and are paid by the Works Progress Administration. Many other WPA radio series, ranging in time from 15 minutes to an hour, are now being broadcast.

Discuss Club in N. H.

New Haven, Nov. 11.—Formation of a social group along the lines of a Variety Club was discussed here last night at a meeting of members of the Connecticut M. P. T. O.

Joan Superstitious

Hollywood, Nov. 11.—Joan Bennett talked NBC into switching dates for her interview by Elsa Schallert because she is superstitious about Friday, the 13th, on which date the broadcast was scheduled.

George Raft isn't, however, because he's been penciled in for that date and the actress has been moved up to Nov. 20 for her quiz.

Radio—Films Clash Seen as Coast Problem

(Continued from page 1)

code can be drawn to govern all cases involving a clash of interests between the film and radio industries and that individual solutions must be sought for individual cases. The belief is expressed that Hollywood, where most of the broadcasting programs featuring film stars originate, is the proper place to attempt such solutions.

Indications are that only the most general understandings and agreements affecting the participation of film stars in radio activities can be worked out between the two industries. Specific broadcasting programs will continue to present specific problems which no underlying agreement can be made to cover, New York executives believe. Largely because of this they express the belief that every broadcast of a film program which suggests a competitive aspect of serious proportions would have to be discussed and dealt with by coast radio officials, representing both the networks and program sponsors, and the studio officials involved, who would, of course, be free to consult with representatives of any branch of the industry which might also be affected by the broadcasts contemplated.

Discussions on Coast Likely

No further meetings of industry executives have been scheduled with radio representatives in the east and doubts were expressed by those queried yesterday as to whether any would be called unless some urgent problem of serious proportions or some significant remedial proposal developed. It appears much more likely, however, that any new meeting of representatives of the two industries will occur in Hollywood, either for the purpose of advancing general underlying agreements governing the appearance of film stars on the air, or to consider complaints against and rulings governing specific broadcast plans of far-reaching industry significance.

Norma Shearer Gaining

Hollywood, Nov. 11. — Norma Shearer, well recovered from her attack of bronchial pneumonia, will leave for the desert this week to recuperate. Her two children, Irving Thalberg, Jr., and Katherine Thalberg, will accompany her. Miss Shearer has not left her Santa Monica home since the funeral of her husband.

16 Pictures Rejected in Year in N.Y.

(Continued from page 1)

toto, 1,452 eliminations of scenes, subtitles or dialogue were ordered. The statutory reasons for the eliminations were classified by the censor as follows: Indecent, 522; immoral or tending to corrupt morals, 275; tending to incite to crime, 496; inhuman, 101; sacrilegious, 58.

In the previous year, nine films were rejected in toto out of a total of 1,737 reviewed. Eliminations totaling 1,868 were ordered made in 225 films in the 1934-35 period.

A total of 9,366 reels were reviewed by the censor during the year, or more than 9,000,000 feet of film. The net revenue to the state for the year amounted to $204,202.21. Receipts for the year were $269,931.20, and expenditures were $65,728.99. Since the organization of the censor board in 1921, the total net profit for the state over all expenditures has been $2,070,382.64, the report stated.

During the year five appeals were taken to Graves from the action of the censor. In all cases the censor was sustained.

Esmond recommended that additional reviewers and inspectors be employed to supplement the present staff of four reviewers and five inspectors.

The report noted that the number of foreign films submitted for review increased during the year by more than 50 per cent over the previous year.

To Appeal Argentine Distributor Verdict

(Continued from page 1)

J. Bini, an exhibitor, who charged that the defendants fixed rentals and admission prices and that they refused to supply films to certain theatres. Sentence was suspended against Cristobal Solari, legal representative of the group, and held responsible for its acts. Judge Artemio Moreno also ruled that the association lacks legal authorization to function in Argentina. Both aspects of the court decision will be appealed, it was indicated.

China Film Ban Action Started

Industry and State Dep't efforts are reported to be under way to win reconsideration by the Chinese National Government of its recent banning of Paramount pictures from that country. The ban resulted from the Nanking Government's displeasure over the continuation of distribution of "The General Died at Dawn" and "Klondike Annie," both of which it had objected to.

Officials of the Paramount foreign department said yesterday that the matter was now in the hands of the M. P. P. D. A. and the State Dep't and that an amicable understanding was hoped for.

Consolidated Adds Three

Consolidated Amusements has taken over the buying, booking and operation of the Village, Morningside and Chelsea from Abel Fanchi of the Elite circuit.

See No G. B. Meet Before Next Month

By BRUCE ALLAN

London, Nov. 11.—The adjourned meeting of the stockholders of Gaumont British is considered unlikely to be resumed before some time in December at the earliest. The consolidated financial statement has not yet been published, and its appearance must precede the formal summons to stockholders.

The meeting held last week developed into a heated series of criticisms leveled at the G. B. board of directors, with respect to the deal for American purchase of G. B. control, and of the inadequacy of the financial report issued shortly before the meeting.

Film Sale to Canada Up 183% Since Pact

Washington, Nov. 11.—An increase of 183 per cent in the exportation of photographic films to Canada as a result of the reciprocal trade agreement which became effective Jan. 1 last, was claimed by the State Dep't today in an analysis of trade during the first six months under the pact.

Exports of films from January to June, it was said, were valued at $+12,000 (Canadian currency) against $229,000 for the same period last year. The department also asserted that exports of radio apparatus and tubes increased 415 per cent, shipments on which were $1,004,000 this year against $629,000 in 1935. The figures cited by the department were compiled from official Canadian statistics.

Hepburn Contradicts Silverthorne

Toronto, Nov. 11.—Premier Hepburn today denied emphatically that the Ontario Government would publish classification of films in the daily press as predicted yesterday by O. J. Silverthorne of the Ontario censor board. Silverthorne's statement had criticised the American Legion of Decency.

Premier Hepburn declared that it is not the function of the Government's censors to classify pictures and added that the board will cooperate to the fullest extent with organizations aiming at proper censoring.

Para. Has 12 for Jubilee

Hollywood, Nov. 11.—Paramount will release 12 first-rank productions during the Adolph Zukor Silver Jubilee, according to William LeBaron. The pictures will be: "Champagne Waltz," "The Plainsman," "Maid of Salem," "College Holiday," "Souls at Sea," "High, Wide and Handsome," "Waikiki Wedding," "Swing High, Swing Low," "John Meade's Woman," "I Met Him in Paris," "That's What Girls Are Made Of" and a new Harold Lloyd picture as yet untitled.

Union Hearing Nov. 19

St. Louis, Nov. 11.—Circuit Judge John W. Joynt on Nov. 19 at a hearing will determine whether to make permanent the temporary restraining order against the members of Electrical Workers' Union No. 1, preventing them from picketing the Missouri and St. Louis here. Manager Ralph McGowan of the St. Louis has telegraphed William Green, president of the A. F. L., protesting the picketing, which is part of a jurisdictional fight between the electrical union and the I. A. T. S. E.

"Cain" Cracks Warner Marks On the Coast

Los Angeles, Nov. 11.—"Cain and Mabel," on a dual with "The Case of the Black Cat," set up some records at Warners' Hollywood and Warners' Downtown. At the former the Marion Davies opus went $5,500 over par for a total of $19,500 and at the latter it was $8,000 to the good on a total of $20,000.

"The Great Ziegfeld" was $5,000 to the good on a take of $19,000 at Loew's State, but it failed to make an impression with $11,000 at the Chinese. "The Gay Desperado" was the only other attraction to show strength. It went to $19,200, up by $1,200, at the Paramount, helped by a stage show.

Total first run business was $115,400. Average is $107,950.

Estimated takings for the week ending Nov. 11:

"ROMEO AND JULIET" (M-G-M)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days. 6th week. **Gross:** $5,800. (Average, $17,000)

"THE GREAT ZIEGFELD" (M-G-M)
CHINESE—(2,500), 30c-55c, 7 days. **Gross:** $11,000. (Average, $12,500)

"UNDER YOUR SPELL" (20th-Fox)
4 STAR—(900), 30c-55c, 7 days. **Gross:** $4,000. (Average, $3,250)

"BUILDERS OF SOCIALISM"
GRAND INTERNAT'L—(750), 35c-40c, 7 days, 2nd week. **Gross:** $1,900. (Average, $1,200)

"A WOMAN REBELS" (Radio)
"THE MAN I MARRY" (Univ.)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $7,300. (Average, $8,000)

"THE GREAT ZIEGFELD" (M-G-M)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $19,000. (Average, $14,000)

"A WOMAN REBELS" (Radio)
"THE MAN I MARRY" (Univ.)
PANTAGES — (3,000), 30c-65c, 7 days. **Gross:** $7,700. (Average, $8,000)

"THE GAY DESPERADO" (U.A.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: Charles Collins, F. & M. Revue, Rube Wolf and his orchestra. **Gross:** $19,200. (Average, $18,000)

"CAIN AND MABEL" (W.B.)
"THE CASE OF THE BLACK CAT" (F.N.)
WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 7 days. **Gross:** $19,500. (Average, $14,000)

"CAIN AND MABEL" (W.B.)
"THE CASE OF THE BLACK CAT" (F.N.)
WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 7 days. **Gross:** $20,000. (Average, $12,000)

Bomb Providence House

Providence, Nov. 11.—An explosion damaged the Modern on Westminster street, breaking doors and windows and damaging nearby property, mostly fur shops. The bomb, thrown from a speeding automobile, was poorly aimed which saved the house, long the centre of labor disputes.

No Deletions in Mass.

Boston, Nov. 11.—Paul G. Kirk, Commissioner of Public Safety in Massachusetts, passed 49 pictures without any deletions in the latest list of approved pictures which are released under the Sunday Laws.

Film Critic Dropped

Pittsburgh, Nov. 11.—The Hearst daily here, the *Sun-Telegraph*, has dropped George Seibel, who has been reviewing plays and pictures since 1927. No explanation was given.

"Brute" Dual With $11,200 Frisco's Top

San Francisco, Nov. 11.—"The Magnificent Brute" and "The Girl on the Front Page" took top honors on the week with a gross of $11,200, up by $2,700, at the Orpheum.

"Libeled Lady," on a dual with "Sitting on the Moon," was good for $15,000, over par by $2,000, in its second week at the Warfield. "Anthony Adverse" was $1,000 to the good on a take of $14,000 at the Paramount and "The Gay Desperado" was in the profit column at the United Artists, but elsewhere there was little to get excited about.

"It Can't Happen Here" is furnishing the principal competition.

Total first run business was $80,250. Average is $84,500.

Estimated takings:

Week Ending Nov. 3:

"LEGONG" (Du World)
"MISSING GIRLS" (Chesterfield)
EMBASSY — (1,400), 10c-30c-35c-40c, 7 days, 2nd week. **Gross:** $4,000. (Average, $4,000)

"DANIEL BOONE" (Radio)
GOLDEN GATE—(2,850), 10c-30c-35c-40c, 7 days. Stage: vaudeville. **Gross:** $13,500. (Average, $16,000)

Week Ending Nov. 4:

"WALPURGIS NIGHT" (Scandinavian)
CLAY—(400), 15c-35c, 4 days, 2nd week. **Gross:** $550. (Average, $1,000)

"PIGSKIN PARADE" (20th-Fox)
"SEVEN SINNERS" (G.B.)
FOX—(5,000), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $15,000. (Average, $16,000)

"MAGNIFICENT BRUTE" (Univ.)
"GIRL ON THE FRONT PAGE" (Univ.)
ORPHEUM — (2,440), 15c-30c-35c-40c, 7 days. **Gross:** $11,200. (Average, $8,500)

"ANTHONY ADVERSE" (W.B.)
PARAMOUNT — (2,740), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $14,000. (Average, $13,000)

Week Ending Nov. 5:

"BIG BROADCAST OF 1937" (Para.)
"15 MAIDEN LANE" (20th-Fox)
ST. FRANCIS—(1,470), 15c-30c-35c-40c, 7 days. **Gross:** $6,500. (Average, $6,000)

"GAY DESPERADO" (U.A.)
UNITED ARTISTS—(1,200), 15c-30c-35c-40c-65c, 7 days. **Gross:** $8,500. (Average, $7,000)

"LIBELED LADY" (M-G-M)
"SITTING ON THE MOON" (Republic)
WARFIELD—(2,680), 15c-30c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $15,000. (Average, $13,000)

Richards Seeks Release

Hollywood, Nov. 11.—B. W. Richards plans a trip to New York to close with a major company for distribution of six features based on the Dan Dunn cartoon strip character which he will produce in association with Arthur F. Beck.

Richards' departure waits upon closing of a release deal for his second series, six historical features, which are to be financed by a local bank.

No Ban on Film Posters

The recent order with respect to the display of posters in Colombia affects only the city of Bogota, where posters are not permitted in places not especially allocated for their use, it was pointed out here by Jaime Puig Arosemena, South American distributor. The decree was not of the national government of Colombia, and further does not prohibit the display of posters in English or any other foreign language, when they refer to such transitory material as films.

"Sinners," N. T. G. Cincinnati's Best

Cincinnati, Nov. 11.—"Seven Sinners," plus the N. T. G. unit on the stage at the RKO Shubert, gave that house $13,500, bettering average by $1,500 to lead the field. "Libeled Lady" did an average $12,000 at the RKO Albee and moved to the RKO Capitol for a third week.

Dog races, a civic celebration, football and the election were strong competition.

Total first run business was $52,450. Average is $58,700.

Estimated takings:

Week Ending Nov. 5:

"LIBELED LADY" (M-G-M)
RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $12,000. (Average, $12,000)

"MAGNIFICENT BRUTE" (Univ.)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $9,500. (Average, $10,000.) Moved to RKO Capitol.

"SEVEN SINNERS" (G. B.)
RKO SHUBERT—(2,150), 35c-55c, 7 days. Stage: "N. T. G." unit. **Gross:** $13,500. (Average, $12,000)

"PIGSKIN PARADE" (20th-Fox)
RKO CAPITOL—(2,000), 35c-42c, 7 days, 2nd downtown week. **Gross:** $3,800. (Average, $6,500)

"AMBASSADOR BILL" (20th-Fox) Revival
RKO LYRIC—(1,400), 35c-42c, 7 days. **Gross:** $3,600. (Average, $6,500)

"THE BIG BROADCAST OF 1937" (Para.)
RKO GRAND—(1,200), 25c-40c, 7 days, 4th downtown week. **Gross:** $3,100. (Average, $2,150)

"THE HOODED LEGION" (Col.)
RKO FAMILY—(1,000), 15c-25c, 4 days. **Gross:** $1,400. (Average, $1,250)

"THE END OF THE TRAIL" (Col.)
RKO FAMILY—(1,000), 15c-25c, 3 days. **Gross:** $1,250. (Average, $1,200)

"THE CASE OF THE BLACK CAT" (F. N.)
KEITH'S—(1,500), 30c-40c, 7 days. **Gross:** $4,300. (Average, $6,500)

"Pigskin" Is Best Kansas City Draw

Kansas City, Nov. 11.—After a good weekend, first runs hit cold weather and the election which threw them back. "Pigskin Parade" grossed $10,700 at the Mainstreet, $2,700 over the goal line, and the picture moved into the Newman for a holdover.

"Valiant is the Word for Carrie" went $1,000 over $7,000 average at the Newman, and the Midland's double bill, "Old Hutch" and "The Man Who Lived Twice," held up for a fair $10,200, under par by $1,300.

Total first run business was $38,700. Average is $37,000.

Estimated takings:

Week Ending Nov. 5:

"PIGSKIN PARADE" (20th-Fox)
MAINSTREET—(3,100), 25c-40c, 7 days. **Gross:** $10,700. (Average, $8,000)

"OLD HUTCH" (M-G-M)
"THE MAN WHO LIVED TWICE" (Col.)
MIDLAND — (4,000), 25c-40c, 7 days. **Gross:** $10,200. (Average, $11,500)

"VALIANT IS THE WORD FOR CARRIE" (Para.)
NEWMAN — (1,900), 25c-40c, 7 days. **Gross:** $8,000. (Average, $7,000)

"FIFTEEN MAIDEN LANE" (20th-Fox)
TOWER—(2,200), 25c, 7 days. Stage: The "Bo" Brummels, Gilbert Brothers, Peggy & Peter Mathews, Stroud Twins, Betty Roth and Douglas Lloyd. **Gross:** $6,400. (Average, $6,500)

"WEDDING PRESENT" (Para.)
"THE CASE OF THE VELVET CLAWS" (W.B.)
UPTOWN—(2,000), 25c-40c, 7 days. **Gross:** $3,400. (Average, $4,000)

Curran Quits Columbia

Boston, Nov. 11.—John Curran has resigned from Columbia as publicist in the New England territory. Edward Rosenbaum will succeed him.

"Pigskin" Up To $16,000, Philadelphia

Philadelphia, Nov. 11.—The culmination of election excitement kept grosses in the cellar for another week. The best figure was scored by "Pigskin Parade," which got $16,000 at the Fox and was held a second week.

"Cain and Mabel" tipped the average slightly with $14,500 at the Stanley, but didn't get enough to stay. Playing second run at the Earle, "Libeled Lady" did well with $13,000 in its fourth week downtown. The $11,000 gross of "A Midsummer Night's Dream" caused no cheering.

Total first run business was $73,600. Average is $81,560.

Estimated takings for the week ending Nov. 5:

"EAST MEETS WEST" (G.B.)
ALDINE — (1,200), 40c-55c-65c, 7 days. **Gross:** $6,500. (Average, $8,160)

"GENERAL DIED AT DAWN" (Para.)
ARCADIA—(600), 25c-40c-50c, 6 days, 2nd run. **Gross:** $2,200. (Average, 7 days, $2,800)

"MIDSUMMER NIGHT'S DREAM" (W.B.)
BOYD—(2,400), 40c-55c, 7 days. **Gross:** $11,000. (Average, $14,000)

"LIBELED LADY" (M-G-M)
EARLE—(2,000), 25c-40c-55c, 7 days, 2nd run. **Gross:** $13,000. (Average, $14,000)

"PIGSKIN PARADE" (20th-Fox)
FOX—(3,000), 40c-55c-65c, 7 days. **Gross:** $16,000. (Average, $14,000)

"MAN WHO LIVED TWICE" (Col.)
KARLTON—(1,000), 25c-35c-40c, 7 days. **Gross:** $2,100. (Average, $4,000)

"CRAIG'S WIFE" (Col.)
KEITH'S—(2,000), 30c-40c-50c, 7 days, 2nd run. **Gross:** $2,600. (Average, $4,000)

"CAIN AND MABEL" (W.B.)
STANLEY — (3,700), 40c-55c, 7 days. **Gross:** $14,500. (Average, $14,000)

"ACCUSING FINGER" (Para.)
STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $5,700. (Average, $7,000)

"Broadcast" Dual $8,500, Portland

Portland, Nov. 11.—Stimulated by large football rallies, "The Big Broadcast of 1937" and "The Big Game" were held for a second week at the Paramount. The bill rolled up $8,500, over the usual by $3,500.

"The Gay Desperado" in its first week at United Artists secured $8,500, over par by $3,500.

"Give Me Your Heart" and "Wives Never Know" were good for a second week at the Orpheum, securing $7,000, over the house average by $2,000.

Total first run business was $38,000. Average is $24,700.

Estimated takings for the week ending Oct. 31:

"LIBELED LADY" (M-G-M)
"CASE OF THE BLACK CAT" (F.N.)
BROADWAY—(1,912), 30c-35c-40c, 7 days. **Gross:** $7,000. (Average, $5,000)

"MR. DEEDS GOES TO TOWN" (Col.)
"IT HAPPENED ONE NIGHT" (Col.)
BLUE MOUSE—(1,700), 30c-35c-40c, 7 days, 26th week. **Gross:** $2,000. (Average, $1,700)

"A MIDSUMMER NIGHT'S DREAM" (W.B.)
MAYFAIR—(1,700), 30c-35c-40c, 7 days. **Gross:** $5,000. (Average, $3,000)

"GIVE ME YOUR HEART" (W.B.)
"WIVES NEVER KNOW" (Para.)
ORPHEUM—(1,700), 30c-35c-40c, 7 days, 2nd week. **Gross:** $7,000. (Average, $5,000)

"THE BIG BROADCAST OF 1937" (Para.)
"THE BIG GAME" (Radio)
PARAMOUNT — (3,008), 30c-35c-40c, 7 days, 2nd week. **Gross:** $8,500. (Average, $5,000)

"GAY DESPERADO" (U.A.)
UNITED ARTIST—(945), 30c-35c-40c, 7 days. **Gross:** $8,500. (Average, $5,000)



POTENTIAL

OF the 29,066,72 young Americans in school this year, a survey, made by FORTUNE and widely published by the U. S. cinema trade press, estimates that only 56.4% attend motion picture theaters once a week. Biggest potential then for the development of regular patrons is the remaining 43.6% eager to go but discouraged by the unwarranted disapproval of U. S. cinema fare by parents and teachers.

MARCH OF TIME, heir to TIME's long popularity as an authoritative textbook in U. S. schools, for more than a year has experimented with school cooperation to overcome this condition. In widely scattered areas pioneering exhibitors have proved to their own satisfaction the box-office value of MARCH OF TIME's school tie-up.

Now for all exhibitors

... a complete manual containing a plan with samples of letters, MARCH OF TIME's own publication for schools—THE PHOTO REPORTER, published monthly with each new issue, and a TEACHER's MANUAL, prepared by leading educational authorities, is available. Full instructions on how to use this plan, compiled from actual working experiences of exhibitors during the past year, are included. For *your* copy, ask your RKO Exchange or write direct to THE MARCH OF TIME, 460 West 54th Street, New York City.

Films Are Furnished For President's Use

Twenty-five pictures from eight companies will be screened for President Roosevelt when he sails on the *Indianapolis* for Buenos Aires shortly. The films were shipped yesterday by the M. P. P. D. A. to the Brooklyn Navy Yard where they were stored for the Chief Executive's use.

The pictures and companies distributing them are as follows:

Columbia: "Theodora Goes Wild," "Meet Nero Wolfe" and "Legion of Terror."

M-G-M: "Mad Holiday," "Tarzan Escapes" and "Our Relations."

Paramount: "Poppy," "Rhythm on the Range" and "Yours for the Asking."

RKO: "Woman Rebels," "The Ex-Mrs. Bradford" and "Follow the Fleet."

Twentieth Century-Fox: "King of the Royal Mounted," "Pigskin Parade," "Under Your Spell," "Wild Brian Kent" and "Can This Be Dixie?"

United Artists: "Dodsworth," "Come and Get It" and "The Garden of Allah."

Universal: "Luckiest Girl in the World," "Love Letters of a Star" and "Flying Hostess."

Warners: "Three Men on a Horse," "Charge of the Light Brigade" and "A Midsummer Night's Dream."

M-G-M Sales Heads Confer in Chicago

M-G-M sales and district managers will hold a mid-season session in Chicago, starting tomorrow. The headquarters will be the Congress Hotel. A general discussion of sales and product is on the program.

Attending will be William F. Rodgers, general sales manager; Tom J. Connors and E. M. Saunders, sales managers for the east and west; William A. Scully, George A. Hickey, Jack Flynn, S. A. Shirley, Harris P. Wolfberg, Charles Kessnick, Henry Nathanson, district managers; and Alan F. Cummings, home office representative.

Headquarters of the district men are Scully, New York; Hickey, Los Angeles; Flynn, Detroit; Shirley, Chicago; Wolfberg, Kansas City; Kessnick, Atlanta; Nathanson, Toronto. Connors and Saunders make their headquarters at the home office.

Seeks Delegate Post

Edward Canavan, president of Local 802, will run on the fusion ticket as delegate to the A. F. M. convention to be held late in December. Selig Liese is the fusion nominee for president of 802 at the election to be held next month.

Eight Join Salesmen

Eight new members were inducted into M. P. Salesmen, Inc., at a meeting at the Lincoln. Approximately 70 attended. Joe Lee, president, presided, and spoke on the annual dinner and dance to be held Nov. 25 at the Astor.

File New Theatre Plans

Arthur Rapf and Mike Rudin, local circuit operators, have filed plans for a new $35,000 theatre to be constructed at 23rd St., between Third and Lexington Aves.

Farce on Bridge Tries for Grand, Gets a Little Slam

(*Continued from page* 1)

reminiscent of the central character in "Three Men on a Horse," the sport making up the difference. He finds it's better with his shoes off and, lest there be any misapprehension about what this refers to, it appears he can apply mathematical principle to the solution of bridge and the besting of his opponent minus his Whitehouse and Hardys. There is a mad and generally fast-moving tempo with the cast running up, down and along the stage from the orchestra, police officers who, satirically enough, drop protection of the citizenry for bridge and eventual victory for the Milquetoast McGovern as the winner of the Champion Bridge Game of the Universe and Martha Sleeper, an attractive miss, once of Hollywood and likely material for a return engagement there.

Humorous Only in Spots

The story is involved, long, farcical and frequently funny and furious, but not quite furious enough. That may or may not be because of the fast clip established at the outset. This purveyor simply knows and reports to you now that it does slither off into waltz time too often for its good and for the amusement of the audience. There are funny lines and funny situations, but those lines, also the situations, are asked to reach further than their maximum fun value can consistently go.

Nevertheless, "Double Dummy" is film material if it's a comedy on bridge which the Hollywood master minds determine their public will countenance. It's almost worthwhile recommending for the fun coast executives will have working out the script.

"Four to Go"

A pitiful little attempt at comedy is this week punishing the boards at the Boulevard of the subway circuit in Jackson Heights, although only the author and producer could possibly know why. The title is "Four to Go."

It is, says the program, "a comedy of youth and Hollywood," which, analyzed by the result as played, breaks down into "comedy" which is so ineffectual as to sadden the viewer; "youth" which can be nothing more than the maiden effort of the second year in a dramatic school, and "Hollywood" which is wholly ridiculous.

John Byron Totten is the producer, and one Aimee Torriani authored the piece. The cast of youngsters tries its best to be actors and actresses, but they all have a long, long way to go—if they ever reach there.

Briefly, four young extra girls live together in a Hollywood bungalow and as one of them meets an old love almost simultaneously with her engagement to a new one, the other three girls fumble pointless and unclever dialogue, which in its attempts to be sophisticated, succeeds only in being childish.

For the films? They throw out things like this by the dozen every day.

In all, it was a sad evening in Jackson Heights.

Odeon Group Passes 100-Mark in Circuit

London, Nov. 3.—Odeon Theatres, Ltd., the Oscar Deutsch circuit which has had so much to do with current C. E. A. attempts to limit theatre construction, and which announced 200 theatres as its objective in the next six months, is already well over its first hundred.

Currently completed, in construction, or planned for immediate erection, are Odeon houses at Aylesbury, Newport, Spalding, Swiss Cottage (a super in an important semi-central London area), Exeter and Crewe, with the list being increased daily.

Hulburd on Way East

Hollywood, Nov. 11.—Merritt Hulburd, assistant to Samuel Goldwyn, is on his way to New York by train Monday en route to Bermuda for a month's vacation. He is accompanied by his wife.

Close Minnesota Deal

RKO has closed with Minnesota Amusement Co. for next season's product in the entire circuit. St. Paul and Minneapolis first run theatres in the circuit will day and date the product.

Thirteen New Films Go Before Cameras

Hollywood, Nov. 11.—Thirteen new pictures were started last week, causing a slight gain in major and independent studio activity. Eleven films went to the cutting rooms where a total of 59 features and 10 shorts were being edited. There were 39 features and two shorts in work.

New films starting were "Grand Old Woman" and "I Promise to Pay" at Columbia; "Great Guy" and "Arizona Days," Grand National; "Maytime," M-G-M; "Missing Men" and "Riders of the Whistling Skull," Republic; "The Holy Terror" and "Peach Edition," Twentieth Century-Fox; "Treve," "Sandflow" and "Blonde Dynamite," Universal, and "Trial Horse," Warners.

Columbia had six features working, four in preparation and seven editing. Samuel Goldwyn had zero, zero and one; M-G-M, four, one and 11; Paramount, three, six and seven; Republic, two, two and six; Radio, four, two and six; Roach, one, one and two; Selznick International, one, zero and zero; Twentieth Century-Fox, five, four and six; Universal, four, two and two; Walter Wanger, two, zero and zero; Warners, six, zero and eight; independents, one, two and three.

In the short subject division Columbia had one shooting, two preparing and two in the cutting rooms. M-G-M had one, five and six; Radio, zero, three and two. The other studios were dark.



The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

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See 50-Cent Dividend On Para. Common

Would Be First Payment Since June, 1935

A dividend of 50 cents a share on Paramount's common stock for the third quarter is anticipated in financial circles, it was learned yesterday.

Payment of the dividend would be the first to be made on the company's stock since its emergence from reorganization in June, 1935. With the prior dividend requirements of $1.50 on the first preferred and 15 cents on the second preferred the company's indicated dividend disbursements would amount to approximately $1,300,000 for the quarter.

Accumulated dividends on the first preferred will amount to $12 a share at the year's end and to $1.20 a share on the second preferred. Year-end action on clearing up the arrears on both issues, probably in line with moves to reduce the company's undistributed profits taxes, is also regarded as likely in financial quarters. If earnings are maintained at the same rate during 1937 as for the third and current quarter of this year, a dividend of $3 to $4 on the common would

(*Continued on page* 10)

"U" Has a 39-Week Loss of $812,475

Universal Pictures Co., Inc., reports a net loss of $812,475.90 for the 39 weeks ending Aug. 1. Because of a change in accounting policy for foreign subsidiaries the results of 30 weeks of foreign operations are included in this total. Also included are the results of 16 subsidiaries for 34 weeks and a share of the revenue from English distribution for 37 weeks.

If the results of foreign operations had been included for the full 39-week period the consolidated loss for the period would have been $600,815.01, the company states.

"Like It" $59,000 in Music Hall Week

"As You Like It" ended a week's run at the Music Hall with a mild $59,000. Armistice Day had a lot to do with boosting the figure to the final tally. The Roxy likewise was off with "Girl on the Front Page," which garnered an indifferent $32,000.

The Rialto took in about $7,000 on "Without Orders." At the Palace a double bill, "Give Me Your Heart,"

(*Continued on page* 10)

Berry to Call Business Men To Conference

Small Success Likely for NRA Revival Move

By BERTRAM F. LINZ

WASHINGTON, Nov. 12.—Invitations to attend the annual meeting of the National Council for Industrial Progress, sponsored by Major George L. Berry, President Roosevelt's coordinator for industrial cooperation, will be sent out this week, it was stated here today. The meetings will be held Dec. 10 and 11.

All of the groups, industries and agencies invited to attend the meetings a year ago will be offered a new opportunity to participate in Berry's attempt to revive some of the principles of the NRA, but in view of the dissension which marked the 1935 conference and which resulted in the withdrawal of practically all of the large industries, it is not expected that business generally will accept the invitation.

The paramount business of the conference, Berry said, will be to outline

(*Continued on page* 10)

No Film Matters to Come Up at AFL Meet

WASHINGTON, Nov. 12.—No matters involving films are scheduled to come up for consideration at the Tampa convention of the American Federation of Labor next week, it was said today at A. F. of L. headquarters here.

While there are labor difficulties in the industry in New York, it was explained, they are of such recent origin that unless brought up from the floor they will not be discussed. This will be the first convention of the

(*Continued on page* 10)

Another Soon

Officials of Chase National Bank yesterday intimated a second dividend probably will be declared shortly by National Theatres, holding company for Fox West Coast, Intermountain Theatres, Fox Midwest, Fox Wisconsin, Evergreen States and other theatre subsidiaries.

The initial dividend, reported yesterday in *Motion Picture Daily*, was a 75 cent per share declaration, to the end of October and was paid immediately.

Ampa Is Seen As At Its Last Gasp

The end of the Associated Motion Picture Advertisers is in sight. Only a suddenly revived interest of the membership can resuscitate this oldest publicists' organization in the film business, now gasping its last.

Moved by the apparent unconcern of the membership at large, expressed by their otherwise unexplained failure to answer an urgent plea to attend yesterday's meeting in order to determine the Ampa's future, the nine members and five officers present

(*Continued on page* 8)

Hirliman Combining With A. Van Beuren

A. H. Van Beuren and George Hirliman are bringing to a close negotiations for a combination of their interests in a new production company to be known as Continental Pictures. There will be a public sale of stock.

The present Hirliman activities, which include distribution contracts for a George O'Brien series through RKO and a second group through Grand National, will in no wise be affected. Van Beuren will produce shorts under the new setup, probably continuing release through RKO.

Allied Brands MPTOA Moves As a Maneuver

Aimed at Booking Bill, Bulletin Asserts

Allied States, national independent exhibitor organization, views "the obvious purpose" of M.P.T.O.A.'s 10-point trade practice program to be an attempt to "sidetrack the Neely-Pettengill anti-block booking bill," which Allied is again mustering its forces to have passed at the coming session of Congress.

In a bulletin distributed to its members yesterday, Allied reviews the laborious progress of the M.P.T.O.A. trade practice program and traces its origin to hearings on the Neely-Pettengill bill before the House and Senate committees last winter.

"C.C. Pettijohn, M.P.P.D.A. general counsel, and Ed Kuykendall, M.P.T.O.A. president, came forward with the suggestion that all the trade abuses which had been brought into the open at the committee hearings could and would be rectified within the industry as a result of a proposed series of conferences between Kuykendall and executives of the major producer-distributors," the Allied bulletin states. "The committees were assured, in effect, that if action on

(*Continued on page* 8)

Sees General Use Of Double Track

WASHINGTON, Nov. 12.—The use of double track film recording and reproducing may be more or less general in this country within 12 to 15 months, E. M. Hartley, manager of RCA Photophone, indicates in response to an inquiry by Allied States Ass'n. Hartley's reply, made public here today, said that Loew's circuit already is being equipped for double track film and that its use may be

(*Continued on page* 10)

Union Survey Board To Hold Meet Today

Mayor LaGuardia's survey board for the settlement of the projectionists' union problem in New York, will meet this afternoon in the office of Howard S. Cullman at the Roxy. The other committee members, who will be present, are Sam A. Lewisohn, chairman, and William Collins, designated by the A.F.L.

It is probable, but was not certain

(*Continued on page* 8)

Off-Color Play, in Gallic Manner, of No Film Worth

All of them—Grace George, A. E. Matthews, Rex O'Malley, Sylvia Field, Jose Ruben—did very nicely indeed last night. It was a comedy called "Matrimony, Pfd.," strictly in the Gallic manner and so in the highly sophisticated manner. It happened also to be strictly and exactly what cannot be done under the production code. No manner of whitewashing would help and the endeavor would not be worth the bother, nor would the results justify the effort.

For the play at the Playhouse, the citadel of William A. Brady, deals with affairs of the heart and how Miss George, after her son has waited 29 years for legitimacy, finally weds Matthews, the last of her quartet of guardsmen. That son, played by O'Malley, who looks like and gestures

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On the Log, the Winnah! In the Water, the Losa-ah!

By J. M. JERAULD

Monroe Greenthal's boys put it over—that log-rolling contest. And the champeen won!

On Monday the log was too big to get into the Park Central pool, but yesterday it was just right. The log-rollers did it with adzes, a bucket of paint, two bolts and some exercise. They split the log in half and launched it into the chlorinated Park Central billows without mishap. Then they used adzes—that's a form of axe—to reduce its girth. Some call it circumference, but it's the same thing. Then they painted it light green to blend with the Park Central pool walls, with a couple of red stripes to keep the contestants separated.

The contest was scheduled for 3 o'clock, but was postponed to 4 o'clock. At 4:35 Charlie Leonard and Ken O'Brien got the mermaids and men swimmers out of the pool and the log, which was tied beneath the springboards, was unloosed.

Bill Delyea, the champion log-roller, from Coeur D'Alene, Idaho, took the north end and Harry Wilson, the challenger, took the other end—meaning south.

Footwork, Plus

It's quite a sport. One man dances, waves his arms, runs like mad without going any place, and the other man runs, too. Then they stop, glare at each other, makes some swift motions with the feet and start running the other way. They dance. In eight minutes Wilson hit the water.

The crowd yelled for a return engagement. This one lasted six minutes and the champion won again.

It's quite a sport. If they'd had a moose calling to its absent mate, and a bald eagle flying around the balconies it would have been just like the great outdoors.

On the front of the boys' sweat shirts were the words "Come and Get It." This may have had something to do with a United Artists' picture.

Leonard Goes Arty

Charlie Leonard has had his suit dyed—the one with the little white spots his friends tried to brush off. James Cagney's missus brought the cloth over from Scotland and gave it to Charlie.

Charlie took it to a Scotch dyer who tried to convince him that it would be sacrilegious to have the color changed, but Charlie insisted.

Most of the suit is now dark brown, but what used to be white specks are now red, so Charlie is wearing a maroon shirt to make it look like an ensemble.

Grand National Sets Japanese Deal for 34

Grand National has closed for the distribution of 34 features in Japan, Jack Barnstyn, head of the company's foreign department, stated yesterday at a press conference. Deals are under way with companies in five other countries, he said, but was not inclined at the moment to reveal the names of the companies.

M-G-M has the South American distribution rights to three George Hirliman color films, "Devil on Horseback," "Captain Calamity" and "We're in the Legion Now." The Japanese deal is for one year, Barnstyn said.

G. N. Deals Closed

Grand National has closed product deals with three Ohio circuits, Lefkowitch-Greenberger, Smith and Beidler and Charnas.

Columbia Sets Four Mid-Season Meetings

Starting Nov. 21, Columbia will hold a series of four mid-season regional sales meetings. Each will last two days. The first will be held in San Francisco at a hotel to be designated. The other three meetings have not been set, but Abe Montague and Rube Jackter will designate the cities and dates as soon as they return from the coast. After the San Francisco conclave, meetings will be held in the south, midwest and New York.

Montague and Jackter will head for the coast next Tuesday. A number of other home office executives are expected to attend.

Jack Cohn and Nat Spingold will go to the coast this weekend.

Cantor Reaches N. Y.

Eddie Cantor reached town yesterday with Jimmy Wallington and his bride, the former Betty Jane Cooper, and they had to put up ropes to keep the crowds back at the Grand Central Station.

Cantor will confer with Damon Runyon, author of "Saratoga Chips," his first for Twentieth Century-Fox.

Nobel Award to O'Neill

STOCKHOLM, Nov. 12. — Eugene O'Neill has been awarded the 1936 Nobel Prize for literature. O'Neill wrote "Ah! Wilderness" and "Anna Christie," plays from which films have been made.

Selznick Signs Hughes

HOLLYWOOD, Nov. 12.—Rupert Hughes has been signed by Selznick International to write an original for Ronald Colman. The picture is scheduled for February production.

Korda Drops Directing

LONDON, Nov. 12. — Alexander Korda, director of "Rembrandt," has retired from all directorial activities in order to devote his time exclusively to production.

Claim "Rembrandt" Mark

LONDON, Nov. 12.—"Rembrandt," now in its second week at the Leicester Square, is said to have established a new record for the house in the way of attendance and box-office receipts.

Hutchinson Honored

MELBOURNE, Oct. 20 (*Via Air Mail*).—A notable gesture of good will towards the industry in the United States was the luncheon tendered to Walter J. Hutchinson, general foreign manager of Twentieth Century-Fox, by J. A. Lyons, Prime Minister of Australia, during the former's visit to the Federal capital at Canberra. Stanley S. Crick, managing director of Twentieth Century-Fox in Australia, and Charles E. Munro, managing director of Hoyts, were also guests. Newspapers stated that it was given as means of further cementing friendly relationships between Australia and America, and as a mark of courtesy and token of goodwill towards three men who had done much towards the development of the industry in this country.

Reinstate Miss Russell

The council of Actors' Equity has lifted the suspension of Rosalind Russell, one of the 24 screen players suspended recently. Miss Russell paid her dues in the Screen Actors' Guild on the coast, applied for reinstatement, and the council took action accordingly.

Scout Rumors Ticket Tax Will Be Dropped

By CLARENCE LINZ

WASHINGTON, Nov. 12.—Rumors that experts studying the elimination of unproductive excise taxes would recommend to President Roosevelt abandonment of the admission tax as one of a group costing almost as much to collect as is received in revenue were scouted in informed circles here today.

The admission tax, it was said, is not unduly expensive to collect and returns a not inconsiderable revenue, receipts during the first nine months of the current year totaling nearly $13,000,000, with indications that the full 1936 revenues may be in excess of $17,000,000.

While it is true that Treasury and Congressional tax experts are studying the advisability of eliminating taxes which return little more than the cost of collection, it is pointed out that if the amount secured from the admission tax was unprofitable the receipts from possibly half of the present excise taxes would come in the same categorly. Only nine of the more than 40 special taxes return a larger revenue than do admissions, according to the latest Internal Revenue Bureau figures.

Delay Fox Hearing

Examination of William Fox before Referee Elvin N. Edwards at Mineola was postponed again yesterday because Fox is now appearing at bankruptcy hearings at Atlantic City. This was the sixth postponement.

Fox is being sued for an accounting by Fox Film Corp. and Fox Theatres Corp. The hearings before Edwards are on a petition for examination before trial.

Allowed RKO Plan Voice

Federal Judge William Bondy yesterday signed an order allowing George S. Armsby and Edward C. Delafield, as a committee for the holders of 10-year 6 per cent gold debentures and certificates of RKO, due in 1941, to intervene in the RKO reorganization proceedings. Their petition stated that they represent $1,118,500 of RKO notes.

She Meets the Press

Marion Davies was the guest of honor at a cocktail party given for her at the Warwick late yesterday afternoon by Harry M. Warner.

Among others of Miss Davies' observations was an expression of her appreciation of America. Of her Continental trip, she said:

"The best part of it was getting home again."

Wellman to Paramount

HOLLYWOOD, Nov. 12.—William A. Wellman has signed with Paramount for the production of three pictures annually. The pact will be effective upon completion of "A Star Is Born," which Wellman is now producing for Selznick International.

In Nat'l Screen Post

DALLAS, Nov. 12.—Paul Short is in New York to confer with executives of National Screen Service on his new job as district manager in the southwest. Wallace Walthall, formerly in the post, was promoted to supervisor.


WARNER
BAXTER
and
JUNE
LANG
in
WHITE HUNTER

They'll see it FOR THE
They'll remember it FOR



FURY OF ITS DRAMA!
THE FIRE OF ITS LOVE!

The two who thrilled your audiences in "The Road to Glory"...now brave hate...defy fear...fight for love fiercely...amid dangers and passions that threaten their very lives! What an entertainment combination to electrify your crowds!

WARNER BAXTER

and

JUNE LANG

in

WHITE HUNTER

with **GAIL PATRICK**

ALISON SKIPWORTH

WILFRID LAWSON · GEORGE HASSELL

Directed by Irving Cummings

Associate Producer Gene Markey

Screen play by Sam Duncan and Kenneth Earl

Based on a story by Gene Markey

20th CENTURY FOX

Darryl F. Zanuck in Charge of Production

It will win you

THE BIGGEST CROWDS *in town!*

Made of the stuff movies were made for! Great stars! Fierce love! Hateful treachery! Relentless drama! Amazing adventure! Under the brooding night sky of a strange and ominous land! Infused with the showmanship of the world's greatest studio—20th Century-Fox!



WHITE HUNTER

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

PRINTED IN U.S.A.

Wheeler and RCA Systems Compared

WILMINGTON, Nov. 12.—Testifying today in the suit of Hazeltine Corp. against RCA and RCA Victor alleging infringement on the Wheeler automatic volume control for radios, Frank N. Waterman, consulting engineer, stated that in the defendants' sets the anode of the two-electrode rectifier upon which the controlling voltage is built up is connected back to the grid of the amplifier tube to be controlled.

Waterman further testified that in the defendants' system as well as in the Wheeler system the entire signal, the carrier with its modulation, is impressed on the rectifier. In all of the defendants' systems and in the patent, he continued, voice frequencies are subsequently separated from the rectified signal and passed on to the amplifier. He also explained in terms of voltage the amount of signal energy that is received on the grids of the A.V.C. tubes in the defendants' sets.

Waterman concluded his testimony for the day by describing the British Round, Affel and Friis patents.

Spaeth on State Hookup

SEATTLE, Nov. 12.—Sigmund Spaeth, the "tune detective" featured over several networks and in occasional shorts, is featured performer of a new statewide series of broadcasts originated by KIRO and sponsored by the Schwabacher Grocery Co., a wholesale house. Max Dolin will conduct the orchestra of 25.

Bank Sponsors Program

NEW ORLEANS, Nov. 12.—The Whitney National Bank is sponsoring the Philadelphia Symphony Orchestra, released over the Columbia network, through WWL for this territory. This is the first instance of a banking institution in this city advertising via radio.

To Open Studio Dec. 1

ROANOKE, Va., Nov. 12.—The new $100,000 studio building of WDBJ, located on West Kirk, is nearing completion and will be formally opened about Dec. 1.

Reisman At Auto Show

CLEVELAND, Nov. 12.—Leo Reisman and his Phillip Morris radio show will come to Cleveland the last week in November as the featured attraction of the Cleveland automobile show.

Dedicate Iowa Station

DES MOINES, Nov. 12. — Several states were represented in Shenandoah, Ia., for the dedication of Earl E. May's improved station, KMA, now a 5,000-watt station.

H. S. McLeod Joins WBNO

NEW ORLEANS, Nov. 12.—Harry S. McLeod, formerly manager of the St. Charles and Strand, is now an outside man with Station WBNO.

Open Chattanooga Station

CHATTANOOGA, Nov. 12.—Chattanooga's new station, WAPO, held its formal opening Nov. 9. Studios are located in the Read House.

Announcer A Father

GREENVILLE, S. C., Nov. 12.—Frank Blair, announcer at WFBC, and Mrs. Blair are the parents of a son.

New Station of WJZ Starts As 10th Anniversary Closes

The new 640-foot antenna for WJZ, key station of the National Broadcasting's Blue network, will be placed in operation on Sunday, the closing day of NBC's 10th anniversary celebration. The power of the station will remain at 50,000 watts, pending action by the Federal Communications Commission on WJZ's application for an increase to 500,000 watts. At present the only station in America operating on a grant of 50,000 watts is the Crosley station in Cincinnati, WLW.

Construction of the new WJZ antenna, located near Bound Brook, N. J., was started last August. The antenna is one of the highest in the world, rearing into the sky a few feet less than the RCA Bldg. itself. The steel tower is painted in alternate stripes of aviation orange and white, and at night will be lighted with a high-powered light beacon on top and by 15 separate marking lights between top and bottom. This system was worked out by engineers of NBC, the Dep't of Commerce, and technicians of the air transport companies in the metropolitan area. Under favorable conditions it is expected that the beams of the top beacon will be visible beyond Philadelphia.

The old WJZ antenna, located also near Bound Brook, will not be destroyed. It will be held in readiness for emergencies.

Both new and old antennaes were constructed under the supervision of O. B. Hanson, chief engineer, and Raymond F. Guy, radio facilities engineer of NBC.

Simultaneously with the beginning of operation of the new antenna, the radio organizations of 13 major nations throughout the world will combine to present a globe-girdling tribute to NBC as a climax to the chain's silver jubilee celebration. The program will be heard over both the Red and Blue networks, totalling 102 stations throughout the United States, Canada and Hawaii, from 9 to 10 A.M., E.S.T.

Nations cooperating in the program are Austria, Belgium, Czechoslovakia, Denmark, England, France, Germany, Holland, Italy, Switzerland, Hawaii, Argentina and Japan. The program will open in the NBC studios, with short-wave switches to the various countries participating in the broadcast. Each nation will contribute brief offerings typical of the spirit of that particular land. For instance, from Switzerland will come folk music featuring mountain yodelers; from Holland will come carillon playing of the Holland national anthem; from Hawaii, ukulele and steel-guitar strummings of Hawaiian folk songs.

The entire delegation of foreign radio representatives, now in New York participating in the NBC anniversary, will be in the NBC studios listening to the final program.

Dissension Rends the Ether

Trouble looms on the "Saturday Night Party" program, heard over the NBC-Red network from 8 to 9 P.M., E.S.T. and featuring Walter O'Keefe and the music of Ferde Grofe.

O'Keefe who, heretofore, has written his own comedy, is now objecting violently because N. W. Ayer, agency responsible for the program, insists on retaining the three outside writers who have been penning the humor for the program since its inception. O'Keefe doesn't like the comedy and is making no bones about his displeasure. Wordy conferences with sponsor and agency representatives are daily occurrences.

Ferde Grofe also is up in arms because a musical consultant, Harry Salter, has been secured to pass upon the program's music. The situation is most unusual and Grofe is reported as interpreting the move as a personal reflection on his ability, which is rated tops in the profession. The agency merely states that the retention of Salter is merely in keeping with its policy of trying to improve the shows.

Meanwhile, the "Saturday Night Party" is far from a happy party and any day there may be an eruption leading to cast replacements.

Cheerful Stuff

Omaha, Nov. 12.—Kenneth Golden, local tenor who has been on Omaha radio programs for years, and Eddie Butler, formerly organist at the Orpheum, are doing a daily program from Golden's new mortuary at 1:15 daily over KOIL.

Eve Sully, Experimentation

Eve Sully, of the comedy team of Block and Sully has been added to the cast of the Ken Murray program for next Tuesday, 8:30 to 9 P.M., E.S.T. over CBS. The understanding is that Miss Sully may be retained permanently if there is a favorable listener reaction after her performance. Incidentally, announcer Fred Uttel, absent from the program for two weeks due to illness, will return on the program Tuesday night.

Chindblom Succeeds Paley

Richard N. Chindblom, production director of the WBBM-CBS staff, Chicago, for the past year, has been named assistant program director of WBBM. Chindblom succeeds Ben Paley, now vacationing in Palm Springs, before assuming a new post in Hollywood.

Ben Hafter, program director of KMOX, St. Louis, steps up to the post of production director at WBBM.

P. and G. Add Another

Procter and Gamble, largest users of radio advertising, have added another program to their lengthy list. The new program is an electrically transcribed one, waxed by the World Broadcasting Co., and will be broadcast on some 60 stations in behalf of Crisco, a P. and G. product. Blackman Co. is the agency.

Shell Chateau Coming East

While the J. Walter Thompson agency only hints at it as a possibility, it was definitely ascertained yesterday that Shell Chateau, Hollywood program starring Edward Everett Horton and Smith Ballew, will be moved eastward some time after the first of the year for a considerable overhauling. Victor Young's orchestra will probably be the only feature retained on the program.

New Broadcasting Plant

The second act of "White Horse Inn," the musical comedy starring William Gaxton and Kitty Carlisle, will be broadcast direct from the stage of the Center Theatre over the NBC-Blue network tomorrow, from 10 to 10:30 P.M., E.S.T. This marks the first time that a pickup of the operetta will be made during an actual performance of the show.

McCormack on Vallee Hour

John McCormack, Irish tenor, has been signed as Rudy Vallee's featured guest star for the Royal Variety broadcast of next Thursday, Nov. 19. McCormack is one of the few remaining famous artists who has never been heard on the Vallee hour.

Onslow Stevens Airs Tonight

Tonight's guest star on the WHN Movie Club program is Onslow Stevens, who is currently appearing with Margaret Sullavan in "Stage Door." He will be interviewed by Radie Harris at 8 P.M., E.S.T.

Flamm Dinner Saturday

Through an error, the testimonial dinner to Donald Flamm, president of WMCA, was reported as scheduled for Sunday, Nov. 15. The dinner will take place tomorrow and will be broadcast from 10 P.M. to midnight.

Kerr, Hauser, Et Al

Short Shots: Harry Kerr, J. Walter Thompson press head, home with the grippe . . . Johnny Hauser's orchestra will be added to the CBS schedule after Nov. 17 . . . Richard Sheridan Ames, magazine writer and drama critic, signed by KFI, Los Angeles, to do a series of 15-minute film reviews. Program title is "Screen Week". . . Frank Parker, will celebrate his 10th anniversary in radio in January . . . Jim Crowley, Fordham grid coach, signed as Kate Smith's guest for Thursday . . . Ditto Ozzie Nelson on the WOR "Morning Matinee" broadcast of Nov. 19 . . . Fred Waring and unit back in town after week in Detroit . . . Russell Hughes, WLW-WSAI script writer, has resigned and is now on way east to free lance . . . J. Lewis Reid, formerly program director WOR, named radio director of William Rankin ad agency.

Seek New Transmitter

SEATTLE, Nov. 12.—Application for a license to cover construction of a new transmitter for KJR has been filed with the Federal Communications Commission. The station is owned by Fisher Flouring Mills of Seattle and is a part of the NBC Blue network.

Another application by the same station requested authority to determine operating power by direct measurement of antenna power. A similar request was entered by KOMO, also owned by the Fisher interests, and associated with the red network of NBC.

Sign Kelly, Armstrong

HOLLYWOOD, Nov. 12.—Patsy Kelly and Robert Armstrong have been signed for the Kraft broadcast on Nov. 19 over NBC. Harold Bauer, concert pianist, has also been set for the program.

Allied Brands MPTOA Moves As a Maneuver

(Continued from page 1)

the Neely-Pettengill bill was suspended all would soon be hotsy-totsy in the motion picture business."

"Congress adjourned," the bulletin continues, "and many months elapsed during which the trade papers carried many pages of M.P.T.O.A. hand-outs about the far-reaching concessions which Big Ed had wrested from the distributors and which would be shortly announced. Now on the eve of a new Congress and the imminent resumption of efforts to pass the Neely-Pettengill Bill, the log jam has broken and Universal has revealed its response to the M.P.T.O.A. 'demands'. Twentieth Century-Fox, RKO, Paramount, Columbia, M-G-M and United Artists are expected to make separate responses to Kuykendall to be released at strategic intervals."

Allied "Skeptical"

"Because of the circumstances which gave birth to the idea," the bulletin says, "Allied has been frankly skeptical of these negotiations. It seemed to us that the obvious purpose was merely to sidetrack the anti-block booking bill and that, in any case, the spectacle of Haysite exhibitors negotiating with Haysite distributors concerning the rights and interests of independent exhibitors did not inspire confidence."

The Allied message declares, however, that a public declaration of policy on important trade practices by a major company "merits and will be accorded dispassionate analysis." It then proceeds to devote three pages of the six-page bulletin to an analysis of the recent statement of policy by Universal in regard to the M. P. T. O. A. program.

Of Universal's offer of a 10 per cent cancellation privilege the bulletin observes that "Universal promises no enlargement of the percentage of pictures which may be cancelled. . . . Thus in this important matter, the only subject dealt with having a bearing on the need for the Neely-Pettengill Bill, Universal stands pat, and trade paper rumors of increased cancellations of from 15 to 20 per cent appear to have been unfounded, at least so far as Universal is concerned."

Sees No Legal Barrier

"Universal is in the clear," the bulletin remarks, "in regard to score charges, and the fact that it has dispensed with this gouge puts other companies which persist in it definitely on the spot." It intimates, in taking up other points of Universal's declared policy that legal means of drafting both uniform maximum clearance schedules and a uniform exhibition contract are available. Universal cited legal barriers to the furtherance of both proposals in its reply to the M.P.T.O.A. Brief comments are added on Universal's policy in regard to other program points.

The bulletin urges that suspicious instances of the free exhibition of films by itinerant medicine shows be reported to the Copyright Protection Bureau because "virtually all distributors deny licensing film to these shows." It reports that legislation designed to outlaw the compulsory designation of playdates, which is being drafted for introduction in a number of state legislatures, is waiting upon the test of the constitutionality of such an act in Ohio, the hearing to be held at Columbus, Nov. 20. If the outcome is unfavorable, the bulletin states, attempts will be made to re-enact it in slightly modified form.

The organization's campaign of legislation and litigation has been approved and "is in full swing" in New Jersey, Wisconsin, Pennsylvania, Michigan and Indiana, the bulletin reports. It now includes the bill to divorce production and distribution from exhibition and a proposed suit on behalf of an unnamed exhibitor "whose town has been invaded by an affiliated chain and whose product has been cut off as a result thereof."

The bulletin credits Aaron Saperstein, head of Allied of Illinois, with blocking B. & K.'s recent demands for increased clearance in Chicago and places responsibility for the return of duals in that city on the circuit.

Columbia Delays MPTO Reply

Columbia's statement of policy on the M.P.T.O.A. 10-point trade practice program will be delayed probably for two weeks as a result of the departure for the coast today of the company's top eastern executives who have been at work on the program.

Purely Personal

E. M. SAUNDERS, Tom J. Connors, William A. Scully and Alan F. Cummings left for Chicago yesterday to be on hand for the M-G-M mid-season sales session which gets under way at the Congress today.

•

Billy Gaxton, Shepherd, and Joe Laurie, Jr., Collie, at the Lambs' Club applauding rehearsal of a musical number that will be used in the Gambol, to be held at the Waldorf Astoria on Dec. 5.

•

Dr. William Axt, accompanied by his son and mother, left yesterday for Hollywood and the M-G-M studios. Axt's wife is staying on a few weeks before heading west to join her husband.

•

Bonar Russell, head of the financial group of General Pictures Corp., is here for conferences with Fenn Kimball, president, and Mack D. Weinberger, general sales manager.

•

Jack Schlaifer is back in New York from Buffalo, and Jack Goldhar has returned to Chicago after attending the funeral services for the late Harry Lotz in Buffalo.

•

Sam Moscow, Columbia district manager, returned to Atlanta yesterday after closing a contract with the Martin circuit of approximately 30 southern houses.

•

Archibald E. Lewine, president of the Filmarte, has been awarded the Diplome D'Honneur of the French War Veterans for service to the organization.

•

Oscar Serlin finally left for the coast yesterday. He'll report at the Paramount studio Monday to assist in the production of "Artists and Models."

•

David Croll, guardian for the Dionne quintuplets, arrived yesterday from the coast where he was the guest of Twentieth Century-Fox.

•

Lou Weinberg will celebrate his 20th wedding anniversary this week. Abe Montague held a similar celebration about 10 days ago.

•

Mrs. Messmore Kendall and Mrs. M. Morgan will leave for the coast tonight by plane.

•

George Abbott flew to Boston yesterday.

Marvin Gosch, who has been handling radio publicity at Warners, left for the coast yesterday via American Airlines. He's now a member of the studio publicity staff.

•

Herman Rifkin, Republic franchise holder in Boston, and H. J. Yates walking down 7th Ave arm in arm yesterday.

•

Morris Markey, writer for the *New Yorker*, will leave for the M-G-M studios tomorrow. Via train all the way.

•

Lou Chapman of Quigley Publications is recovering from an appendicitis operation at the Fifth Ave. Hospital.

•

Lane, Tree and Edwards finished the first of a series of shorts, "Hotel Variety," at the Vitaphone studio yesterday. Roy Mack directed.

•

George and Mrs. Lamant have left for the Warner coast studios. While in town they stopped at the Lombardy.

•

Deanna Durbin, Universal youngster, is due in New York tomorrow for a four-week visit.

•

Joseph I. Breen, Production Code administrator, left yesterday on his return to the coast.

•

Nate J. Blumberg, in Cleveland today, is due back from a tour of RKO theatres tomorrow.

•

John Hay Whitney left for the coast last night via American Airlines.

•

Eddie McEvoy of RKO keeping in trim by bowling during the lunch hour.

•

Jules Schermer, assistant to Douglas MacLean, has left the coast on a talent search.

•

Sammy Cohen, foreign publicity director at United Artists, is bound for South America on a vacation.

•

Emanuel Silverstone is due back from the coast Monday.

•

Mark Levine of NBC took a plane to San Francisco yesterday.

•

Max Kravetz will return to the coast tomorrow.

•

Mrs. Louis B. Mayer is at the Waldorf.

Ampa Is Seen As At Its Last Gasp

(Continued from page 1)

frankly admitted the futility of attempting to continue, and accepted a resolution of Al Sherman that the association be dissolved on the spot. A temporary delay was effected, however, when James P. Cunningham moved that the dissolution be tabled until next Thursday, while all members are advised of the step to be taken.

The Ampa has been sliding downward since last spring, when a new administration, headed by Gordon White, tried to revive waning interest. Following the summer recess, the board of directors went to work on a program aimed at rejuvenation. This they completed three weeks ago, when the ranks were split on learning that one provision of the new program took from trade paper members and some others, the right to vote and the privilege of participating in any but social or "open" meetings.

Ampa's board of directors resigned yesterday in a body because of the objections in this connection to their program.

New directors will be elected next Thursday, if sufficient interest in the organization can be created then to obtain a majority vote for continuance. In that event, the officers, too, will resign at the meeting, to be succeeded by others who would be instructed to arrive at a program acceptable to all groups.

It became obvious at yesterday's session—stormy though small—that the reason behind the reclassification of trade paper members, was the aim of the directors and the administration to formulate policies which would quickly mould the Ampa into a "guild" of advertising and publicity copy writers.

Union Survey Board To Hold Meet Today

(Continued from page 1)

last night, that the situation with respect to the Empire Union will be considered at the executive session. Union representatives probably will be present.

It was indicated yesterday that the final agreement to be signed by Local 306, the Allied union and the I.T.O.A., will be ready for signatures in a few days, following the "agreement to agree" reached on Tuesday. All I.T.O.A. houses will use the 306 members, where they have been using Allied members, following the conclusion of the agreement and the absorption of Allied by 306, it was learned yesterday.

New Honors for Bowes

Baltimore, Nov. 12.—Major Edward Bowes has been given two honorary titles in Maryland. Gov. Harry W. Nice has appointed him an assistant adjutant-general of Maryland and Mayor Howard W. Jackson has appointed him an assistant budget director of Baltimore. These were conferred on Major Bowes because of his assistance in making the 1935 Town Party in Baltimore to help swell the Community Fund an outstanding success.



The Biggest Thing in Aviation Since the Wright Brothers! . . . . . The Greatest Cross-Continent Picture Promotion Since the 'Forty-Second Street' Special! . . . . . The

"GOLD DIGGERS OF 1937"

SKY TOUR

flys tomorrow on a full month super-ballyhoo in principal cities from coast to coast—bringing the pick of Hollywood's 'Gold Diggers' to all America *in person*—creating millions of Xmas ticket-buy ers for this greatest of all musicals from WARNER BROS.!



WATCH THESE HAPPY LANDINGS! SAN FRANCISC LT LAKE CITY • DENVER • KANSAS CITY
INDIANAPOLIS • CINCINNATI • COLUMB FFALO • SYRACUSE • ALBANY • NEW YORK
PROVIDENCE • BOSTON • PHILADELPHIA • WA GTON • PITTSBURGH • CLEVELAND • DETROIT
CHICAGO • MILWAUKEE • MEMPHIS • DALL ORT WORTH • EL PASO • LOS ANGELES

Berry to Call Business Men To Conference

(Continued from page 1)

some program of industrial legislation. Industrialists who have remained aloof from the conference and who have severely criticised it will be forgiven and welcomed in a "friendly spirit" if they attend next month's meetings.

"The problems which will come before use," said Berry, "are those which vitally affect all industry. They cover the operations of the raw material producers, the great manufacturing corporations and finally reach through distribution processes to the corner grocery and the crossroads general store."

The first day of the conference will be devoted to addresses by Berry and other leaders in the movement; the second day will be given over to executive sessions of the industry council which will receive reports from the seven committees set up to consider national industrial policies, hours and wages, fair trade practices, internal and external competition, anti-trust laws, financial aid to small enterprise, Government competition with private enterprise and employment.

Expect Dividend on Paramount Common

(Continued from page 1)

not be unlikely, according to financial sources.

Lehman Bros, an integral investment factor in Paramount and currently identified with the marked activity in the company's issues, attributes the healthy financial position of the company to generally improved theatre business throughout the country. The basic improvement is noted, as a result, both in the earnings of the company's 1,100 theatres and in Paramount's distribution income.

The company's third-quarter report has not been issued yet but estimates place the net for the period at between $1,500,000 and $1,700,000.

Second Security Act Reel Out Next Week

WASHINGTON, Nov. 12.—A second newsreel trailer, showing how applications of workers for old-age pension accounts are to be secured, will be released throughout the country next week by the Social Security Board.

The picture is designed to show information regarding the application blanks which will be distributed to employees throughout the country this month.

The first picture, now being shown, was an explanation of what the Social Security Act promises to do for workers.

Demonstrates Speed Film

BALTIMORE, Nov. 12.—Dr. Gustavus J. Esselen of Boston demonstrated today before the American Institute of Chemical Engineers motion picture films photographed between 2,000 to 3,000 pictures per second. The method is designed for the study of industrial processes and checking reasons for failures of various products.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Charlie Chan at the Opera"

(Twentieth Century-Fox)

HOLLYWOOD, Nov. 12.—Pitting Boris Karloff against Warner Oland and spotting both in what probably is the best Chan story to date is a showmanship gesture that should interest audiences and exhibitors. With bolstered production effects indicating that an expanded budget was available, the show is a pleasing combination of such elements that should thrill. It introduces many unique features that should engage the attention of general patronage. Well-built suspense, together with the convincing work of Oland and Karloff which spurred the support to give high quality performances, gives the film a punchy tone.

As practically all the action occurs during the presentation of a grand opera performance, the terroristic machinations of Karloff, a jealous maniac, who is threatening death to Margaret Irving, his philandering wife, baffle the police who call on Oland for aid. Then, to the tune of strongly dramatic situations involving several members of the opera cast, with the tragic elements contrasted by tension-easing comedy and youthful romance, it becomes a match of Oland versus Karloff. A murder or two adds to the mystery content in which Oland is called upon to display all his remarkable sleuthing talents to forestall the menace of Karloff and prove to the police who the real killer is.

Departing noticeably from the Earl Derr Biggers theme, Bess Meredyth's original story was made to order for Oland and Karloff. In adopting it Scott Darling and Charles Belden, wisely keeping the leads in mind, concocted situations and dialogue into which they could sink their teeth. They likewise made sure that good parts were included for Keye Luke, Charlotte Henry, Thomas Beck, Margaret Irving, Gregory Gaye, Nedda Harrigan, and William Demarest. In directing, H. Bruce Humberstone took full advantage of the players, the quality of the story and the value of tricky production effects to deliver sound, mystery-melodrama entertainment.

Production Code Seal No. 2,796. Running time, 65 minutes. "G."

"Pennies from Heaven"

(Cohen-Columbia)

HOLLYWOOD, Nov. 12.—A light, whimsical and wholly entertaining film, this relies for its potential drawing power on two major factors, first the singing personality of Bing Crosby, and second a human interest quality in story, which at the same time has a goodly portion of romance.

With Crosby the pivotal character, Madge Evans, welfare worker, is the romantic foil, and young Edith Fellowes, whose performance is excellent, is the human interest factor with the aid of competent Donald Meek. There is something to sell in the title song, the music of which was by Arthur Johnston, with lyrics by John Burke.

Jo Swerling's screenplay makes Crosby an amiable, careless vagabond with a lute, who, emerging from an unjust prison sentence with a letter to be delivered to the family of a condemned murderer's victim, finds his way to a small New Jersey town. There he comes upon Miss Fellowes, the bane of the existence of Miss Evans, and Edith's grandfather, Meek.

Unaccountably, Crosby finds himself the guardian of the child and old man and definitely at odds with Miss Evans. Out of a deserted house which is their legacy, Crosby devises, on credit, a night club, which is a high spot of the film, in order that he may be gainfully employed. But that collapses, Edith is thrust into an orphanage and Crosby lights out after attempting to take her away. It all comes out in the end, with Crosby and Miss Evans taking the child. Crosby's singing lends an engaging note to the film.

Norman McLeod directed the Emanuel Cohen production.

Production Code Seal No. 2,402. Running time, 83 minutes. "G."

"Theodora Goes Wild," now current at the Radio City Music Hall, was previewed by wire from Hollywood on Nov. 4.

"Pigskin Parade," last night's preview at the Roxy, was reviewed from Hollywood by wire on Oct. 19.

"Charge of the Light Brigade," "Libeled Lady," and "The Big Broadcast of 1937" are holdovers.

Nominate Union Officers

HOLLYWOOD, Nov. 12.—Nominations have been completed for the election of officers of Local 150, projectionists' union here, on Dec. 7. Earl Hamilton, president; M. G. Sands, secretary and treasurer, and R. L. Hayward, business manager, were unopposed and will be reelected.

Music Union in Boycott

CANTON, O., Nov. 12.—The American Federation of Musicians local, in a bulletin to members here and in Massillon, has requested that they remain away from film houses which use no musicians. An extension of the union's picketing drive which is under way in New York is possible here.

Sees General Use Of Double Track

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general throughout the circuit within the next few months.

"Both Western Electric and RCA systems are being built so that film can be interchanged," Hartley wrote, "and, furthermore, the systems are being so designed that they can be modified to play either single or double track film regardless of whether they are RCA or Western Electric recorded."

"All of our new recording channels now being installed in the three major lots in Hollywood will have provisions for recording either single or double track," the letter states, "and it is quite likely that within the next 12 or 15 months many of the theatres in this country will be using double track film in preference to single track."

Allied's query resulted from a report from one of its regional units that an exhibitor member had been advised by an RCA salesman that because of the impending adoption of double track film "all theatres will have to be equipped with either Western Electric's Mirrophonic or RCA's push-pull system in order to exhibit major company film."

No Film Matters to Come Up at AFL Meet

(Continued from page 1)

organization in several years at which the Federation has not had some film matter on its program.

Pat Casey, labor representative for major companies, who plans to attend the A. F. of L. Tampa convention, was reported by his eastern office to be "out of town" yesterday, and consequently could not be reached for comment on the Federation's Washington statement.

George E. Browne, I.A.T.S.E. president, and aides, will also attend the Tampa convention.

"Like It" $59,000 in Music Hall Week

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and "Under Your Spell," averaged about $7,000.

"Come and Get It" opened at the Rivoli with approximately $7,000 on Wednesday, which, according to U.A., was $1,700 more than the first day's take on "Dodsworth."

Accessories Is Active

SAN FRANCISCO, Nov. 12.—More than 50 northern California theatres are already using National Screen Accessories' display service, inaugurated last week with the acquisition by the National Screen Service subsidiary of Western Posters Twentieth Century Displays, Inc. The new setup also includes control of Peerless Photo and Process Posters. Samuel D. Steinberg of the home office is acting as manager.

Dover Here to Confer

William Dover, personnel manager of the Twentieth Century-Fox studio, is in New York to confer with Joseph H. Moskowitz on writing and other talent. He will be here 10 days.


Sparkling Eyes...
...that radiate the appealing lure of youth. On the radio she warms a nation's hearth. From the screen she'll warm its heart.
Deanna Durbin

'Wedding' and Show Detroit Top, $24,000

DETROIT, Nov. 12.—"Wedding Present," with a stage show headed by Dave Apollon and his band, went out front among the first runs with a take of $24,000. This topped normal by $4,000.

"Pigskin Parade" took second honors with a stage show headed by Eddie Peabody at the Fox. The $23,500 take was over the line by $3,500. "Libeled Lady," at $12,500, did so well in the United Artists that it was held over.

Total first run business was $83,700. Average is $77,500.

Estimated takings for the week ending Nov. 5.

"PEPPER" (20th-Fox)
"SEA SPOILERS" (Univ.)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $4,200. (Average, $5,000)

"PIGSKIN PARADE" (20th-Fox)
FOX—(5,100), 15c-75c, 7 days. Stage: Eddie Peabody, Nellie Arnaut & Bros., Mack Bros. & Rita, Judith Dean & Igor. Eleanore Etheridge, Talbot Haslett, Sue Chrysler, Two Harlequins. **Gross:** $23,500. (Average, $20,000)

"WEDDING PRESENT" (Para.)
MICHIGAN—(4,100), 15c-75c, 7 days. Stage: Dave Apollon, Johnny Woods, Harold Aloma, Charlotte & Charles Lamberton, The Gibsons, Ruth Del Rio, Yvonne Moray, Johnny Barnes. **Gross:** $24,000. (Average, $20,000)

"MUMMY'S BOYS" (Radio)
"DOWN THE STRETCH" (F. N.)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $3,000. (Average, $5,000)

"LIBELED LADY" (M-G-M)
UNITED ARTISTS—(2,070), 15c-65c, 7 days. **Gross:** $12,500. (Average, $10,000)

"MARY OF SCOTLAND" (Radio)
MADISON—(2,000), 15c-65c, 7 days. **Gross:** $9,000. (Average, $10,000)

"MISSING GIRLS" (Chesterfield)
"DEVIL ON HORSEBACK" (G. N.)
DOWNTOWN—(2,950), 10c-40c, 7 days Stage: Cevenes Trio, Muriel Parker, Rodney & Gould, Walter Nilsson, Gwynne. **Gross:** $7,500. (Average, $7,500)

"Broadcast" Gets $10,400 at Omaha

OMAHA, Nov. 12.—Business at the Paramount, the city's only 55-cent top house, continued good in its second week since reopening. "The Big Broadcast of 1937" pulled $10,400, over par by $3,200.

"Valiant Is the Word for Carrie" and "Charlie Chan at the Racetrack" managed to go $100 over the line on a take of $5,600 at the Omaha, and "The Devil Is a Sissy" and "Two in a Crowd" were $500 to the good on an $8,000 gross at the Orpheum.

Total first run business was $27,600. Average is $24,200.

Estimated takings:

Week Ending Nov. 3:
"WITHOUT ORDERS" (Radio)
"DANIEL BOONE" (Radio)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $3,600. (Average, $4,000)

Week Ending Nov. 4:
"VALIANT IS THE WORD FOR CARRIE" (Para.)
"CHARLIE CHAN AT THE RACETRACK" (20th-Fox)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $5,600. (Average, $5,500)
"THE BIG BROADCAST OF 1937" (Para.)
PARAMOUNT — (2,900), 25c-35c-55c, 7 days. **Gross:** $10,400. (Average, $7,200)

Week Ending Nov. 5:
"THE DEVIL IS A SISSY" (M-G-M)
"TWO IN A CROWD" (Univ.)
ORPHEUM—(3,000), 25c-40c, 7 days **Gross:** $8,000. (Average, $7,500)

"Libeled" Up 100% on Par At St. Louis

ST. LOUIS, Nov. 12.—Prosperity cavorted around among the first runs in a big way last week. "Libeled Lady" went more than 100 per cent over normal on a take of $20,125 at Loew's.

"A Woman Rebels" was $6,650 above par with $15,650 at the Ambassador. "The Big Broadcast of 1937" and "Without Orders," at the Fox, passed the average mark by $6,150 for a total of $20,150. Only two houses failed to get into the profit column. It was a big week.

Total first run business was $80,625. Average is $58,500.

Estimated takings for the week ending Nov. 5:

"A WOMAN REBELS" (Radio)
AMBASSADOR—(3,018), 25c-40c-55c, 7 days. Stage: Specialty acts and pit orchestra. **Gross:** $15,650. (Average, $9,000)

"BIG BROADCAST OF 1937" (Para.)
"WITHOUT ORDERS" (Radio)
FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $20,150. (Average, $14,000)

"LIBELED LADY" (M-G-M)
LOEW'S—(3,162), 25c-35c-55c, 7 days. **Gross:** $20,125. (Average, $10,000)

"EVERYTHING IS THUNDER" (G. B.)
"THE BIG GAME" (Radio)
MISSOURI—(3,514), 25c-40c, 7 days **Gross:** $9,500. (Average, $9,000)

"PIGSKIN PARADE" (20th-Fox)
"SEVEN SINNERS" (G. B.)
ORPHEUM—(1,950), 25c-35c-55c, 7 days. **Gross:** $6,900. (Average, $6,000)

"THEY MET IN A TAXI" (Col.)
"GIVE HER A RING" (Judell)
SHUBERT-RIALTO—(1,725), 20c-25c, 7 days. **Gross:** $3,200. (Average, $3,500)

"ANTHONY ADVERSE" (W. B.)
ST. LOUIS—(4,000), 25c-40c, 7 days. Stage: Vaudeville: **Gross:** $5,000. (Average, $7,000)

"Pigskin" $10,700 Indianapolis Draw

INDANAPOLIS, Nov. 12.—"Pigskin Parade" took $10,700 at the Lyric for $3,700 into the black. Coupled with it was an elaborate stage show, "Glorified Follies."

The first runs swept into heavy takes as election interference ended and weather generally was mild. "Old Hutch" and "Craig's Wife" took $3,000 over the line at Loew's with a $9,000 total. At the Circle, "Valiant is the Word for Carrie" and "Wives Never Know" garnered $6,500, which is $2,500 upstairs. The Apollo took $3,000 in a six-day second week showing of "Dimples." It closed early to make room for "Cain and Mabel," which drew well on its opening day.

Total first run business was $29,200. Average is $21,000.

Estimated takings:

Week Ending Nov. 5:
"DIMPLES" (20th-Fox)
APOLLO—(1,100), 25c-40c, 6 days, 2nd week. **Gross:** $3,000. (Average, $4,000)

Week Ending Nov. 6:
"VALIANT IS THE WORD FOR CARRIE" (Para.)
"WIVES NEVER KNOW" (Para.)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $6,500. (Average, $4,000)
"OLD HUTCH" (M-G-M)
"CRAIG'S WIFE" (Col.)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $9,000. (Average, $6,000)
"PIGSKIN PARADE" (20th-Fox)
LYRIC—(2,000), 25c-40c, 7 days. Stage: "Glorified Follies," featuring Ziegfeld beauties. **Gross:** $10,700. (Average, $7,000)

"Old Hutch" Dual Louisville Leader

LOUISVILLE, Nov. 12.—Top money last week went to "Old Hutch," dualled with "Craig's Wife," the pair taking $6,200 at Loew's State, where average is $5,500. The bill was moved over to the Brown for a second week.

"Pigskin Parade" and "Mummy's Boys" at the Brown on a second run were the only other pictures to go over average. The combination took $2,800, over the line by $300.

A severe snowfall hurt business. Traffic conditions were hazardous.

Total first run business was $21,100. Average is $21,800.

Estimated takings for the week ending Nov. 5:

"PIGSKIN PARADE" (20th-Fox)
"MUMMY'S BOYS" (Radio)
BROWN—(1,500), 15c-25c-40c, 7 days, 2nd run. **Gross:** $2,800. (Average, $2,500)

"MY AMERICAN WIFE" (Para.)
"CHARLIE CHAN AT THE RACETRACK" (20th-Fox)
KENTUCKY — (900), 15c-25c, 7 days. **Gross:** $1,400. (Average, $1,500)

"THE CASE OF THE BLACK CAT" (F.N.)
MARY ANDERSON—(1,000), 15c-25c-40c, 7 days. **Gross:** $2,400. (Average, $3,500)

"OLD HUTCH" (M-G-M)
"CRAIG'S WIFE" (Col.)
LOEW'S STATE—(3,000), 15c-25c-40c, 7 days. **Gross:** $6,200. (Average, $5,500)

"THE MAGNIFICENT BRUTE" (Univ.)
"THE MAN I MARRY" (Univ.)
RIALTO—(3,000), 15c-25c-40c, 7 days. **Gross:** $4,200. (Average, $4,500)

"THE WEDDING NIGHT" (U.A.)
"THE FARMER TAKES A WIFE" (20th-Fox)
"BORDERTOWN" (W.B.)
"THANKS A MILLION" (20th-Fox)
OHIO—(900), 15c, 7 days, split week. **Gross:** $700. (Average, $800)

"AMBASSADOR BILL" (20th-Fox)
"15 MAIDEN LANE" (20th-Fox)
STRAND—(1,500), 15c-25c-40c, 7 days. **Gross:** $3,400. (Average, $3,500)

"Dimples" Spokane Leader at $9,000

SPOKANE, Nov. 12.—It was practically a toss-up between the Fox with "Dimples" and the State with "Libeled Lady" in its second week for first honors this week.

"Dimples" did a fair $9,000 with "The Girl on the Front Page," $1,000 over par. "Libeled Lady" grossed $6,000 in six days, $1,200 above normal.

Total first run business was $21,800. Average is $19,500.

Estimated grosses for the week ending Nov. 5:

"DIMPLES" (20th-Fox)
"GIRL ON THE FRONT PAGE" (Univ.)
FOX—(2,300), 25c-40c, 7 days. **Gross:** $9,000. (Average, $8,000)

"LIBELED LADY" (M-G-M)
STATE—(1,000), 30c-40c, 6 days, 2nd week. **Gross:** $6,000. (Average, $4,800)

"CASE OF BLACK CAT" (W.B.)
"THE BIG GAME" (Radio)
ORPHEUM—(1,200), 20c-30c, 5 days, with pep rally on stage. **Gross:** $3,500. (Average, $3,000)

"EVERYTHING IS THUNDER" (G.B.)
"KING OF THE ROYAL MOUNTED" (20th-Fox)
ORPHEUM—(1,200), 20c-30c, 3 days. **Gross:** $2,000. (Average, $1,500)

"TICKET TO PARADISE" (Republic)
GRANADA — (600), 15c-25c, 4 days. **Gross:** $1,300. (Average, $1,200)

Powell-Russell Teamed

HOLLYWOOD, Nov. 12.—William Powell and Rosalind Russell will be costarred in "The Emperor's Candlesticks" at M-G-M. John W. Considine is the producer of the Baroness Orczy novel.

"Pigskin" Is Denver Smash For 2 Houses

DENVER, Nov. 12.—"Pigskin Parade" started so heavily at the Paramount on a dual with "Back to Nature" that it was also put into the Aladdin, replacing "Dimples," which played one day there after a week's showing at the Denver.

The take for "Parade" at the Paramount was $6,000, over normal by $2,500, and at the Aladdin the $5,000 gross was $2,000 to the good.

"Give Me Your Heart" at the Denver and "Old Hutch" and "The Big Game" at the Orpheum played to a number of standouts.

Total first run business was $43,500. Average is $28,000.

Estimated takings for the week ending Nov. 5:

"PIGSKIN PARADE" (20th-Fox)
ALADDIN—(1,500), 25c-40c-50c, 7 days. **Gross:** $5,000. (Average, $3,000)

"DODSWORTH" (U.A.)
BROADWAY—(1,500), 25c-40c, 7 days, following a week each at the Denver and Aladdin. **Gross:** $2,000. (Average, $2,000)

"DAMAGED LIVES" (Indie)
CENTER—(1,500), 25c, 7 days. **Gross:** $6,000. (Average, $2,000)

"VALIANT IS THE WORD FOR CARRIE" (Para.)
DENHAM—(1,500), 25c-35c-40c, 7 days. **Gross:** $6,000. (Average, $4,500)

"GIVE ME YOUR HEART" (W.B.)
DENVER—(2,500), 25c-35c-50c, 7 days. Stage: band. **Gross:** $9,500. (Average, $7,500)

"OLD HUTCH" (M-G-M)
"BIG GAME" (Radio)
ORPHEUM—(2,600), 25c-35c-50c, 7 days. **Gross:** $9,000. (Average, $6,000)

"PIGSKIN PARADE" (20th-Fox)
"BACK TO NATURE" (20th-Fox)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $6,000. (Average, $3,500)

"Tiger" and Show Is Montreal's Best

MONTREAL, Nov. 12. — "Bengal Tiger" with the "Hollywood Hotel Revue" at Loew's to help grossed $14,500.

"Ladies in Love," with "15 Maiden Lane" brought $12,000 to the Palace.

There were several wet and snowy days. Football was the major opposition.

Total first run business was $45,500. Average is $43,000.

Estimated takings for the week ending Nov. 7:

"THE BIG BROADCAST OF 1937" (Para.)
"THE FINAL HOUR" (Col.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days, 2nd week. **Gross:** $6,500. (Average, $9,500)

"EAST MEETS WEST" (G.B.)
"LIMELIGHT" (British)
HIS MAJESTY'S—(1,700), 25c-35c-40c-50c, 7 days, 2nd week. **Gross:** $5,000. (Average, $5,000). First week, $6,500.

"BENGAL TIGER" (W.B.)
LOEW'S — (3,115), 25c-34c-40c-50c-60c, 7 days. Stage: "Hollywood Hotel" Revue. **Gross:** $14,500. (Average, $10,500)

"LADIES IN LOVE" (20th-Fox)
"15 MAIDEN LANE" (20th-Fox)
PALACE — (2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $12,000. (Average, $11,000)

"VALIANT IS THE WORD FOR CARRIE" (Para.)
"WEDDING PRESENT" (Para.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $7,500. (Average, $7,000)

Talbot, LaRue with West

HOLLYWOOD, Nov. 12.—Lyle Talbot and Jack LaRue will appear as part of Mae West's act at the New York Paramount, starting Nov. 18.

"Godfrey" Is 2d Week Hit In Cleveland

CLEVELAND, Nov. 12.—"My Man Godfrey," playing its second week downtown, took first honors with $8,500, it more than doubled average at the Allen where it was moved after a big opening week at Warners' Hippodrome.

"Ladies in Love" at the RKO Palace, where it shared the bill with vaudeville, topped the $15,000 house average by $3,500, ringing up an $18,500 total. "Cain and Mabel" was another topper. At Warners' Hippodrome it went $2,000 over par to $12,000.

"Valiant is the Word for Carrie" hit a new low, $6,500, at Loew's State. Average for a week is $15,000.

Early shows on election night were poorly attended, but midnight performances at all downtown houses drew. The weather was rainy throughout the week.

Total first run business was $51,500. Average is $51,000.

Estimated takings for the week ending Nov. 6:

"MY MAN GODFREY" (Univ.)
ALLEN—(3,300), 30c-35c-42c, 7 days, 2nd week. **Gross:** $8,500. (Average, $4,000)
"VALIANT IS THE WORD FOR CARRIE" (Para.)
LOEW'S STATE—(3,400), 30c-35c-42c, 6 days. **Gross:** $6,500. (Average, $15,000)
"THE DEVIL IS A SISSY" (M-G-M)
LOEW'S STILLMAN—(1,900), 30c-35c-42c, 7 days, 2nd week. **Gross:** $6,000. (Average, $6,000)
"LADIES IN LOVE" (20th-Fox)
RKO PALACE—(3,100), 30c-42c-60c, 7 days. Vaudeville. **Gross:** $18,500. (Average, $15,000)
"CAIN AND MABEL" (W.B.)
WARNERS' HIPPODROME — (3,800), 30c-35c-42c, 7 days. **Gross:** $12,000. (Average, $10,000)

"Broadcast" a 2nd Week Buffalo Lead

BUFFALO, Nov. 12.—Election ballyhoo and a freak snow storm lowered grosses, but all houses managed to keep well above average. "The Big Broadcast of 1937," in its second week, was still the best money-maker in town. Shifted to the Great Lakes from the Buffalo, it drew $9,700, over par by $2,400.

The Lafayette's dual, "Two in a Crowd" and "Yellowstone," was worth $7,980, over normal by $1,980. "Straight From the Shoulder" and "The Velvet Claw," playing the Century, drew $7,700 in a $5,800 house.

Total first run business was $45,885. Average is $38,400.

Estimated takings for the week ending Nov. 7:

"DIMPLES" (20th-Fox)
BUFFALO—(3,000), 30c-50c, 7 days. **Gross:** $13,005. (Average, $12,000)
"WEDDING PRESENT" (Para.)
"M'LISS" (Radio)
HIPPODROME—(2,500), 25c-40c, 7 days. **Gross:** $7,500. (Average, $7,300)
"THE BIG BROADCAST OF 1937" (Para.)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $9,700. (Average, $7,300)
"STRAIGHT FROM THE SHOULDER" (Para.)
"THE VELVET CLAW" (W.B.)
CENTURY—(3,000), 25c, 7 days. **Gross:** $7,700. (Average, $5,800)
"TWO IN A CROWD" (Univ.)
"YELLOWSTONE" (Univ.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $7,980. (Average, $6,000)

Off-Color Play, in Gallic Manner, of No Film Worth

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like Robert Montgomery, is called upon to plead his mother's cause with the interfering woman in the romance, Rosemary Ames. Matthews, it appears, has fallen for her on the eve of his wedding, almost 10 years to the day of the start of his illicit love affair with Miss George.

To tell you that O'Malley does "his duty" and successfully establishes his argumentative prowess, as well as something beyond, with Miss Ames is to pass on exactly what happens. The following morning finds him confronting his wife, Miss Field, and a general all-round effort to square his defection, abetted by his mother, et al.

"Matrimony, Pfd." has its moments. So has the one about the farmer's daughter. But they are risque moments that undress their chief characters verbally, if not actually, and keep them swirling around the boudoir for three solid acts.

Theme Is Shop-Worn

It is this reviewer's thought on the matter that appeal to a sophisticated audience with a sophisticated play need not harp on four lovers, two fathers for one child, one unmarried mother who regards it all as fun and a young husband who falls for the first attractive skirt that brushes his knee.

Never has it been a creditable trick, moreover, to talk politely around off-color situations in the anticipation that the odor will turn more savory. This observer laughed last night. You bet he did. But he also reflected that here was a theme which constituted the case perfect of how low the standards of the New York theatre might fall and did.

Wall Street

Universal, Eastman Off on Board

	High	Low	Close	Net Change
Columbia	42	39⅜	42	+2¼
Columbia, pfd. ...	46	46	46	— ⅝
Consolidated	4⅝	4½	4½	— ⅛
Consolidated, pfd.	17⅜	17	17	— ½
Eastman 180		176⅝	176⅝	—3⅜
Gen. T. Equip....	27½	27¼	27¼	— ½
Loew's, Inc.	64¾	62¼	64⅜	+2¼
Paramount	19½	18¾	19¼	+ ⅜
Paramount 1 pfd..140¼		137	139½	+1¾
Paramount 2 pfd..	17⅞	17½	17½	— ¼
Pathe Film	9	8¾	8¾	— ⅛
RKO	8¾	8¼	8¼	— ⅛
20th Century-Fox.	37¼	36⅛	36½	— ¼
20th Century, pfd.	46⅛	45⅛	45½	.....
Universal, pfd ..106		106	106	—5
Warner Bros.	16½	15¾	16	.....
Warner, pfd.	64	64	64	.....

Irregular Curb Trading

	High	Low	Close	Net Change
Grand National ..	3½	3¼	3½	+ ¼
Sentry Safety ...	⅞	13/16	⅞	+ ⅛
Sonotone	2	2	2	— ⅛
Technicolor	22⅛	21⅝	22½	+ ¼
Trans-Lux	5⅛	5	5	— ¼
Universal Pict....	12¼	11¾	12¼	+ ¼

Most Bonds Gain

	High	Low	Close	Net Change
Keith B. F. 6s '46	97½	97⅜	97½	+ ⅜
Loew's 6s '41 ww deb rights 102		100¾	102	+2
Paramount Pict. 6s '55	99⅜	99⅛	99¼	— ⅛
RKO 6s '41 pp....100		100	100	.....
Warner Bros. 6s '39 wd	98¼	97½	98	+ ¼

(Quotations at close of Nov. 12)

Decision on Mexico Quota to Be Delayed

MEXICO CITY, Nov. 10 (*Via Air Mail*).—No decision is expected this month on the plan to set an exhibition quota of one Mexican picture for each five or six foreign films, limitations on imports, regulation of distributors and the like. A Government committee of six, considering the matter, asked for industry opinion, and has been deluged in a flood of conflicting views.

The committee has been advised that the industry here is too weak for so radical a proposition. It is pointed out that while it is of unquestioned value for the Government to aid the growing production industry here, great caution is imperative, so that help is not forthcoming at the price of sacrificing the profit derived from foreign product, chiefly American.

Small Circuits in Illinois Expanding

CHICAGO, Nov. 12.—Many of the smaller circuits in Illinois are expanding, among them Alger in Peru, Frisina and Kerasotes in Springfield, Hainline at Macomb and Fred Anderson at Morris.

Alger has reopened the Majestic in LaSalle, after remodeling which cost $40,000. Frisina, operating 26 houses, has completed a new house at Keokuk, Iowa. A deal with Leo Burnstine in Springfield calls for tearing down the present Capitol and erecting a 1,400-seat house to cost $100,000. The Empress there will be remodeled.

Prospective Taxes Worrying Colorado

DENVER, Nov. 12.—The state legistature is expected to go wild on the subject of taxation. The regular session starts Jan. 6.

The voters at the recent election approved what is estimated to be a $10,000,000 burden in the form of a $45 monthly pension for persons over 50. A constitutional amendment was also passed authorizing the legislature to levy a state tax. The income from this tax is expected to take care of approximately half of the old age pension demands.

Experienced politicians expect bills to be presented taxing everything the legislators can think of, including admissions. Proposals for amusement taxes have been presented to most of the legislatures in recent years, but theatre men have convinced legislators the business was standing all the taxes it could.

A special session next week will consider revamping of the liquor laws and also make arrangements for the state to share in the national unemployment insurance act.

K. C. Scale Raised

KANSAS CITY, Nov. 12.—The Fox Plaza hiked its admission from 25 cents, which it has been for many a moon, to 35 cents for "The Great Ziegfeld."

"Brute" Dual Beats Slump On the Coast

LOS ANGELES, Nov. 12.—Grosses slumped last week with the only impressive showing being furnished by "The Magnificent Brute," on a dual with "Without Orders," at the Pantages and Hillstreet. At the former the $9,200 take was $1,200 to the good and at the latter the $9,800 gross was up by $1,800.

"Dimples" and "Mr. Cinderella" were a disappointment at Loew's State with a weak $11,500.

Total first run business was $80,000. Average is $107,950.

Estimated takings for the week ending Nov. 4:

"ROMEO AND JULIET" (M-G-M)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 5th week. **Gross:** $6,500. (Average, $17,000)
"DIMPLES" (20th-Fox)
"MR. CINDERELLA" (M-G-M)
CHINESE — (2,500), 30c-55c, 7 days. **Gross:** $8,000. (Average, $12,500)
"VALIANT IS THE WORD FOR "CARRIE" (Para.)
4 STAR—(900), 30c-55c, 7 days, 3rd week. **Gross:** $2,800. (Average, $3,250)
"BUILDERS OF SOCIALISM"
GRAND INTERNAT'L—(750), 35c-40c, 7 days. **Gross:** $2,300. (Average, $1,200)
"MAGNIFICENT BRUTE" (Univ.)
"WITHOUT ORDERS" (Radio)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $9,800. (Average, $8,000)
"DIMPLES" (20th-Fox)
"MR. CINDERELLA" (M-G-M)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $11,500. (Average, $14,000)
"MAGNIFICENT BRUTE" (Univ.)
"WITHOUT ORDERS" (Radio)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $9,200. (Average, $8,000)
"WEDDING PRESENT" (Para.)
"THE MAN WHO LIVED TWICE" (Col.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: Shaw & Lee, F. & M. revue, Rube Wolf and orchestra. **Gross:** $15,800. (Average, $18,000)
"FOLLOW YOUR HEART" (Republic)
"HERE COMES CARTER" (F.N.)
WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 7 days. **Gross:** $7,400. (Average, $14,000)
"FOLLOW YOUR HEART" (Republic)
"HERE COMES CARTER" (F.N.)
WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 7 days. **Gross:** $6,700. (Average, $12,000)

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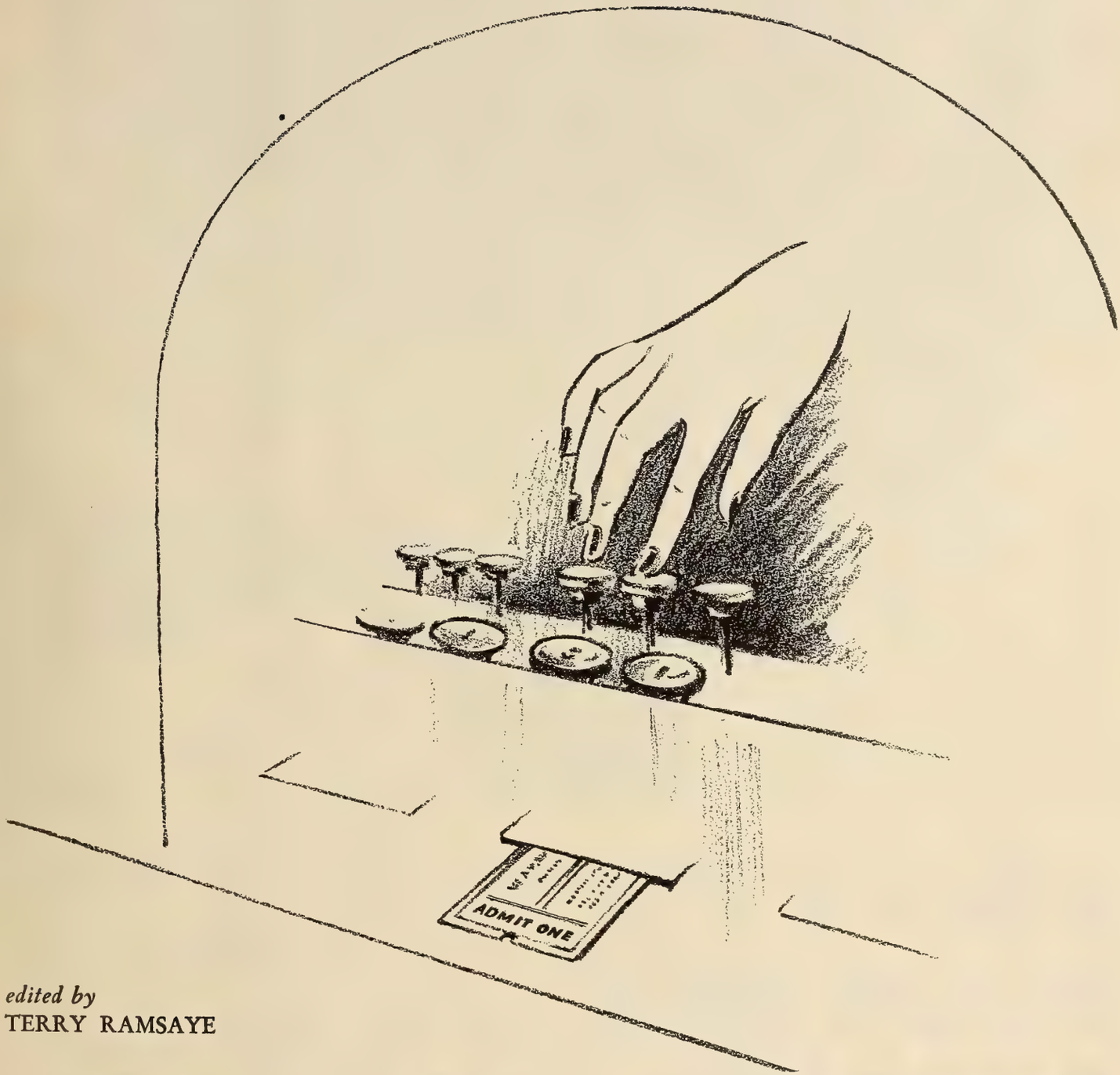
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FAME—*The Box Office Check-Up*
An Audit of Personalities

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F A

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edited by
TERRY RAMSAYE

ME

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RING EVERY DOOR-BELL IN TOWN

and tell them Leo has done it again!

We tipped you off about "San Francisco"

We promised you a sensation in "Great Ziegfeld"

We told you in advance about "Gorgeous Hussy"

We said "Shoot the Works" for "Libeled Lady"

And now we have just come from an uproarious projection room showing of "LOVE ON THE RUN" and we say "*Gentlemen, here's one that tops them all!*"

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 116 NEW YORK, SATURDAY, NOVEMBER 14, 1936 TEN CENTS

N. Y. Sale Tax Appeal Comes Up on Dec. 3

State's Highest Court Sets Hearing Date

The Court of Appeals at Albany has set Dec. 3 for hearing of the industry's arguments against the application of the New York City two per cent sales tax to film rentals. The contest has been hanging fire for almost two years and the accumulated liability of the local industry up to this time is estimated to be in excess of $3,500,000.

The city initiated the current action to test the application of the tax to film rentals by assessing the revenue of the local United Artists exchange early in 1935. The assessment was challenged by the distributor at hearings before the city comptroller, who ruled that the levy against film rentals was proper. The case went to the Appellate Division of the N. Y. Supreme Court on appeal and resulted in a decision upholding the taxability of film rentals derived from theatres within the city, but exempting rentals originating in

(*Continued on page 4*)

No Suit Was Filed In Argentine Court

No anti-trust action has been brought against the Argentine Ass'n. of Film Distributors in the Federal Court in Buenos Aires, and naturally no sentence has been passed or verdict rendered, contrary to the report in a United Press dispatch from Buenos Aires on Wednesday, New York was informed by cable yesterday.

The association is composed of representatives of all major American companies in Buenos Aires and two Argentine distributors. The suit was said in the newspaper report to have been filed by Hector J. Bini, an exhibitor, alleging coercive action in a

(*Continued on page 4*)

Report Balcon May Join M-G-M Abroad

LONDON, Nov. 13.—Michael Balcon, currently production chief for G. B., is reported about to swing to Metro, either as executive in charge of contemplated British production or as an associate producer.

M-G-M's first English picture will be made at either Pinewood or Denham, pending occupancy of the Amalgamated plant early next year.

Paramount, Warner Issues Touch New Exchange Highs

Both Paramount and Warner preferred and common issues yesterday reached new highs on the stock exchange with large blocks being traded throughout the five-hour session.

With the exception of Warners preferred, none of the issues closed at the new top figure, the stocks tapering off with the rest of the market on a wave of selling, which got under way around noon and spasmodically cropped up during the last three hours.

Loew's touched the former high of 64¾, but closed at 63⅝, for a loss of ¾ on the day. Turnover in this issue was 12,400 shares.

Warners took the lead of all film stocks with big lots accounting for a turnover of 69,700 shares of common. This issue hit 17¼ and closed at 16⅝ for a plus of ⅝ on the day. The preferred, on a gain of ⅞, closed at the top, 64⅞.

Paramount common soared to 20⅛. The issue closed at 19⅝, for a profit of ⅜. Approximately 53,400 shares were traded in. On the first preferred, a 2½ point plus sign was chalked up on a total sale of 3,000. The issue ran up to 145⅜ and wound up at 142. The second preferred gained a ½ point, reaching 18½ on the day, and closing at 18, the former high. About 13,000 shares changed hands.

Union Board Meet Delayed to Monday

The meeting of Mayor LaGuardia's survey board, which is working on a unification of the multiple union situation among projectionists in New York, will meet on Monday, the scheduled session for yesterday having been postponed. The Monday meeting will be held in the office of Howard S. Cullman, board member, at the Roxy. The other board members are Sam A. Lewisohn, chairman, and William Collins.

The postponement was caused by the absence from the city of Collins and George E. Browne, president of the I.A.T.S.E., who are attending the

(*Continued on page 4*)

Lee Television Is Over 10-Mile Area

HOLLYWOOD, Nov. 13.—The Don Lee experimental daily television broadcasts are being televised over a 10-mile area which services many small towns outside of Los Angeles, such as Glendale, Inglewood and parts of Pasadena. Harry R. Lubcke is directing the experimental broadcasts.

In view of the fact that the Lee

(*Continued on page 3*)

U. A. Dividend

Hollywood, Nov. 13.—Dr. A. H. Giannini, president of United Artists Distributing Corp., stated today that his company will declare a dividend payable December 15.

UMPTO Seeks Wide Stoppage For Playdates

PHILADELPHIA, Nov. 13.—Efforts to organize a national playdate strike were decided upon today by the U.M.P.T.O. If this fails, the plan will be used locally as a weapon against distributors, who, members of the unit claim, are charging excessive rentals.

Distributors who are the targets of attack were not named following today's session.

Violent verbal blasts were directed at distributors, who are charged with encouraging the reopening of closed houses in order to step up competition and help maintain prices.

Grand National and M-G-M scales were informally discussed, the latter being criticized because the last 10 pictures in general release were called "double feature product" by members.

Michael O'Toole of the Comerford circuit attended the meeting to discuss legal problems and legislation.

Representatives of the Federal Housing Administration secured the organization's pledge to run three-minute films explaining insurance of mortgages.

Testimony Heard On Ohio's Booking Law

CLEVELAND, Nov. 13.—Testimony before trial in the case to determine the constitutionality of the Ohio law barring preferred playing time sales agreements was heard today in the office of Schwartz & Rocker, designated by Attorney General John Bricker to represent the state. Abram F. Myers assisted Ben Schwartz in the taking of testimony.

Attorney General Bricker cannot hear the case because previously he had expressed the opinion that the

(*Continued on page 4*)

Foreign Stock Buying Starts Federal Study

Roosevelt Aims to Guard Against Dumping

WASHINGTON, Nov. 13.—Administration moves to regulate purchases by foreign interests of American securities on the stock exchanges of this country are under way and may be translated into legislation in the near future, President Roosevelt said in a press conference today.

Marriner S. Eccles, chairman of the Federal Reserve Board, and James Landis, chairman of the S. E. C., are now studying means of correcting the situation, which is regarded by the Administration as a threat to stabilization of currencies. The danger, the President indicated, could be immediate if foreign holders of American securities unloaded on the market suddenly.

No indication of the type of legislation which may be sought was given, but it was stated that while present gold export regulations tended to control the situation, this means did not afford the complete protection desired.

Whether or not the Administration would move to restrict the sales as well as purchases of domestic securities by foreign interests likewise was not disclosed, as the entire situation

(*Continued on page 4*)

Korda Studies Move To Do Cheaper Films

LONDON, Nov. 13. — Alexander Korda may embark on a program of cheaper films which would not carry the London Films trade mark. It is understood release of the secondary group would go through British Lion.

Korda's name has been mentioned in connection with such a plan for a couple of months. In its original form it was reported that Korda was considering his own distributing unit here not only for the proposed cheaper negatives, but for his London Films output as well.

Paramount and Raft In Mutual Breakoff

HOLLYWOOD, Nov. 13.—The Paramount contract of George Raft was abrogated today by mutual agreement between studio and star. The pact still had two years to run.

William LeBaron stated that Raft's role in "Souls at Sea" will be filled immediately by another player.

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General Talking Is Allowed an Appeal

Federal Judge William H. Bondy yesterday allowed General Talking Pictures Corp. to take an appeal to the U. S. Circuit Court of Appeals from the judgment obtained by Western Electric, Erpi and A. T. & T. for a permanent injunction. The judgment restrains General Talking Pictures from selling and distributing sound equipment on the ground that the patents are the property of Erpi.

General Talking Pictures Corp. posted a $10,000 bond to cover cost of the appeal. In filing the appeal counsel for General Talking Pictures explained that from 1929 to 1933, it manufactured and sold 3,372 amplifiers of which 70 per cent are still in use, but that they have sold none between 1933 and 1936.

Umbreit Named Trustee

Federal bankruptcy referee John E. Joyce has appointed Kenneth B. Umbreit as trustee of the Orpheum Theatre Co. of Madison, Wis., in bankruptcy proceedings. The trustee will proceed with the bankruptcy matter and file a $5,000 bond.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Love on the Run"

(M-G-M)

HOLLYWOOD, Nov. 13.—With the magnetic personalities of Clark Gable, Joan Crawford and Franchot Tone predominating and with the Van Dyke directorial touches at their best, this is smash entertainment from start to finish. Situations top each other in rapid succession and, although the story defies analysis because of its rash inconsistencies, the humor is so spontaneous that the audience never recovers from its laughter long enough to spot the flaws.

Gable and Tone are foreign correspondents battling each other for news beats. Miss Crawford portrays an heiress who walks out on her marriage to Ivan Lebedeff, a nobleman. Her altar desertion leads her into Gable's arms and also into complications with Reginald Owen and Mona Barrie, international spies. From that point onward the picture becomes an insane dash over France with all characters involved in the flight.

The Van Dyke direction seizes every opportunity of developing two laughs for every chuckle in the script by John Lee Mahin, Manuel Seff and Gladys Hurlbut. Donald Meek, uncredited in the billing, delivers the best supporting performance, scoring repeatedly in one sequence as caretaker of the Fontainbleau Museum, where Gable and Miss Crawford take refuge for the night.

Other sterling characterizations are offered by William Demarest as Gable's editor and by Charles Judels as a police lieutenant. The original story is credited to Alan Green and Julian Brodie. Joseph L. Mankiewicz has contributed class production while the photography of Oliver Marsh is uniformly good. If energetically sold from any of the many possible angles, the picture should show top returns.

Production Code Seal No. 2,673. Running time, 73 minutes. "G."

"Winterset"

(Radio)

HOLLYWOOD, Nov. 13.—Powerful, grim and emotion-stirring drama, this tells a gripping human-interest story which is brought to the screen under narrative, production and directorial technique that represents a radical and impressive departure from the customary channels. It is a film that will evoke high praise for Peverell Marley, photographer; for Al Santell, director; for Anthony Veiller, the scenarist, and for the lead players—Burgess Meredith, Margo, Eduardo Cianelli, Edward Ellis and Paul Guilfoyle. It is a courageous undertaking of unquestionable artistic and production merit that will test the showmanship ability of exhibitors to the utmost to popularize.

In bold and straight-from-the-shoulder strokes "Winterset" tells a surging, dramatic story that is deeply moving and impressively poignant. It details the episodes in the life of a boy who, growing to manhood, lives only to clear the name of his father, an innocent sacrifice to a miscarriage of justice. In the shadow of the Brooklyn Bridge with the rain beating down on them, the boy and girl about whom the poetic romance rotates, the actual murderer and the mentally tortured judge meet. The consuming desire to vindicate his father's honor impels the boy to acts of reckless daring. On the other hand, the murderer, fearing that justice is about to catch up with him, becomes again the coldly vicious killer intent only on removing every threat to his personal safety. The dramatic quality of the action is intense and penetrating.

Although the cast names have little box-office significance, the character of their work in this unusual photoplay should enthuse audiences. The film looks like an attraction that will create more than ordinary interest in the ranks of the intelligentsia. Reaction to the story is not instantaneous, as in the case of "The Informer." Rather it is a tale that will evoke an increasing amount of discussion with the passing of time.

Production Code Seal No. 2,647. Running time, 75 minutes. "G."

To Build for General

HOLLYWOOD, Nov. 13.—Construction is to start soon on a 20-room building at the RKO-Pathe Studio, Culver City, to house personnel of General Pictures.

"Plumes" Closes Tonight

"Plumes in the Dust," which opened at the Forty-sixth Nov. 6, closes tonight after a run of 11 performances.

Dinner for Ray Smith

Ray S. Smith, Albany branch manager for Warners, will be tendered a farewell party Monday by upstate exhibitors and exchange managers. At the same time Norman Ayres, successor to Smith, will be welcomed to the territory. The affair will be held at the Ten Eyck. Moe Silver, Warner theatre zone manager, is in charge of arrangements.

Reorganization for Roxy Delayed Again

Hearing on the Roxy reorganization plan yesterday was postponed until Dec. 4 by Federal Judge Francis G. Caffey, as expected. Negotiations with the Taft Hotel on a 10 and a half year lobby lease are holding up completion of the plans whereby Twentieth Century-Fox would lease the theatre.

Because Carlos Israels of White & Case, attorney for the first mortgage bondholders, was at Amherst, Mass., yesterday, the application for a three-week adjournment was made by representatives of Beekman, Bogue, Leake, Stephens & Clark, attorney for Halsey, Stuart & Co., which represent the second mortgage noteholders' committee.

Paramount's continued interest in the court hearings on the Roxy rehabilitation is an enigma with no one anxious to talk. Irving Cohen of the company's legal department has been present at all scheduled hearings, but will not comment other than to say his appearances were by chance, and not prearranged.

No Warner representative was present yesterday, the company being regarded as out of the picture because of an indirect bid which proposes to subordinate the Roxy to the Strand, a plan which the first mortgage bondholders state they will not consider.

Columbia Meet Advanced

Columbia has set ahead the first of its regional mid-season meetings. Instead of the two-day session being held in San Francisco starting Nov. 21, the meeting will be called Nov. 19. Branch managers from Denver, Los Angeles, San Francisco, Portland, Salt Lake City and Seattle will attend. Dates for the New Orleans, Chicago and New York sessions have not been set. Rube Jackter, who will conduct the coast conclave, will leave by plane for San Francisco on Tuesday.

Columbia Men on Coast

HOLLYWOOD, Nov. 13.—Jack Cohn of Columbia, accompanied by Abe Montague, Max Thorpe and Joseph H. Seidelman, are due here tomorrow.

Zukor Gives a Dinner

HOLLYWOOD, Nov. 13. — Adolph Zukor gave an informal dinner tonight at the Ambassador in honor of Barney Balaban and Stanton Griffis. Most of the studio executives and a large number of stars and featured players attended.

Cohen on Way Here

HOLLYWOOD, Nov. 13.—Emanuel Cohen left today by train for New York where he will conduct a 10-day survey of the story field.

Hays in Italy Today

ROME, Nov. 13.—Will H. Hays, president of the M.P.P.D.A., will arrive in Italy tomorrow for the first stop on his visit to Europe.

Will Entertain Hays

LONDON, Nov. 13.—Will H. Hays, president of the M. P. P. D. A., will be officially entertained by the F. B. I. Film Group when he arrives here in the course of his current European visit.

Engineers Heard in Hazeltine-RCA Suit

WILMINGTON, Nov. 13.—Frank N. Waterman, consulting engineer, testifying further in the action in which Hazeltine Corp. charges RCA and RCA Victor with infringement on the Wheeler automatic volume control patent, discussed a paper of Edwin Armstrong read before the Institute of Radio Engineers in 1927 on the operating features of Audion in which was explained the regenerative feedback circuit producing oscillations as an oscillation generator.

Frederick E. Johnson, chief engineer of Crosley Radio Corp. of Cincinnati; Leslie F. Curtis, chief engineer of the radio division of United American Bosch Corp. of Springfield, Mass., and William LeRoy Dunn, chief engineer of Belmont Radio Corp. of Chicago, also testified today.

Unknown to Employe

Johnson, former employe of Hazeltine, testified that he never heard of the automatic volume control prior to 1925. In 1926, he said, he heard of the control while attending a meeting at which a paper on automatic control was read by Harold A. Wheeler.

Curtis stated that he heard of the Wheeler system for the first time in 1927, adding that it offered a practical solution to the problem of fading and blasting in receiving sets. After learning of the Wheeler paper, he testified, he built a form of receiver embodying the principles which the engineer's dissertation expounded.

Dunn, who designed radios for the now bankrupt Freshman Co. from 1926 to 1928, denied hearing of automatic control prior to 1926. His first information, he said, came through one of his engineers who had attended the Wheeler meeting.

The hearing was adjourned until Tuesday.

Lee Television Is Over 10-Mile Area

(*Continued from page* 1)

transmitter is of only 150-watt power and televised on 45,000 kilocycles, and that Lubcke's home, which is used, is located between two hills, the demonstrations thus far would seem to indicate that television is practically something of the comparatively near future. The sound is synchronized one-millionth of a second behind the image and cannot be detected. Lubcke emphasized that his company is mainly interested in achieving favorable results under unfavorable conditions at the present time and in developing new ideas for television, rather than making perfect public demonstrations.

Hamrick Switches Plans

SEATTLE, Nov. 13.—A last-minute change in plans affected the reopening of Hamrick's Music Hall and his Orpheum. The combined film-vaudeville policy originally scheduled for the Orpheum has been installed in the Music Hall, opening this week, and the Orpheum will remain on its dual feature class "A" film policy. Top price for two class "B" pictures, five acts of vaudeville and a 10-piece stage band at the Music Hall will be 35 cents. The Orpheum scale will remain at 40 cents top.

Road Tour of Vallee Hour Talent Now in the Making

Following the trail blazed by Major Edward Bowes, whose amateur stage units are still doing a land-office business, Rudy Vallee and the NBC Artists' Bureau have combined forces to place on the road a series of acts comprising talent heard on the Vallee Variety Hour. One unit is already at work, it was ascertained yesterday, and others are being prepared for tours now being formulated.

The unit now in action is made up of Fred Lightner, Arlene Jackson, Bowie and Daley, Michael, a boy accordianist, the Stewart Sisters, and Al Bernie. Currently the troupe is playing in Toronto, with subsequent dates set for Philadelphia and Baltimore. According to the Vallee office and Rubey Cowan, head of NBC's Artists Bureau, the second unit will be ready for engagements within the next week.

How much money the acts are receiving and how the revenue will be split between Vallee and the network booking service could not be ascertained, although it is presumed that Vallee will receive the lion's share of the take.

Confining the talent to acts heard on the Vallee Hour does not narrow the selection as much as one might presume. Vallee has been on the air with guests for almost five years, featuring as many as five and six per broadcast.

Home Talent in NBC Show

Staff employees at NBC's San Francisco studios will present a special program of their own tonight in celebration of NBC's 10th anniversary. The program will be heard over the Blue network from 8:30 to 9 P.M., E.S.T.

Participating in the program will be Ameila Kennedy, secretary to Meredith Willson, general music director of NBC's western division; Dave McKay, baritone and a member of the sales promotion division; Frank Barton, soloist and regular NBC announcer; Jessie Woods, pianist, a member of the traffic department; Ruth Chappell, contralto, of the music library, and a male quartet recruited from the continuity, sales, and traffic departments. The staff workers competed in special auditions for a chance on the program.

No Free Auto Time

WBBM, Columbia's Chicago station, is setting a new precedent by getting Dodge dealers there to foot the bill for a commercial plugging the Chicago automobile show, instead of giving time gratis to the motor companies.

The sale came as a result of a policy established by J. L. Van Volkenburg, assistant to H. Leslie Atlass, CBS Chicago vice-president, against giving show free time as long as they were paying for newspaper ads.

Dodge dealers followed with order for six broadcasts.

The program will be handled by Doug Hope, of WBBM staff, and was sold by Ruthrauff & Ryan, agency.

Film Hopes for Thibault

Conrad Thibault, who flew to the coast yesterday, will not be heard on one Packard broadcast, as was originally planned when he was booked for the date. He will remain on the program indefinitely and will replace Allen Jones, who is leaving the program because of studio activities. Incidentally, the William Morris office, which booked Thibault for the radio engagement, will make efforts to sell Thibault to the studios while he is in Hollywood. Thibault has been film tested several times in the past, but has never worked in pictures.

"Hollywood Hotel"

Things didn't come off as scheduled on last night's broadcast of the Hollywood Hotel program heard over the Columbia network from 9 P.M. to 10 P.M., E.S.T.

In the first place, many of the stars who were advertised to appear on the program did not participate and Columbia made no announcement in explanation.

For example, pre-broadcast releases stated that William Powell and Luise Rainer would contribute a scene or two from their picture, "The Great Ziegfeld." Several bits from that film were dramatized but the voices of the broadcasters sounded strange to this reviewer. A wire to Hollywood elicited the information that two unknowns re-enacted the scenes. Neither did Jeanette MacDonald sing, though the young lady who offered a medley of songs from the MacDonald pictures was referred to as "Jennie" by Dick Powell after she had finished her numbers. He was referring to Ann Jamison who plays the part of "Jennie" regularly on "Hollywood Hotel" but many might easily have misconstrued this as meaning Jeanette MacDonald, inasmuch as no announcement had been made.

Eleanore Powell, Jim Stewart, Una Merkel, Virginia Bruce, Buddy Ibsen, Sid Silvers and Frances Langford contributed several scenes from their new picture, "Born to Dance." This was the most interesting feature of the broadcast, especially Eleanore's dancing. One song from the picture was outstanding — "Swinging the Jinx Away."

Introduced to the air audience, though they said but little, were Gene Raymond, Joan Bennett, Robert Montgomery, Edmund Lowe and newlyweds, John Barrymore and Elaine Barry.

All in all, last night's broadcast was a very jumbled affair and in conclusion, we still wonder why CBS neglected to inform the listeners that unknowns in some instances were substituting for the stars.

Campbell's Soup sponsors "Hollywood Hotel."

BANNER

Kibbee Given Air Time

Guy Kibbee was sold yesterday to the Sears, Roebuck "Now and Then" program for a guest appearance on the Nov. 19 broadcast. Kibbee will do a comic skit, written by himself. Mischa Elman and Coe Glade are the performers signed for the Sears' broadcast of Nov. 26.

Fleming, Allen, Et Al

Short Shots: Lurline Fleming, NBC singer recently arrived from Australia, shuttles off for the NBC Hollywood studios this weekend. Before leaving she presented the entire press staff in New York with highly-colored Australian boomerangs . . . Sidney Allen, formerly of the CBS and Dell Publishing sales staffs, joins the Mutual sales department Nov. 23 . . . Tamara and Jackie Heller signed for appearances on the Ben Bernie American Can Co. program of Nov. 24 . . . Richard Gordon, Sherlock Holmes of the air, resigned from the cast of "Holmes of Baker Street," which opens on Broadway in December because of air duties . . . Les Bordon, former All-American end at Fordham, now auditioning at WMCA . . . Betty Wragge, of "Pepper Young's Family" cast, leaves the "Dead End" company next month . . . Jesse Jones, chairman of the Reconstruction Finance Corp. guest speaks on the National Radio Forum on Monday, Nov. 23, over the NBC-Red.

WPRO to Be Improved

PROVIDENCE, Nov. 13.—The Cherry & Webb Broadcasting Co. has received authorization from the F. C. C. to proceed with plans for improvement of WPRO. Directional antenna will be installed and the station will be allowed to increase its night power from 250 to 500 watts and to broadcast during the day on 1,000 watts.

Flynn Quizzed by Wire

PORTLAND, Nov. 13.—By use of long distance wires, Errol Flynn was interviewed tonight on "Charge of the Light Brigade" by Charles Sprague of the Oregon *Statesman*, Salem; Hal Nelson of the Tacoma *Times* and Margaret Bean Spokesman of the *Review*, Spokane. The interview was conducted by all four principals simultaneously.

To Discuss School Films

ATLANTIC CITY, Nov. 13.—C. M. Koon, senior specialist in radio and visual education of the office of education of the U. S. Dep't of the Interior, will discuss visual education in the schools tomorrow at the state teachers' convention here.

"His Steps" Held Over

"In His Steps" has been held for a second week at Loew's in Hartford, according to a telegram from G. E. Landers, theatre manager, to Ed Peskay, vice-president in charge of sales for Grand National.

Arnold-Astor to Co-Star

HOLLYWOOD, Nov. 13.—Edward Arnold and Mary Astor will co-star in "The World's Our Oyster," which E. Lloyd Sheldon will produce for Selznick International. The picture is scheduled to start in January.

Purely Personal

MRS. SARAH DELANO ROOSEVELT, mother of PRESIDENT ROOSEVELT, enjoying two showings of March of Time at the Embassy. Reason: Second reel showing the interior of the executive mansion.

•

MOE SILVER and MAX FRIEDMAN, Warner theatre zone manager and booker in Albany, returned upstate yesterday after two days in town on picture buys and talks with JOSEPH BERNHARD and CLAYTON BOND.

•

CHARLES ROBERTS, of the Columbia foreign department, left yesterday by plane for Porto Rico, Havana, Mexico City and Panama. He will return in about four weeks.

•

TUBBY GARRON, head of the professional contact department of Famous Music, leaves tomorrow for Grand National exchanges in connection with "Hats Off."

•

ROY H. HAINES will leave Monday for Albany to attend the farewell party for RAY S. SMITH, Warner branch manager, who has been transferred to Buffalo.

•

HERMAN BERNIE returned yesterday from Cincinnati where he arranged for LEON BELASCO to appear at the Book-Cadillac, Detroit, for an indefinite engagement.

•

ROBERT SMELTZER, Warner district manager with headquarters in Washington, arrived yesterday for home office conferences.

•

FRANK MCCARTHY, Universal district manager, leaves Monday for a tour of southern exchanges.

•

FRANK SNELL, vice-president of Van Beuren Corp., was home yesterday with a bad cold.

•

RUSSELL BIRDWELL, Selznick International publicity director, leaves for the coast today.

•

DAVID J. CHATKIN left for a couple of weeks in Hollywood yesterday.

•

PANDRO S. BERMAN is due from the coast Monday. He is bringing the first print of "Winterset."

•

BEN SERKOWICH was down with a cold yesterday. He may report for work today.

•

DAVE PALFREYMAN is due back today from a quick trip to Cleveland.

•

LEO SPITZ is expected back here Monday from the RKO studios.

•

JOHN J. WILDBERG, attorney, leaves for Hollywood today.

•

HERMAN RIFKIN returned to Boston yesterday after two days in town.

•

RALPH ROLAN, March of Time, suffering from a bad cold.

•

HARRY C. ARTHUR is due from St. Louis next week.

Air Show in Air

Universal will take aloft hardy newspaper folk on Wednesday for a preview of "Flying Hostess" in the clouds. Judith Barrett, who plays the lead, will be aboard and so will lunch.

Later that day, Miss Barrett flies to Kansas City on one lap of an air jaunt to principal cities all for the sake of her new picture, naturally.

Testimony Heard on Ohio's Booking Law

(*Continued from page* 1)

booking law is unconstitutional, giving this opinion to Governor Davey prior to the passage of the bill.

RKO, which is attacking the constitutionality of the law, was represented by Lester A. Jaffe of Paxton & Seasongood, Cincinnati. Jerome Jackson, owner of the Jackson, Cincinnati, was the chief witness.

Testimony today centered on the proportion of pictures sold by each distributor on percentage and on preferred playing time in relation to the total number released.

By agreement between attorneys, Jackson's testimony was accepted as typical.

RKO's attack on the law centers on three points all based on the claim that the industry is not subject to state regulation as it is interstate commerce.

A hearing on briefs and arguments by attorneys is scheduled in Circuit Court, Columbus, Nov. 20.

David Palfreyman is here listening to the testimony.

Carewe Application Rejected

SAN FRANCISCO, Nov. 13.—The plea of Edwin Carewe for a second permit to sell stock in a 16 mm. educational pictures producing unit was definitely denied here today by the State Corporation Commission. The first certificate was suspended some months ago but the former Hollywood director claimed reorganization as a basis for his second plea.

"Misrepresentation found in Carewe's statements" was given by the commission as the reason for today's refusal.

Asks Listing Approval

WASHINGTON, Nov. 13.—The Securities and Exchange Commission today received from the San Francisco Curb Exchange an application for continuance of unlisted trading privileges on the $1 par new common stock of Consolidated Film Industries, Inc. In the company's recapitalization plan is a provision for the exchange of 524,973 shares of common now outstanding for 349,982 shares of new common stock.

Mohr Now "U" Director

HOLLYWOOD, Nov. 13.—Hal Mohr, Universal cameraman, has been named a director. "Class Prophesy" is his first assignment.

John H. Whitney West

HOLLYWOOD, Nov. 13.—John Hay Whitney arrived here today by plane.

Foreign Stock Buying Starts Federal Study

(*Continued from page* 1)

still is in the study stage. However, the projected action may have a direct bearing on foreign purchases of film stocks, which recently have attracted marked interest abroad. Only last week 35,000 shares of Loew's, Inc., was acquired by undisclosed British interests from the Irving Thalberg estate through Hirsch, Lilienthal & Co., brokers. The transaction, at current market prices, represented an exchange of more than $2,200,000.

The Royal Liverpool group of British insurance companies was a large investor in Paramount Publix stocks just prior to the company's reorganization in 1935, and its holdings of the bankrupt company's securities made it a dominating factor in the Paramount reorganization and subsequent administration of the company. British interests were reported to have disposed of large blocks of the new Paramount stock immediately in advance of its market recession during last spring and the early part of the summer. Harold A. Fortington, financial secretary of the British insurance groups, withdrew from the chairmanship of the Paramount executive committee shortly thereafter. The C. M. Woolf British interests hold a large but not a dominant interest in Universal.

G. B. Situation to Mind

The situation here recalls, as well, the upsetting of the proposed acquisition by Loew's of an interest in Gaumont British through the Metropolis and Bradford Trust and Twentieth Century-Fox last summer. The principal factor in the rejection of the deal is reported to have been the unwillingness of British officialdom to approve a deal which they feared might transfer control of the English company to American interests. The British Government has interested itself directly in security deals affecting the control of its national industries.

The sale by RCA of its holdings in the British Electrical and Musical Industries, Ltd., and by the Atlas Corp. of its interests in the British Utilities Power & Light Corp. are recent examples of the effects of the British policy on foreign ownership of securities.

No Suit Was Filed In Argentine Court

(*Continued from page* 1)

refusal to supply films for his theatre. Cristobal Solari, legal representative of the association, was said to have been found guilty.

Actually, the court merely rendered an opinion relative to the right of the exhibitor to sue under certain circumstances, and declared that an employe of the association may be proceeded against from the anti-trust standpoint. "We are not even indicted yet, and our attorney is confident of winning the proceedings," the cable from South America said. It is expected that Bini now will proceed with the action he has planned for some time, it was said.

Sales Tax Appeal Up December 3rd

(*Continued from page* 1)

theatres located outside the city limits, even though serviced by local exchanges.

Distributors moved immediately to appeal from the first part of the decision and the city corporation counsel followed with notice of appeal from the second part. The arguments of both will be heard by the state's highest tribunal on Dec. 3. Frederick H. Wood of Cravath, de Gersdorff, Swaine & Wood, who successfully argued the unconstitutionality of the NRA before the U. S. Supreme Court, has been retained by distributors jointly to present the industry's arguments before the court at Albany. The industry's principal arguments against subjecting film rentals to a local sales tax embrace the Federal Copyright Laws, Federal laws governing interstate commerce and the contention that films, being leased rather than sold, exempts them from a sales tax.

Distributors, meanwhile, have been collecting the tax from all theatres served by local exchanges and segregating it to return to the exhibitors in the event the industry's appeal is successful.

Union Board Meet Delayed to Monday

(*Continued from page* 1)

American Federation of Labor convention in Tampa, and of one of the attorneys for Sam Cocalis, circuit operator.

The Monday session is expected to be in the nature of an executive meeting of the board members, probably without union representatitives present, and it is anticipated that the situation with regard to the Empire Union, third of the three unions involved, will not be taken up at that time. A subsequent session will go into that phase of the situation.

Wall Street

Paramount Issues Gain on Board

	High	Low	Close	Net Change
Columbia	43¾	41	42	.....
Columbia, pfd.	46	46	46	.....
Consolidated	4¾	4½	4½	.....
Consolidated, pfd.	17½	17⅛	17½	+ ½
Eastman	177½	177	177	+ ⅜
Gen. T. Equip.	27¾	27⅛	27⅛	— ⅛
Loew's, Inc.	63¾	63¼	63⅜	— ¾
Paramount	20⅛	19⅛	19⅝	+ ⅜
Paramount 1 pfd.	145⅜	139	142	+2½
Paramount 2 pfd.	18½	17½	18	+ ½
Pathe Film	9¼	8⅝	8⅝	— ⅛
RKO	9⅛	8⅜	8¾	+ ½
20th Century-Fox.	36⅞	35¼	35½	—1
20th Century, pfd.	45¾	45	45	— ½
Universal, pfd.	105½	105½	105½	— ½
Warner Bros.	17¼	16⅛	16⅝	+ ⅝
Warner, pfd.	64⅞	64	64⅞	+ ⅞

Universal Best Curb Showing

	High	Low	Close	Net Change
Grand National	3½	3⅜	3½	.....
Sonotone	2⅛	2	2	.....
Technicolor	23¾	23	23	+ ¼
Trans-Lux	5	4⅞	4⅞	— ⅛
Universal Pict.	13⅞	12⅝	13½	+1½

Paramount Bonds Up a Point

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	101⅜	101⅛	101⅛	— ⅛
Paramount Pict. 6s '55	100⅜	99⅜	100¼	+1
Warner Bros. 6s '39 wd	98⅝	98	98¼	.....

(Quotations at close of Nov. 13)

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 117 NEW YORK, MONDAY, NOVEMBER 16, 1936 TEN CENTS

See Chicago Duals General In Two Weeks

B. & K. Now Using Plan In All "A" Houses

CHICAGO, Nov. 15.—Double bills are expected to become a general practice here within 10 days. B. & K. theatres are using duals in their "A" week houses, the same films later running single in the "B" and "C" week theatres. Business is reported good under the policy. John Balaban, head of B. & K., said that duals probably will be the policy in all the outlying houses within the next week or two.

It is expected that if that policy is made effective, the independents will go to duals at that time. Warners and Essaness are planning to continue single bills regardless of what the other theatres do. For three years the exchanges were able to hold down the use of duals, but when B. & K. demanded the right to run double bills this year, the clause prohibiting the practice was dropped from contracts.

Warner-Loew Again Pool in Pittsburgh

PITTSBURGH, Nov. 15.—Warners and Loew's have pooled the operation of the Stanley, Warner and Penn. Under terms of the deal, which is slated to be signed in New York this week, Warners will continue to operate the Stanley and Warner, while Loew's will retain management of the Penn. All booking and buying for the three houses will be handled jointly by the circuits, out of New York.

The Stanley will be the only house of the three to play vaudeville. The Penn will have first call on all product. The pool is virtually the same as the one dropped when Loew's turned back the Penn to the first mortgage bondholders in June.

The A's Have It

Denver, Nov. 15.—According to the Denver *News*, in its new style of rating films, there just isn't any such thing as a downright bad picture these days.

The *News* ratings: A—Fair; AA—Good; AAA—Don't Miss It; AAAA—Practically Perfect; F—Family.

It is to be wondered how many "A's" the really perfect picture would get.

U.S. Reports Exhibition in Sharp Upturn

Gains Shown in Figures Of Commerce Dep't.

By BERTRAM F. LINZ

WASHINGTON, Nov. 15.—Relatively late in feeling the effects of the depression, the exhibition industry is making a rapid return to prosperity, it was indicated by the 1935 report on national income made public tonight by the Dept. of Commerce.

The worst year of the depression was 1932, when an aggregate corporate surplus of $4,219,000 reported for 1929 had turned into a deficit of $64,379,000, the figures disclosed. In 1933, however, the deficit was reduced to $33,155,000 and by 1934 it had dropped to $6,656,000.

As a result of criticisms of its earlier reports, the department, in preparing its latest figures, abandoned its former methods of estimating and went to the Film Boards of Trade and other

(Continued on page 19)

Studios in Slight Drop; 37 in Work

HOLLYWOOD, Nov. 15.—Production showed another slight drop here last week. Although seven new films went before the cameras only 37 features and two shorts were in work as compared to 39 features and two shorts for the week preceding. Twenty-one new pictures will start shooting within the next two weeks according to studio schedules. Sixty films were in the cutting rooms.

The new pictures in work were: "I

(Continued on page 17)

The Four Patts

Kansas City, Nov. 15.—Jimmy Patt, who has just gone from KMBC where he handled publicity and then special events, to Chicago to direct public events and special features for CBS's western division, comes from a family of radio folk.

Three brothers also are in radio: John Patt, general manager, WGAR, Cleveland; Ralph Patt, publicity director, WJR, Detroit, and Robert Patt, radio department of a Detroit advertising agency.

Spanish See No Hope for Early Peace

By HARRY C. PLUMMER

No one familiar with the present crisis in Spain believes that the impending fall of Madrid will end the conflict. The moral effect of the loss of the capital to the Government and its Anarcho-Syndicalist mentors undoubtedly will be serious, but the history of civil war in Spain through centuries affords a definite criterion for anticipating a long struggle to follow the capitulation of the handsome city on the Manzanares. Already the president of the republic, Manuel Azaña, has taken refuge with his executive staff on the frowning heights of Monserrat, overlooking Barcelona, while the premier, Largo Caballero, has moved officially to Valencia. Both factors with their following and the entire Anti-Fascist Militia can entrench in the two cities, first and third in population of all

(Continued on page 18)

"U" to Apply Concessions This Season

Cancellations Effective on Current Contracts

Universal's concessions under the M.P.T.O.A. 10-point trade practice program are effective immediately and apply to contracts already closed for the current season, irrespective of the language of those contracts, as well as to all deals subsequently made, R. H. Cochrane, Universal president, said on Saturday.

Cochrane's statement was made in answer to a question raised as to the effective date of the company's liberalized cancellation terms by the Allied States Exhibitors Ass'n., in an organization bulletin distributed to its members last week. Universal's decision was made, it was said, in response to trade paper inquiries covering the points raised in the Allied bulletin. While Universal can not reprint its contracts for the current season measures will be taken to make the new cancellation provisions effective at once, it was said.

"This means," Cochrane's statement sets forth, "that any exhibitor who has contracted for 100 per cent of Universal's 1936-'37 feature product

(Continued on page 18)

Mid-Season Meeting Is Called by Sears

Gradwell L. Sears, general sales manager of Warners, will meet with his home office assistants and district sales heads at the Blackstone in Chicago for the regular mid-season conference, starting next Wednesday. The session will continue for two days.

Attending from the home office will be Major Albert Warner, Norman

(Continued on page 18)

Stock Issues of Five Firms Jump 164½ Points in Year

The issues of five leading companies on the New York Stock Exchange jumped 164½ points in the year to Saturday, Paramount first preferred taking the lead with a gain of 70½ points since Nov. 14, 1935. Warners preferred was second with 17⅝, with Twentieth Century-Fox preferred running a close third with 17⅜.

Increased earnings and signs of dividends, in some cases the first to be declared after a lapse of years and in others a distribution of extras in addition to the regular quarterly payments, are reported as the motivating factor sending the stocks to new highs.

During the past year, the record shows that Paramount first preferred soared from 77½ to 148, where it closed Saturday after setting a new high for a six-point profit. The second preferred moved up to 18⅞ from 11⅛ last year. The common, which gained 11½ points for the period is now at 20⅝. The last dividend on

(Continued on page 18)

A New Tune

Bob Goldstein is embarking on a career as stage producer. Already, he has changed his tune about the new plays. Where once he was rather caustic, now he finds them all pretty good. In other words, he is preparing.

He gives as his real reason for doing "Get Along Little Doggie" a desire to give the boys around town a chance to come back at him.

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Subscription rates per year $6 in the Americas, and foreign $12. Single copies: 10 cents.

Legion Approves 8 Of 11 New Pictures

Of 11 new pictures reviewed and classified by the National Legion of Decency in its list for the current week, six were called unobjectionable for general patronage, two were approved for adults, and three were classed as objectionable in part. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"As You Like It," "The Big Show," "Here Comes Carter," "King of Hockey," "The King of Kings," "Mad Holiday." Class A-2, Unobjectionable for Adults—"Garden of Allah," "We Who Are About to Die." Class B, Objectionable in Part—"Hideaway Girl," "Theodora Goes Wild," "Three Men on a Horse."

Balaban in Hospital

CHICAGO, Nov. 15.—John Balaban has entered Michael Reese Hospital here for a rest.

Skouras Gets Lafayette

Skouras Theatres has taken over the Lafayette, Suffern, formerly operated by an independent group.

Insiders' Outlook

By RED KANN

THEY have tasted a new kind of caviar in Hollywood and their palates now refuse any denial. It is a rather idle pastime to sit back and reflect at large about the menace or no of studio names in radio. Some time ago, it was pointed out that the practice had been started. Now, it is merely reportorial to inform that what began as a mushroom development has grown into something approaching a garden of toadstools. . . .

▼

If you are interested in why, note how simple it all is. The nationally advertised products never blink an eyelash at campaigns running into the millions. They cannot ignore radio because it would not be good business to overlook a medium which so quickly and so simultaneously reaches millions. These companies, or their clever advertising agencies, also know something about the appeal of Hollywood personalities and after them they went. Hollywood saw opportunity to cinch big and extra money, caring little about program sponsorship or program quality. You're as recent on the situation now as today. . . .

▼

But, it would be well to remember and pleasant, furthermore, to do so that the foray into the field of Hollywood talent can end almost as suddenly as it began. Everybody is utilizing film names. Not a remote consequence is a conclusion which may be reached faster than appears likely at the minute that the air will be so cluttered with celluloid greats and near-greats something else will take their place. In seven air shows which began with the "Hollywood Hotel" program Friday night and terminate with that same show this Friday, approximately twenty-three Hollywood personalities of varying importance will be, or are scheduled to be, heard, but not seen. It makes for air waves glutted with too much of the same glitter and it will not take long before the sad fact is recognized. . . .

▼

Intelligent observers, in and out of radio and chiefly in it, as a consequence believe that the craze for Hollywood names will wash itself out. That, of course, would mean a natural adjustment of what is either a serious exhibitor problem or one which theatre operators are overemphasizing. Our own inclination leans toward the belief the problem is serious, but we draw attention to a significant reaction which may help. The drawing power of any entertainment depends directly on its quality. Many important radio programs had resumed for the fall and winter at about the time "Swing Time" was hitting the first runs. The Astaire-Rogers musical, nevertheless, did very handsomely by itself. We would venture to say other film attractions, as popularly geared as this one, will encounter the same experience. Likewise must it hold that Hollywood players on worthwhile radio shows will enhance the value of those players, reflecting itself, of course, in their next available picture. Likewise again will their standing be damaged if the reverse prevails. . . .

▼

In the period, lengthy or short, which prevails between hordes of Hollywood personalities on the air or few, it is the procedure to suggest that producers on the coast remember their backbones, not to overlook their investments, and exercise some form of control over material and frequency of appearances. Stars being what and who they are, it would be extremely difficult to rule them off radio, as anyone who knows of their vise-like hold on the industry can vouchsafe. It should not be too much of a job, on the other hand, to convince them of the need to preserve their value for future film and radio work alike by a thorough and discriminating, but cooperative, check on ether performances. . . .

▼

And something else. The "Hollywood Hotel" program of Friday last stressed an extremely dangerous situation. Bill Powell and Luise Rainer had been nationally publicized for a boildown scene from "The Great Ziegfeld." Jeanette MacDonald had been similarly treated on the vocalizing end of the same show. Two unknowns replaced Powell and Miss Rainer and, by not too clever glossing over, Ann Jamison, a regular member of the "Hollywood Hotel" troupe, substituted for Miss MacDonald. Technically, Campbell's Soups, the sponsors, and CBS, the network, were in the clear. They did *not* announce these performers were on the air. But significantly, and obviously deliberately, they also did *not* announce they were off it. Taking advantage of the widely known fact that Powell and Miss Rainer had played leads in "The Great Ziegfeld" and Miss MacDonald in "The Merry Widow" and "Rose Marie," announcement in the first case and a musical interlude in the next left the public to draw its own conclusions, which, of course, are obvious. . . .

▼

If we were an exhibitor, already sorely beset, perhaps, in trying to determine if radio is helping or hurting, we would be exasperated, if not downright angry. If the substitute trio were better than the genuine, it fails to help the latter. If they were worse, the answer is the same. On any count and by any approach, the incident smacks thoroughly of misrepresentation and gives the matter a very deplorable turn insofar as M-G-M is concerned. For, as their direct point of contact among the varied interests and groups involved, it is to the distributor that the exhibitor obviously will direct his beef. A proper beef, we might add in sounding off. . . .

"Pastures" Approval Seen As a Precedent

LONDON, Nov. 4.—The lifting of the ban on "Green Pastures" by the British censor board is seen here as establishing an important precedent. Lord Tyrrell, in issuing the permit for the film, has indicated that he does not regard one of the standing rules of the British board as binding in all circumstances.

That rule prohibited the introduction of sacred figures and encountered considerable criticism when it caused the banning of such pictures as "Outward Bound."

Another ruling arising out of the British censor classifications came from the London County Council, which decided that children shall not be allowed to see "horrific" pictures under any circumstances. Previously they were permitted to view them when accompanied by an adult. The ruling probably will be adopted in other sections of the country.

20th-Fox Exchange Sets a Record Here

The local Twentieth Century-Fox exchange chalked up a new record for shipments during any one week in the company, according to Harry H. Buxbaum, branch manager. During the week of Nov. 7, the exchange made 2,345 shipments, of which 1,102 were features, 648 copies of the Movietone News, 374 one-reel subjects and 221 two-reel shorts.

In addition 202 prints were sent out of town to other branches, plus 38 shipments to Broadway operators for screenings.

Schlank Replaces Lotz

CHICAGO, Nov. 15.—Irving Schlank, United Artists manager at Salt Lake City, has been transferred here to take the managerial post of Harry Lotz, who died last week. Schlank is expected on Wednesday.

Carmody in Melcher Job

WASHINGTON, Nov. 15.—Frank Jay Carmody will become the new dramatic editor of the *Evening Star* here tomorrow. He succeeds Edward deS. Melcher.

When their great romance unfolds . . .



an enraptured public will hold its breath . . .

(TURN OVER, WE CAN HARDLY WAIT)

—*and when* MARLENE DIETRICH

their romantic fire for the first takes all the exotic beauty of the greatest temptation since



The GARDEN OF ALLAH

Produced by DAVID O. SELZNICK

and CHARLES BOYER kindle time together on the screen it TECHNICOLOR to depict the Garden of Eden . . . . .



"ENTERTAINMENT OF HIGHEST APPEAL AND STURDY BOX-OFFICE CALIBRE!"
— *Daily Variety*

"BREATH-TAKING IN BEAUTY! A B. O. DRAW!" — *Film Daily*

"THE BEST COLOR PICTURE TO DATE!" — *Louella O. Parsons*

"MOST BEAUTIFUL AND COMPELLING PICTURE EVER MADE!"
— *Hollywood Reporter*

"THIS BEAUTIFUL PRODUCTION WILL PROVE TO BE A SURE-FIRE BOX-OFFICE SENSATION!" — *Lloyd Pantages*

"THE FINEST DRAMA OF THE YEAR AND ONE OF PRODUCER DAVID O. SELZNICK'S GREATEST!" — *Movie Classic Magazine*

"AN EXCEPTIONALLY OUTSTANDING DRAMA THAT WILL APPEAL TO EVERYBODY!"
— *Modern Screen Magazine*

"AN EXQUISITE PRODUCTION. IT MAKES SCREEN HISTORY IN COLOR!"
— *Boston Globe*

SELZNICK INTERNATIONAL
Presents

Marlene *Charles*

DIETRICH · BOYER

in ***The Garden of Allah***

IN TECHNICOLOR

Produced by DAVID O. SELZNICK

Directed by RICHARD BOLESLAWSKI • From the book by ROBERT HICHENS

Released thru

UNITED ARTISTS

World Premiere
THURSDAY, NOVEMBER 19th

RADIO CITY MUSIC HALL

Injunction Against Consolidated Asked

WILMINGTON, Nov. 15.—Chancellor Josiah O. Wolcott yesterday in Chancery Court took under advisement a petition for a preliminary injunction against Consolidated Film Industries, Inc., to restrain the company from filing with the Delaware Secretary of State an amendment to a certificate of incorporation.

The action was taken on a bill of complaint filed by Norman Johnson of New York, a preferred stockholder, who obtained a preliminary injunction against the amendment purported to have been adopted recently by either directors or stockholders of the company.

The bill alleges that 150,000 of the issued 524,973 shares of the common stock are owned by Setay Corp. which, it is alleged, is controlled by Herbert J. Yates, president of Consolidated. Yates and directors of Consolidated are largely interested in the common stock and the purported amendment was proposed to improve the position of common stockholders at the expense of preferred stockholders, the complaint charges.

Consolidated denied the allegations in an answer filed recently.

Cullman to Ask $20,000 More

Howard S. Cullman, trustee for the Roxy, will file a petition in Federal Court on Nov. 27 for an interim allowance of $20,000 for services from Dec. 1935 to date. He has already received $40,000 since he took charge.

In the petition, Cullman states that from June 15, 1934 to Oct. 29, 1936, the theatre made a profit of $352,365. The income from June 15, 1934 to July 2, 1936 was $2,947,570. Operating expense for the same period was $2,302,896.35. From July 2, 1936 to Oct. 29, this year, the theatre showed a profit of $50,116.84. More than 8,000,000 persons have attended the theatre since July 15, 1934, which Cullman states is an average of 10,000 a day. The present assets of the Roxy Theatre Corp. are more than $9,500,000, according to the petition.

A hearing on a reorganization plan is scheduled for Dec. 4 before Federal Judge Francis G. Caffey.

Erpi, A. T. & T. Complaint Upheld

Federal Judge John C. Knox on Saturday refused to dismiss a bill of complaint filed by Stanley K. Oldder, as assignee for creditors of Pacent Electric Co., Inc., against A. T. & T. and Erpi for $6,000,000, charging violation of the anti-trust law.

The judge in an opinion, said: "The complaint, which must be taken as true, discloses a vast scheme to prevent or diminish competition in a field of sound recording and sound reproducing."

As a result, the case must go to trial. The plaintiff was organized in 1928 and manufactured, distributed and sold sound equipment. The defendants had asked a dismissal on the ground the complaint failed to show a cause of action.

Wodehouse Judgment Satisfied

P. G. and Ethel Wodehouse on Saturday satisfied a judgment of $250,703.59 against them for back taxes for the years 1926-31. This sum was paid to Joseph T. Higgins, U. S. Collector of Revenue.

CBS Watching Television, But Interest Is Passive

In view of the great hullabaloo raised recently about television, brought about by last week's RCA-NBC demonstration and by the news of experimental television broadcasts now being conducted by the Don Lee chain in California, radio observers regard it as most amazing to discover that CBS is doing nothing toward development of sight and sound broadcasting.

CBS abandoned all active television experiments some four years ago and to date no orders have been issued toward the resumption of activities. And no such order for the immediate future is contemplated. Its engineers, naturally, have been instructed to keep abreast of developments, but that is all. Not one cent has been spent on television in the past four years by Columbia.

While CBS officials naturally are reluctant to brand television a failure to date, nevertheless the impression they give is that they regard sight and sound broadcasts as being at least 10 years removed. And so they are content to wait.

Sear's Signs with WOR

Sear's, Roebuck recently tried a single test program over WOR with such favorable results that the mail order house, in the interests of its metropolitan and New Jersey outlets, has signed for a thrice-weekly series on the station to begin Dec. 19. The broadcasts will be heard Tuesdays, Thursdays and Saturdays, at 8:15 A.M., and will be conducted by John Gambling. The program will be known as "Gambling's Bargains."

Several other WOR accounts sign renewals this week. Procter and Gamble, for Drene-Shampoo, renew Jack Randolph and His Music beginning Nov. 19. The series is broadcast Mondays, at 8:15 A.M. H. W. Kaster & Sons is the agency. The Fischer Baking Co., through Neff-Rogow, Inc., renew the Transradio News flashes, Mark Hawley conducting, beginning March 9, 1937. The program is heard Tuesdays, Thursdays and Saturdays at 8 A.M.

Brian and Ruggles Tuesday

Mrs. Pat Campbell, Eddie Matthew, and Ada May are Ted Hammerstein's guest nominees on the latter's CBS Music Hall program of Nov. 24. Guests on other programs include Buddy Clarke, the Eton Boys and Virginia Verrill on the CBS Al Pierce Gang shows of tonight, tomorrow and Wednesday, respectively. Buddy Clarke also has been signed as the inaugural guest on Dwight Fiske's new "Fables in Rhythm" program which begins tomorrow night on the CBS network. Picture guests on tomorrow night's Camel Caravan program comprise Mary Brian and Charles Ruggles in their postponed offering of "Elizabeth the Queen," with Ann Sothern added to the guest list early Saturday morning.

"Headin' South" for the I. C.

"Headin' South" is the name of the new program which the Illinois Central is launching over WBBM-CBS, Chicago, 7:30 to 8 P.M., E.S.T., starting Nov. 22.

Ruth Lyon, soprano, and the Chevaliers, a male quartet, will head the entertainment, with a 20-piece string orchestra supplying the incidental music.

The program will be broadcast over WBBM, Chicago; KRNT, Des Moines; WISN, Milwaukee; WCCO, Minneapolis; KFAB, Lincoln, Neb.; WNAX, Yankton, South Dakota; KSCJ, Sioux City, Ia.; and KMOX, St. Louis.

New All-Girl Band

Durelle Alexander, Paul Whiteman's vocalist, has her own band now. This week Durelle begins leading a new all-girl orchestra, which opens a tour in Philadelphia. The nucleus of the new band was the Bon John girl band, recently returned from a European tour. It is quite likely that Durelle's band soon may be in radio competition with Phil Spitalny's band, to date the only feminine aggregation of musicians on the air. Durelle's band already has auditioned for one sponsor, and several other auditions have been set.

O'Neill's on the Blue

The O'Neill's, dramatic serial heard over the NBC-Red five times a week for the past year, will be heard on both the Red and Blue networks beginning Nov. 16. The series, sponsored by Procter and Gamble in the interests of Ivory Soap, will be heard over the Blue, Mondays through Friday, at 11 A.M., E.S.T., and will be the same program as broadcast each afternoon over the Red at 3:45 P.M., E.S.T.

Concert List Growing

Many of radio's most popular artists will take long concert engagements this season, following the favorable debut the other night of Phil Duey. Those who have contracted for tours —and the list grows steadily each week—are Jimmy Melton, Ross Graham, Lanny Ross, Helen Jepson, Igor Gorin, Frank Forrest, Frank Parker, Nino Martini, Nelson Eddy. And, of course, John Charles Thomas and Lawrence Tibbett.

From Films to Radio

Tony Martin, young film singer who was heard in "Sing, Baby, Sing" and "Pigskin Parade," has been signed as the permanent vocalist on the George Burns-Gracie Allen program, heard Wednesdays at 8:30 P.M., E.S.T. over CBS. Martin replaces Jimmy Newell, who is leaving the series on Nov. 25 to devote his entire time to film work.

The G. O. P. and Its Future

Politics returns to the air this Wednesday when Representative Hamilton Fish speaks on "The Future of the Republican Party" at 10:30 P.M., E.S.T., over the Columbia network.

Tompkins, Murray, Et Al

Short Shots: Tommy Tompkins air maestro, is the father of a baby boy. . . . Bill Murray, radio head of the William Morris agency, still in New York, despite reports that he was heading for Hollywood to confer on the proposed Ford-M-G-M program. . . . Ronnie Ames, Fred Waring's press representative, off to Florida for week to visit his family. . . . Ethel Blume now added permanently to the Kate Smith cast. . . . Jan Rubini, bandleader, flying to Hollywood for a vacation. . . . Coach Harry Mehre of the Georgia grid team, set for interview on Elgin Revue broadcast next Saturday, Nov. 21. . . . Eugene Eubanks named production director at Chicago NBC studios, supplanting Nelson Shawn, who resigned to take post at an ad agency. . . . Curtis Mitchell, editor of *Radio Guide*, in town for a short business stay, conferring with ad agencies for magazine schedule. . . .

Detroit Houses Use Radio

DETROIT, Nov. 15.—Local theatres are now using several radio plugs. Through a tieup just made with the Fox, Station WWJ, the *Detroit News*, presents Ty Tyson each noon at 12:30 for a half-hour as "The Man in the Street," Tyson interviewing persons in front of the theatre in much the same fashion as the "Vox Pop" program.

United Detroit theatres use a 15-minute period each evening over Station WXYZ, the King-Trendle outlet, to plug their first runs.

Each Sunday afternoon United Detroit presents a "Children's Hour" from the Regent over WXYZ and on Tuesday nights presents an amateur hour over the same station from the stage of the Broadway-Capital, downtown second run, reopened recently by George W. Trendle when the Madison went to first runs.

The Fox also has a working agreement with CKLW, of Windsor, from time to time presenting a half-hour show at 11:30 P.M., featuring stars appearing on the Fox stage.

What One Cipher Can Do

Four minutes after its conclusion last Monday, the Lux program was in a jam.

Melvin Purvis, G-man responsible for the capture of John Dillinger, was guest. Interviewed by Cecil B. De Mille on police methods at large, Purvis pointed out the average number of murders in London annually ran to 75. In Memphis, he continued, the total was 1,630. Four minutes after the show, the mayor of Memphis had De Mille on the telephone in Hollywood registering a protest; then the police chief telephoned.

What happened was this:

Purvis, reading from script, read 1,630 for Memphis when the actual figure after the script had been checked, was 163. He, thereupon, apologized to the Memphis city fathers.

Tonight when the Lux show goes on again, public apology over the air will be made.

Purely Personal

HOWARD DIETZ and AL LICHTMAN are due today or tomorrow from the coast. WILLIAM F. RODGERS, TOM J. CONNORS, ALAN F. CUMMINGS and WILLIAM A. SCULLY returned yesterday from Chicago.

•

ELENA MIRAMOVA and JEANNE STEWART, coming here to appear in a local stage production of "The Two Mrs. Carrolls"; RUTH GORDON, LOUIS ALLEN, GILBERT MILLER'S general manager, and ROY SIMMONDS of the Fox British office arrive today on the *Queen Mary*.

•

The LOUIS WEINBERGS and the FRED MEYERS on Saturday celebrated wedding anniversaries at Meyers' house at Mt. Vernon. Many film people attended.

•

RICHARD ALDRICH will present a new play, "Aged 26," by ANNE CRAWFORD FLEXNER, which deals with incidents in the life of JOHN KEATS, poet. It opens Dec. 22.

•

BURGESS MEREDITH will do a reading from the play, "Winterset," on Nov. 17 at the *New York Times* National Book Fair. The film version is set for the Music Hall.

•

HARRY SHIFFMAN has been given two gifts marked "Do not open until Christmas." The boys are betting that Shiffman opens the packages before Dec. 25.

•

BEN MIGGINS, Central European manager for Twentieth Century-Fox, was given a party the other way by home office executives.

•

B. SANFORD, JR., Erpi's northeastern sales manager, has returned to the home office from a survey trip through New England.

•

BOBBY BREEN will arrive from the coast on Wednesday. He may make some personal appearances in the east before heading west again.

•

MARC CONNELLY is due on the coast Jan. 1 on a film assignment. His first production effort, "Till the Cows Come Home" is current in England.

•

NATE SPINGOLD and ALEX GOTTLIEB are on the coast attending the Columbia studio conferences on "Lost Horizon."

•

JAMES L. DEMUS, Mexican exhibitor, is in town to buy product. He leaves soon for Greece on a vacation before returning home.

•

MITCHELL LEWIS, who has been visiting in New York for the past six weeks, will leave for the coast Wednesday.

•

CLYDE ELLIOTT has been named special representative for Screeno Amusement Co., covering the eastern and northern sections of the country.

•

LOUIS KENNEL has been commissioned to do the settings for JOHNNIE WALKER'S "This Pretty World."

•

WALTER ABEL, who will play the lead opposite KATHARINE CORNELL in "The Wingless Victory," on leave of absence from RKO, will return to that studio in the spring.

•

FANCHON ROYER has returned to Hollywood by plane after a brief business visit to New York.

•

JOSEPH EMERMOLIEFF left by American Airlines Saturday for the RKO studios in Hollywood.

•

BETTY LAWFORD is in from the coast to appear in "The Women," MAX GORDON show.

•

MEL BERNS and ANN STONE arrived by plane Saturday from the RKO studios.

•

LILY PONS is due tomorrow from Hollywood.

•

JACK PARTINGTON is expected from the coast next week.

•

FRITZ LANG may direct a show for HERMAN SHUMLIN.

•

MEI LING, Chinese actress in "Song of India," has been signed by DOUGLAS MACLEAN for his film "China."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Born to Dance"

(M-G-M)

HOLLYWOOD, Nov. 15.—Music and dancing, comedy and romance, spectacle and glamor are the elements out of which "Born to Dance" is woven. Produced on a lavish scale, the film is a splendid second vehicle for Eleanor Powell, one in which James Stewart takes definite steps up the ladder and in which Virginia Bruce, Una Merkel, Sid Silvers, Frances Langford, Raymond Walburn, Alan Dinehart, Buddy Ebsen and Reginald Gardiner score. It is an audience treat which exhibitors should delight in selling. The picture seems assured of a high spot in the list of the year's real money-makers.

Paced by comedy in which Silvers, Miss Merkel, Ebsen and Walburn dominate, and to which Gardiner contributes a hilarious specialty, but of which Miss Powell and Stewart are a definite part, the motivation is a gayly atmosphered love story. The embellishing quantities of music, dancing, girls, glamor and class production feature Miss Bruce, Miss Langford and Miss Powell in the tingling music and Miss Powell and Ebsen in tap and specialty dances that had the preview crowd applauding enthusiastically.

Dealing with jack-tars adventuring in the realm of romance, the picture moves at a speedy clip with never a letdown as one situation follows another. Roy Del Ruth's keenly pointed direction extracts the full value of the story from the talents of the various people. Interest is spontaneous and continues in a high key. A film that should excite the attention of any kind of audience in any competition. The music and lyrics by Cole Porter are just as much a part of the show as the dialogue situations created in the Jack McGowan-Sid Silvers-B. G. De Sylva original which McGowan and Silvers transposed to the screen. Ray June's photography is artistic.

The film evidences a brand of teamwork on the part of the principals and the support that retains all the necessary merits of good musical comedy and further introduces several unique departures certain to impress audiences. Jack Cummings produced.

Production Code Seal No. 2,707. Running time, 105 minutes. "G."

Mussolini, Jr., to Coast

ROME, Nov. 15.—Film circles here yesterday were informed that Premier Mussolini has given his consent to the plans of his son, Vittorio, to go to Hollywood next spring following his marriage. He expects to spend several months in Hollywood before returning to take up film work here.

Rodgers Tells Men Of Business Gains

CHICAGO, Nov. 15.—William F. Rodgers closed his sales meeting with district managers of M-G-M here with a statement in which he said that during his 30-day trip around the country he had found business amazingly good with big pictures grossing better than in boom days. The Metro sales manager added that he has closed more than 75 per cent of the country and that sales are well ahead of last year. Metro, he said, is trying out its own checking system but thus far no decision has been made regarding its retention.

Shift Staff at Stanley

PITTSBURGH, Nov. 15.—In a general realignment of the staff at the Stanley, Bill Beck has been replaced as assistant manager by Jules Green, from the Schenley in Oakland. Lou Gilbert has been transferred from the Warner to the Stanley as manager pending the return to duty of Bill Scott, who has been ill for several weeks.

Rome Film Congress Set

VATICAN CITY, Nov. 15.—An international congress of Roman Catholic laymen interested in films will be held in Rome in mid-December, it was stated here yesterday. The Congress will be conducted in accordance with the principles set forth in the Pope's encyclical of last summer concerning clean films.

Deer Take Cover As Nimrods Grasp Guns

DETROIT, Nov. 15.—With the opening of the deer hunting season, many local film men are turning to the northern Michigan peninsula, each in quest of his alloted buck. William Flemion, sales manager for Excellent, and William H. Mattingly, handling the Allied-Chesterfield pictures in this territory, left Friday to be gone for several days, as did Harold C. Robinson, president of Film Truck Service, who went north with a party of local police officials to be gone 10 days.

Walter R. Stebbins, owner of the Film Exchange Bldg.; George Wilber, Wyandotte exhibitor, and Al Ruttenberg, owner of the Iris and Oliver, were others who left over the week end to pursue the deer.

Hamrick Makes Changes

SEATTLE, Nov. 15.—Further management changes in the Hamrick-Evergreen circuit's downtown houses brings Don Geddes and Clyde Strout, manager and assistant manager of the Orpheum, to the Music Hall. James Q. Clemmer, former Music Box manager, has replaced Geddes, and Roy Bialkowsky, former assistant at the Fifth Ave., will replace Strout. Ron Kelly is now manager of the Music Box, succeeding Clemmer, and John Berg is assistant at the Fifth Ave., succeeding Bialkowsky.

Empire Sale Thursday

The bankruptcy sale of negatives, prints and equipment of Empire Laboratories, Inc., will be held on Thursday by John Grimshaw, Jr., Federal referee, at West New York, N. J., under an order from U. S. District Court.

Dudelson Recovered

DETROIT, Nov. 15.—Moe Dudelson, local United Artists branch manager, who was injured several weeks ago in an auto crash near Grand Rapids, has recovered and is back on the job. Leonard Soskin, state salesman, who was less seriously injured in the crash, also is covering his territory again.

George Lang Injured

BALTIMORE, Nov. 15.—George Lang, manager of the Broadway, is laid up at home with cuts and bruises and an injured back received in an automobile accident.

Zukor to Give Medals

HOLLYWOOD, Nov. 15.—Exhibitors who played "Queen Elizabeth," Adolph Zukor's initial feature release in this country, will receive specially struck, personally engraved silver medallions during the celebration of Paramount's Silver Jubilee in his honor.

Watts Now City Manager

WHEELING, W. Va., Nov. 15.—Harry B. Watts, formerly manager of the Palace, Worcester, Mass., has been appointed city manager of the West Virginia Theatrical Enterprises, which operates five houses here.

European Films Leases

European Films Corp., importers of foreign product, has leased space in the RKO Bldg. for immediate occupancy. Max A. and William Goldberg head the company.



YOU'RE GOING TO HAVE

3 MEN

AT YOUR HOUSE FOR

THANKSGIVING . . . . . *if you're smart!*



211 Important Theatres Are Set To GO GAY..IN A BIG WAY..FOR THE HOLIDAY

with

"3 MEN ON A HORSE"

ITS LAUGHS ARE HYSTERICAL . . . ITS STAGE SUCCESS IS HISTORICAL!
Actually 2 capacity years on Broadway and still running! Actually 10 road companies setting international records in 5 countries! And actually getting more Thanksgiving bookings than any picture ever released by

Warner Bros.

FRANK McHUGH
JOAN BLONDELL

GUY KIBBEE • CAROL HUGHES • ALLEN JENKINS • Sam Levene • Teddy Hart • A MERVYN LEROY PRODUCTION

A First National Picture

Florida Gains Speed Theatre Building Pace

MIAMI, Nov. 15.—Last year's successful season is being reflected in new theatre construction in this state. Three new houses have been added to the list of projects.

Paramount Enterprises is to build a $250,000 house at Miami Beach, with the idea of rushing construction for an opening date Jan. 15. Sparks is planning a 500-seater at Bradentown, the second for this circuit in that city.

A new house has just been opened at Vero Beach by Clinton Ezell and R. N. Koblegaurd, Jr. Work also has been started on the renovation of the Prince at Pahokee and the remodeling of the Victoria at New Smyrna.

The old Stuart at Stuart has been condemned and will be razed.

Carolinas Get New Houses

CHARLOTTE, Nov. 15.—Three more new houses are being erected in South Carolina and one in North Carolina.

One of the new South Carolina houses is at Columbia. It will replace the Imperial and will be known as the Center. Palmetto Amusements, Inc., intends to spend $100,000 on the building. Another South Carolina house is at Newberry. It will be owned by T. E. Davis and will be managed by Mrs. C. H. Albrecht. A third, to be built by Greenville Enterprises, will be at Greenville.

The new house for North Carolina will be at Spruce Pine. It will be a 500-seater for Cherokee Amusement Co., Inc. At Burlington, N. C., new acoustical treatment and sound are being introduced at the Paramount.

Canadian Field Active

TORONTO, Nov. 15.—After having been completely rebuilt, refurnished and re-equipped, the Park, operated by H. Alexander for years, has been reopened as the Lansdowne. It serves the northwest section of Toronto.

Another rebuilding job, the Greenwood, has been completed in the East End. After reconstruction from front to back the house has been reopened as the Guild.

W. H. Furlong, a newcomer to the theatre business, is completing a new house in Windsor, Ont., which will be called the Vanity.

The Plaza, seating 950, has replaced the old Maple Leaf in Vancouver, the owner being John Dawson.

The Capitol is under construction in Sarnia, Ont., and work is proceeding on a new theatre in Hull, Quebec, by Famous Players Canadian Corp.

Remodel at Terre Haute

TERRE HAUTE, Ind., Nov. 15.—The Lyceum here is being remodeled without closing the house.

In West Terre Haute the name of the Grace has been changed to the West and the house has been opened under new management. The Victory has been purchased by Ben Van Borsuum, operator of the Savoy.

Five Building in Ohio

CLEVELAND, Nov. 15. — Five new houses are being built in Ohio.

John Robertson expects to complete a new one at Blanchester by the first of the year. The Parma here has just been opened by Paul Guadanovic, Howard Reif and James E. Scoville. Earl Seitz and John Damm are to build at Sandusky. C. A. MacDonald has started a downtown 1,000-seater at Columbus. Chakeres Theatres, Inc., plan an 800-seat house at Springfield.

The Libson-White interests have taken over the Lyric at Greenfield.

Build in Connecticut

NEW HAVEN, Nov. 15.—Theatre activity in Connecticut includes the construction of three new houses, remodeling of three and the sale of two.

The construction jobs are: Hamden, 944-seater for Bailey Brothers; Bridgeport, new house on Park Ave. for Antham Prakas, and Fairfield, 500-seater for John Dombi.

The remodeling jobs include extension of the back wall of the American at Bridgeport; a $12,500 renovation of the Strand, Hamden; the improvement of the Bostwick at Bridgeport, which has just been taken over by Harold Tabachman. The Rivoli at Bantam will be reopened for a trial by Steve Panora.

Build at Winchester, Mass.

BOSTON, Nov. 15.—E. M. Loew has started a $125,000 house in Winchester. This town, the wealthiest in the country, has banned films for 20 years. Albert Locatelli, denied a license to build by the selectmen, led the fight waged during the past few years to induce residents to allow a theatre within the town limits. M. P. Theatres Corp. and the Morse-Rothenberg circuit also attempted to obtain licenses to construct.

Parker to Open House

KANSAS CITY, Nov. 15.—H. A. Parker, who has, for several years, operated a circuit in smaller Missouri and Kansas communities with portable equipment, will open the old Indiana next week. Parker has spent considerable in remodeling and redecorating the theatre, which was dark for several years, and will call it the 41st St. Theatre. He will manage the house himself and will continue his portable circuits.

To Open Seattle House

SEATTLE, Nov. 15.—Hamrick-Evergreen Theatres, Inc., plan to reopen the Music Hall here within the next few weeks. It is expected the house will be operated on a film-vaudeville policy, with a strong probability that dual features will be shown. Top admission of 35 cents is contemplated.

To Remodel at Frisco

SAN FRANCISCO, Nov. 15.—Al Levin will spend $60,000 on the remodeling of the Ellis St. The house was formerly the Princess.

Transfer Tacoma House

SEATTLE, Nov. 15.—The Rose at Tacoma has been acquired by Robert Buffum. It is to be remodeled and renamed the 11th St.

Flynn Joins Warners

KANSAS CITY, Nov. 15.—William Flynn, for seven years salesman for Fox and its successor, Twentieth Century-Fox, in Kansas, has succeeded Fred Greenburg as salesman for Warners in the Northern Missouri territory.

Theatres Gain In Farm Belt Despite Worry

KANSAS CITY, Nov. 15.—In spite of all the predictions of disaster in the farm belt during the drought and sandstorm period of early summer, business gains are being reflected in new building on a scale that has not been seen for years.

In Kansas, Missouri, Nebraska and Iowa 15 new theatres are under way, 18 are undergoing renovation, two others are having new sound installed and two have been sold lately. These figures are in addition to statistics previously reported.

Of these latest additions to the list of new projects five are in Kansas and two are in Missouri.

The new Kansas houses are: Fredonia, White Way, 1,000 seats, operated by A. W. Pugh; Wichita, Civic, a $75,000 house operated by O. F. Sullivan; Girard and Columbus, to be operated by Joe Lenski; Sublette, operated by Elland & Luft; Anthony, 750 seats, operated by Charles H. Barron and Mrs. Barron.

Kansas houses being renovated are: Eldorado, Iris, by Fite Brothers; Cedarvales, Mystic, by William Leonard. New sound is being installed at the Fox Lincoln, Kansas City. Lee Sproule has taken over the Rialto at Marysville, Kan.

The new Missouri houses are at Clarence, to be operated by V. G. Green, and Carthage, to be owned by J. D. Wineland.

In Oklahoma T. Miller Davidge is building a $35,000 house, the Plaza, at Durant.

Iowa construction includes a $25,000 house for Robert A. Oliver at Onawa, and one for Frank Anderson at Corydon. A. H. Blank has just bought the Paramount at Waterloo from A. J. Straus, trustee. W. H. Mart has reopened the Strand at Newton after redecoration. The Tri-State at Iowa City is being remodeled.

Nebraska theatre activity also is picking up. Harry E. Schiller is building a 700-seater at Grand Island and E. Boyles has just opened the Bartlett at Bartlett. Renovation includes the Lyric, owned by H. F. Kennedy at Broken Bow, and Milt Overman's Varsity at Lincoln. W. Danohue will open a new house soon at Avon, S. D.

Denham Being Improved

DENVER, Nov. 15.—A $30,000 remodeling program is under way at the Denham. New Mirrophonic sound is one of the features, according to B D. Cockrill, owner.

Will Build at Charleston

CHARLESTON, W. Va., Nov. 15.—Fred and Charles A. Middleburg, who operate several houses, will build a $150,000 house at Logan. It will seat 1,000 and will be equipped for stage shows.

The Capitol at Wheeling has been sold by T. T. McCamic and Carol O. Schmidt, receivers, for $240,000 to Wheeling Theatres, Inc. The house has been dark for some time.

N. O. Territory Active

NEW ORLEANS, Nov. 15.—After a complete remodeling job which included the installation of Mirrophonic sound the New Center has been opened by Henry Lazarus. Lazarus also has remodeled the Wonderland.

Remodeling of the Liberty has been completed by the Mort Singer interests.

Three Added in Georgia

ATLANTA, Nov. 15. — Two new houses have just been opened in this state and a third is under construction.

One new house, the New Georgia at Statesboro, was given an elaborate opening. Another, a Lucas and Jenkins unit, is at Barnesville. A third, at Thomasville, is under construction. It will be called the Mode. The Gem at Barnesville is being remodeled.

Remodel at Winnipeg

WINNIPEG, Man., Nov. 15.—R. Besler spent no less than $40,000 on the Park Theatre, Osborne Street, Winnipeg, to make it practically a new house, little being retained except the site and the walls. After being dark for a considerable time, the Park is open once more.

Remodel in Alabama

MOBILE, Nov. 15.—A $12,000 remodeling job is to be done on the Crescent. The Alabama at Birmingham is installing new sound.

New Orleans Reports Business on Upgrade

NEW ORLEANS, Nov. 15.—The film business is on the upgrade throughout the territory, according to reports from many spots.

New houses have been erected and improvements to others are general. This city has had a number of hold-overs of late, something unknown for several years. Admission scales have not been raised.

The Federal Government has spent $96,000,000 in this state and the results are being felt.

Charter Three Companies

SACRAMENTO, Nov. 15.—New companies incorporated here include Singers Midgets, which lists as its directors Felix M. Cunningham, Leo Singer and John H. Tracy; The Motion Picture Industry for Picture Exploitation, directors, John Henry Peckham, Jr., Felix Cunningham, and Amy Wulf, and Continental Pictures, production and exhibition, directors, Frank Yrigoyen, John P. McCarthy and Elizabeth McCarthy, capitalization, 2,500 shares of no par value stock.

Theatre Firm Formed

WILMINGTON, N. C., Nov. 15.—Wilmington Theatres, Inc., with principal office here, has been chartered to operate theatres. The principals include George W. Bailey, E. G. Stellings, J. M. Autry and Isabel R. Bailey.

Richey Gets Nordland

CINCINNATI, Nov. 15. — Beaman Richey, assistant manager of the RKO Shubert, has been made manager of the Nordland, a neighborhood house in the Libson-White circuit. He succeeds Emmett Lyons, who has been transferred to Greenfield, O., to manage the Lyric, a recent Libson-White acquisition.

HOOVER HIM



The First authentic and authorized inside peep behind the scenes with the G-Men! You've seen actors before — these are the G-Men THEMSELVES in action! Led by the Nation's Crime Catcher No. 1 — J. EDGAR HOOVER!

YOU CAN

AWAY W

THE MOST SENSATIONAL TWO
EVERY COMPANY WANTED IT!

SELF in action!



Get the special trailer! Get the special press book! Get behind it and SELL IT as something that comes to your theatre once in a lifetime! It's the showmen's plum of the century!



'T GET ITH IT!

REEL SCOOP IN FILM HISTORY!
THE NEW UNIVERSAL GOT IT!

K. C. Theatre Status Best Since Slump

KANSAS CITY, Nov. 15.—Judging by material improvements, the number of seats in use, and continuity of ownership, the general theatre situation in Greater Kansas City is the best since the depression, and perhaps better than it ever has been. Some theatres may be doing less well than formerly, but for the most part this is not evident.

The biggest improvement has been made by subsequents. This is due to the trend away from downtown first runs toward suburban theatres which started some years ago.

Another factor is the easing up of money in the last year or two. The competitive situation is keener than it has been. This is indicated by the low average admission in Kansas City, a little over 16 cents, which is considered one of the lowest for any city this size in the country. Practically all houses are showing doubles six or seven nights a week. One house offers two features for seven cents one night a week; another a triple at 15 cents. A part of any increase in box-office income is going into premiums or money giveaways. These conditions explain, somewhat, why in spite of gains, exhibitors as a rule are not bragging about income.

Much Renovation and Building

There are more seats than there were three years ago. Most of the theatres closed now were closed then, but some that then were dark have reopened. In addition, some theatres have increased their seating capacity, and there are new houses.

A brief review of what has happened in the last three years, much of it in the past year, bears out these points:

Substantial modernizations have taken place in the case of the Fox Rockhill; the Bijou; the Mary Lue (reseating, cooling system, etc.); the Westport, Roanoke, State, Sun, Gillham, St. John; National (new refrigeration system), and the Forty-first St., formerly the Indiana, which was closed throughout the depression except for a brief interlude about two years ago. In Kansas City, Kan., the Pershing has been reseated and modernized, the Rosedale modernized, and the Midway has added additional seats, refrigeration, etc. Colored houses: the Fox Lincoln, almost completely rebuilt at a cost of around $50,000; the Hollywood, and the Princess, which has just increased seats from 450 to 760.

New Negro House Opened

W. D. Fulton is building a new 1,000-seat house, the Brookside, for occupancy the end of the year. Fulton's State, Kansas City, Kans., a 400-seat house, has just celebrated its first birthday anniversary. The Castle is a new 775-seat house opened this year to colored patronage.

Of the five first runs, the Tower is the product of the depression. This 2,200-seat house, formerly the Pantages, was closed for some years before it was opened about two years ago. Its subsequent run neighbor and corporate affiliate, the Downtown, has been modernized.

Continuity of ownership is one of the strongest indices of an improved condition, inasmuch as a frequently changing ownership is almost synonymous with poor business in a particular house.

The Bijou, dark until about two years ago, when J. W. Cotter took it over, raised its prices last fall, the first and only theatre in Kansas City so far that has done so. Several changes in the ownership of the Mokan occurred over a period of years until it went to W. D. Fulton last fall. Prior to two years ago, when E. S. Young took it over, the Roanoke was closed and opened spasmodically under several owners. The State, formerly the Diamond, was closed, but two years ago it was taken over by C. E. Esterly.

The Central has been regularly operated for about three years by the same owner. It was open and closed before. The Gillham, dark for a long time early in the depression, has been open the past three years. The Prospect's ownership has been stabilized. The LaSalle, closed for years has been operating under the same owner for three years.

WPA Theatre in Delaware

WILMINGTON, Del., Nov. 15.—Work will start immediately on the construction of a WPA Federal Theatre, following approval of the plans in Washington.

Out Hollywood Way

HOLLYWOOD, Nov. 15.—HAL WALLIS back on the coast with FERNAND GRAVET . . . ANNE NAGEL fully recovered from appendix operation. . . . HAL ROARK and PAUL PRICE added to HOWARD STRICKLING'S publicity staff at M-G-M.

MARCELLA KNAPP, assistant casting director at M-G-M, back from New York. . . . ED SELZER moves into new house midway between Warner studio and golf course. . . . EDDIE COURT, assistant to DAVE GOULD for four years, signed by HAL ROACH to direct dance sequences in "Pick a Star."

WALLACE BEERY borrowed from M-G-M by Twentieth Century-Fox for "The Last Slaver." . . . Little ANN GILLIS only new player in new Jones family comedy, "At the County Fair," Twentieth Century-Fox.

✚

Casting—EDWARD EVERETT HORTON signed by Radio for next Astaire-Rogers musical, tentatively called "Stepping Toes." . . . ROLAND YOUNG in "Call It a Day," Warners. . . . BRUCE CABOT and MARGARET LINDSAY in "Sinner Take All," M-G-M.

PHILIP HUSTON, LOUISE LATIMER, VINTON HAWORTH and FRANK M. THOMAS in "We, the Jury," Radio . . . LUIS ALBERNI in "The King and the Chorus Girl," Warners. . . . JOHN HAMILTON and PAT GLEASON in "Missing Men," Republic. . . . BILLY GILBERT and LILLIAN NICHOLSON in "Interlude," Columbia.

MILES MANDER, JANE DARWELL, GAVIN MUIR, DON AMECHE and WALTER CATLETT in "Love Is News," Twentieth Century-Fox. . . . VIRGINIA GRAY, WILLIE FUNG and JACK MULHALL in "Secret Valley," Sol Lesser. . . . GUINN WILLIAMS in "A Star Is Born," Selznick International.

JONATHAN HALE, GEORGE RENEVANT and EDWARD THOMAS in "Blonde Dynamite," Universal. . . . BRYANT WASHBURN in "The Mandarin Mystery," Republic. . . RALF HAROLDE and EDWIN MAXWELL in "Missing Men," same studio. . . . BILLY GILBERT, JACQUES LORY and AUGUSTINO BORGATO in "Maytime," M-G-M. . . . GLADYS GEORGE in "They Gave Him a Son," same studio.

✚

Writers—At Radio, JOEL SAYRE on the screenplay of "Lady Average," LAWRENCE POHLE and CHARLES KAUFMAN collaborating on "A Love Like That," and HARRY SEGALL doing the script of "Take a Number." . . . TREM CARR signs SCOTT DARLING to adapt an untitled story for JOHN WAYNE.

✚

Story Buy—"Bulldog Drummond Meets a Lady," by Paramount and retitled "Bulldog Drummond's Romance." . . . "The Composite Man," by RONALD JEANS, by M-G-M.

✚

Director—EUGENE FORDE to "Step Lively, Jeeves," Twentieth Century-Fox.

✚

Musicians — WERNER HEYMANN and TED KOEHLER doing two songs for MERVYN LEROY'S "The King and the Chorus Girl," Warners. . . . NACIO HERB BROWN and ARTHUR FREED writing "Smoke Dreams" for "After the Thin Man," M-G-M.

✚

Title Change—Columbia changes "Grand Old Woman" to "Woman in Distress."

Roach Starts Musical

HOLLYWOOD, Nov. 15.—Hal Roach has started "Pick a Star," which will be budgeted at the highest figure in Roach history. The cast will include Jack Haley, Laurel & Hardy, Mischa Auer, Patsy Kelly, Lyda Roberti, Rosina Lawrence and the Beau Brummels. The picture will be a musical and 160 dancers will be used in numbers directed by Edward Court. Edward Sedgwick is director and production supervisor. The story is by Richard Flournoy, Arthur Vernon Jones and Tom Dugan, with music and lyrics by Fred Stryker and John Lang.

Technicians Elect Heads

HOLLYWOOD, Nov. 15.—Election of chairmen of the five sections of the Technicians' Branch of the Academy for the coming year resulted as follows:

Art Directors' Section, Bernard Herzbrun; equipment section, Peter Mole; film editors' section, Harold J. McCord; photographic section, Ray June; sound section, William Mueller.

Murphy Replaces Lang

HOLLYWOOD, Nov. 15. — Because Walter Lang, director, is confined to his home with a severe cold, Ralph Murphy has been assigned by Universal to carry on direction of "Top of the Town."

Variety Club

Cincinnati

CINCINNATI, Nov. 15.—The following candidates have been named for the balloting at the election to be held Nov. 23: Chief barker, HARRY J. WESSEL; first assistant chief barker, ARTHUR M. FRUDENFELD; second assistant chief barker, FRANK W. HUSS, JR., and MANNY SHURE; dough guy, RALPH KINSLER; property master, JOE KOLLING; canvassmen, WILLIAM BEIN, HAROLD BERNSTEIN, JAMES J. GRADY, HARRY HARTMAN, WILLIAM T. HASTINGS, WILLIAM KOEGEL, PAUL E. KRIEGER, IKE LIBSON, ALLAN S. MORITZ, WILLIAM ONIE, JOSEPH J. OULAHAN, MERRILL J. SCHWARTZ and ELMER SHARD.

Approximately 20 barkers attended the "Cincinnati Night" at the new quarters opened recently by the Indianapolis Tent.

Kansas City

KANSAS CITY, Nov. 15.—WILLIAM WARNER, Warner exchange manager, and EARL JAMESON, Nimrods extraordinary, will hold their first annual venison barbecue tomorrow at Variety Clubrooms. The strictly stag affair will be furnished with barbecued stag as a result of Warner and Jameson's recent trip to Colorado and Wyoming. They've had the venison in cold storage since their return.

MRS. LES DURLAND has been elected head of Variety Club's auxiliary. The group meets the second Wednesday in each month for lunch and cards at Variety clubrooms.

It also holds an annual charity bridge scheduled this year for Dec. 9, with MRS. ROBERT F. WITHERS in charge of arrangements.

Milwaukee

MILWAUKEE, Nov. 15.—The local chapter of Variety will sponsor a midnight preview showing of "Camille" Nov. 28 at Fox's Wisconsin with the entire proceeds going into its Heart of Variety fund. It is planned to embellish the program with a symphony orchestra, selected shorts and other novelties and admission will be limited to advance ticket holders. H. J. FITZGERALD, general manager, Fox-Wisconsin Theatres, is general chairman of the event.

Philadelphia

PHILADELPHIA, Nov. 15.—With only about a month to go before the second annual stag dinner of Tent No. 13, the committee in charge, headed by Chairman BEN AMSTERDAM, expects 1,000 attendance. The December 13 affair at the Bellevue-Stratford Hotel will be attended by home office executives as well as film men from Philadelphia and adjoining territories.

November nights are scheduled as follows:

FRANK FOGEL, 21; HARRY BIBE, 28.

The Ladies' Auxiliary will hold its party Dec. 5.

Wednesdays have been selected as guest nights. Saturdays continue as cabaret nights.

The next king for a day luncheon will be held Nov. 18, with FRANK MCNAMEE and BILL MANSELL in charge.

The board of directors will be elected Nov. 20 at a general meeting of all barkers. A board meeting is scheduled for Dec. 13.


The luscious little dame with the lips
you'd love to kiss . . . You've seen her in the lip-stick ads . . . now MEET her in the CLINCHES . . .
"Smartest Girl in Town"



Pull yourself together for the laugh show of the season!... A big box-office cast of favorites in the high-hat, low-down romance of a model with a million-dollar figure and a man with a million-dollar bankroll!



His boss knows all about women...and the butler knows all about his boss!



The fire-eating Baron meets the wise-cracking spinster—and the fun begins!



When cheek meets cheek in a hug of war!

GENE RAYMOND
ANN SOTHERN

in

Smartest Girl in Town

with

HELEN BRODERICK
ERIC BLORE
ERIK RHODES
HARRY JANS

Directed by Joseph Santley
Produced by Edward Kaufman

RKO Radio Pictures

PRINTED IN U.S.A.

Washington's Best Showing Is by "Cain"

WASHINGTON, Nov. 15.—"Cain and Mabel," at the Earle theatre topped the first runs with $19,000, thus exceeded average by only $600.

"A Midsummer Night's Dream," at the Metropolitan, took $5,400, over par by $1,100. "Dimples," on a return engagement at Loew's Columbia, was good for $4,000, over the house average by $400.

Total first run business was $68,800. Average is $76,700.

Estimated takings, exclusive of tax:

Six Days Ending Nov. 5:

"THE BIG BROADCAST OF 1936" (Para.)
LOEW'S PALACE—(2,370), 35c-55c, 6 days, 2nd week. **Gross:** $8,000. (Average, first week, $15,900)

Week Ending Nov. 5:

"CAIN AND MABEL" (W.B.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Don Bestor & Orchestra, Neil Buckley, "Ducky" Yontz, Allen & Kent, Eddie White. **Gross:** $19,000. (Average, $18,400)
"PIGSKIN PARADE" (20th-Fox)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Johnny Perkins; Pete, Peaches & Duke; Martha Mears; Jean Goodner; Elaine Arden, Picchiani Troupe. **Gross:** $19,000. (Average, $20,900)
"DIMPLES" (20th-Fox)
LOEW'S COLUMBIA—(1,264), 25c-40c, 7 days (return engagement). **Gross:** $4,000. (Average, first run, $3,600)
"A MIDSUMMER NIGHT'S DREAM" (W. B.)
METROPOLITAN — (1,591), 25c-40c, 7 days. **Gross:** $5,400. (Average, $4,300)

Eight Days Ending Nov. 5:

"A WOMAN REBELS" (Radio)
RKO-KEITH'S — (1,836), 25c-55c, 7-1/3 days. **Gross:** $10,000. (Average, 7 days, $10,600)

Nine Days Ending Nov. 5:

"LES MISERABLES" (Franco-American)
BELASCO—(1,140), 25c-65c, 9 days (first 7, two-a-day; last 2, four-a-day). **Gross:** $3,400. (Average, 7 days, $3,000)

"Libeled" $9,500 Grosser in Omaha

OMAHA, Nov. 15.—"Libeled Lady" was decidedly in the hit class with a $9,500 take at the Paramount, over normal by $2,300.

"Pigskin Parade," on a dual with "Postal Inspector," also made an excellent showing, $8,500, which exceeded par by $1,000 at the Orpheum, and "A Woman Rebels" and "The Man Who Lived Twice" took $4,800 at the Brandeis. This topped average by $800.

Total first run business was $27,900. Average is $24,200.

Estimated takings:

Week Ending Nov. 10:

"A WOMAN REBELS" (Radio)
"THE MAN WHO LIVED TWICE" (Col.)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $4,800. (Average, $4,000)
"THE MAGNIFICENT BRUTE" (Univ.)
"LADY BE CAREFUL" (Para.)
OMAHA—(2,200), 25c-40c, 6 days. **Gross:** $5,000. (Average, $5,500)

Week Ending Nov. 11:

"LIBELED LADY" (M-G-M)
PARAMOUNT—(2,900), 25c-35c-55c, 7 days. **Gross:** $9,500. (Average, $7,200)

Week Ending Nov. 12:

"PIGSKIN PARADE" (20th-Fox)
"POSTAL INSPECTOR" (Univ.)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $8,500. (Average, $7,500)

"Get It" a $9,200 Leader in Portland

PORTLAND, Nov. 15.—"Come and Get It" at the United Artists headed the first runs with a take of $9,200, over par by $4,200. Frances Farmer appeared the first two days.

At the Paramount "Ladies in Love," doubled with "Three Married Men," drew $7,500, bettering average by $2,500. "Libeled Lady" and "Case of the Black Cat" in a second week at the Broadway, took $6,000, over par by $1,000.

The maritime strike continues.

Total first run business was $38,200. Average is $24,700.

Estimated takings for the week ending Nov. 7:

"LIBELED LADY" (M-G-M)
"CASE OF THE BLACK CAT" (F. N.)
BROADWAY—(1,912), 30c-35c-40c, 7 days, 2nd week. **Gross:** $6,000. (Average, $5,000)
"THE BIG BROADCAST OF 1937" (Para.)
BLUE MOUSE—(1,700), 30c-35c-40c, 7 days, 3rd D. T. week. **Gross:** $2,000. (Average, $1,700)
"THE PRESIDENT'S MYSTERY" (Republic)
"FOLLOW YOUR HEART" (Republic)
MAYFAIR—(1,700), 30c-35c-40c, 7 days. **Gross:** $5,000. (Average, $3,000)
"PIGSKIN PARADE" (20th-Fox)
"ADVENTURE IN MANHATTAN" (Col.)
ORPHEUM—(1,700), 30c-35c-40c, 7 days. **Gross:** $8,500. (Average, $5,000)
"LADIES IN LOVE" (20th-Fox)
"THREE MARRIED MEN" (Para.)
PARAMOUNT—(3,008), 30c-35c-40c, 7 days. **Gross:** $7,500. (Average, $5,000)
"COME AND GET IT" (U. A.)
UNITED ARTISTS—(945), 30c-35c-40c, 7 days. **Gross:** $9,200. (Average, $5,000)

"Pepper," "Flight" Lead in Oklahoma

OKLAHOMA CITY, Nov. 15.—"Pepper" and "Border Flight" were the only combination to stand up in the face of competition furnished by the election and the presence of a Major Bowes amateur unit at the Shrine. The take on this dual at the Liberty was $2,500 in four days. Normal for a week is $2,500.

"The General Died at Dawn" at the Liberty, "A Midsummer Night's Dream" at the the Midwest and "Two in a Crowd" at the Capitol found the going rough.

Total first run business was $12,200. Average is $13,500.

Estimated takings for the week ending Nov. 7:

"THE GENERAL DIED AT DAWN" (Para.)
CRITERION—(1,700), 10c-25c-35c-55c, 7 days. **Gross:** $4,000. (Average, $5,000)
"A MIDSUMMER NIGHT'S DREAM" (W. B.)
MIDWEST—(1,500), 10c-25c-35c-55c, 7 days. **Gross:** $3,000. (Average, $4,000)
"TWO IN A CROWD" (Univ.)
CAPITOL—(1,200), 10c-20c-26c-40c, 7 days. **Gross:** $1,900. (Average, $2,000)
"PEPPER" (20th-Fox)
"BORDER FLIGHT" (Para.)
LIBERTY—(1,500), 10c-25c-35c, 4 days. **Gross:** $2,500. (Average, for week, $2,500)
"TOO MANY PARENTS" (Para.)
"36 HOURS TO KILL" (20th-Fox)
LIBERTY—(1,500), 10c-25c-35c, 3 days. **Gross:** $800. (Average, for week, $2,500)

Trailer Sales Drive On

Theatre Trailer Service has inaugurated its first sales drive, according to Walter Freudenberg, general sales manager. The seven-week drive will end Dec. 19.

Al Auster, formerly with National Screen, has joined the company's metropolitan sales force.

Studios in Slight Drop; 37 in Work

(*Continued from page 1*)

Promise to Pay," at Columbia; "Sinner Take All," M-G-M; "Round-up Time in Texas," Republic; "Jones Family at the County Fair" and "Secret Valley," Twentieth Century-Fox; "History Is Made at Night," Walter Wanger, and "A Star Is Born," Selznick International.

Columbia had four features shooting, five in preparation and six editing. Samuel Goldwyn had zero, zero and one; M-G-M, four, one and 13; Paramount, four, three and nine; Republic, one, four and five; Radio, three, one and six; Roach, one, one and two; Selznick International, one, zero and zero; Twentieth Century-Fox, seven, two and seven; Universal, four, one and two; Walter Wanger, two, zero and zero; Warners, six, one and seven; independents, zero, two and two.

In the shorts division Columbia had none shooting, three preparing and five cutting. M-G-M had one, five and seven; Radio, zero, one and two; Roach, one, one and one.

Intermountain Men Honor Chet Miller

DENVER, Nov. 15.—Following the northern district regional meeting of the Fox Intermountain division here, a dinner was held at the Denver Athletic Club to honor Chet Miller, who has resigned as district manager. Because of his health and the traveling necessary for a district manager's job, Miller requested a change, and he will go to Missoula, Wyo., to be city manager of the Wilma, Rialto and Liberty.

Rick Ricketson, Fox Intermountain manager, presided.

Wall Street

Paramount Continues Board Gain

	High	Low	Close	Net Change
Columbia	41½	40⅞	40⅞	—1⅛
Consolidated Film	4⅝	4½	4½	.....
Consolidated, pfd.	17¼	17	17¼	— ¼
Eastman Kodak	177	177	177	.....
General Theatre Equipment	27⅛	26⅞	27⅛	.....
Loew's, Inc.	63½	63	63⅜	— ¼
Paramount	20⅝	19⅜	20⅝	+1
Paramount 1 pfd.	148	142	148	+6
Paramount 2 pfd.	18⅞	17¼	18⅞	+ ⅞
Pathe Film	9⅛	8⅜	9	+ ⅛
RKO	9	8⅝	9	+ ¼
20th Century-Fox	36¼	35½	36¼	+ ¾
20th Century, pfd.	45¼	45¼	45¼	+ ¼
Universal, pfd.	105½	105½	105½	.....
Warner Bros.	17¼	16¼	17⅛	+ ½

Uneven Curb Activity

	High	Low	Close	Net Change
Grand National	3⅜	3¼	3¼	— ¼
Sentry Safety Control	⅞	¾	⅞	.....
Sonotone	2	2	2	.....
Technicolor	23½	22¾	23½	+ ¾
Trans Lux	4¾	4⅝	4⅝	— ¼
Universal Pictures	14½	13¼	14¼	+ ¾

Bonds Off Slightly

	High	Low	Close	Net Change
Loew's 6s 41 ww deb rights	100⅞	100⅞	100⅞	— ⅜
Paramount Broadway 3s '35	65⅝	65⅝	65⅝	— ⅜
Paramount Pictures 6s '55	100¾	100	100	— ¼
RKO 6s '41 pp	99⅞	99⅞	99⅞	— ⅛
Warner Bros. 6s '39 wd	98	98	98	— ¼

(Quotations at close of Nov. 14.)

Philadelphia Tips $17,000 To "Brigade"

PHILADELPHIA, Nov. 15.—"The Charge of the Light Brigade" was the only feature to escape a general slump, getting $17,000 at the Stanley. It was held.

"Valiant is the Word for Carrie" was weak at $11,000 week at the Boyd. "Under Your Spell" took a dive at the Aldine and was yanked after five days during which it got $4,200.

Total first run business was $65,700. Average is $76,825.

Estimated takings for the week ending Nov. 12:

"UNDER YOUR SPELL" (20th-Fox)
ALDINE — (1,200), 40c-55c-65c, 5 days. **Gross:** $4,200. (Average, 7 days, $8,160)
"DEVIL IS A SISSY" (M-G-M)
ARCADIA—(600), 25c-40c-50c, 5 days, 2nd run. **Gross:** $1,700. (Average, 7 days, $2,800)
"VALIANT IS THE WORD FOR CARRIE" (Para.)
BOYD—(2,400), 40c-55c, 7 days. **Gross:** $10,500. (Average, $14,000)
"WEDDING PRESENT" (Para.)
EARLE — (2,000), 25c-40c-55c, 7 days. **Gross:** $11,000. (Average, $14,000)
"PIGSKIN PARADE" (20th-Fox)
FOX—(3,000), 40c-55c-65c, 6 days. **Gross:** $11,000. (Average, 7 days, $14,000)
"MR. CINDERELLA" (M-G-M)
KARLTON—(1,000), 25c-35c-40c, 7 days. **Gross:** $2,100. (Average, $4,000)
"CAIN AND MABEL" (W.B.)
KEITH'S—(2,000), 30c-40c-50c, 7 days, 2nd run. **Gross:** $2,400. (Average, $4,000)
"CHARGE OF THE LIGHT BRIGADE" (W.B.)
STANLEY — (3,700), 40c-55c, 7 days. **Gross:** $17,000. (Average, $14,000)
"LEGION OF TERROR" (Col.)
STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $5,800. (Average, $7,000)

Three Films, Show Best Lincoln Draw

LINCOLN, Neb., Nov. 15.—Three pictures, "Hollywood Boulevard," "The Last Outlaw" and "Here Comes Carter," with a vaudeville bill and revue for three days at the Orpheum, turned in the best showing of the week, $2,750.

Cold weather and election hit business, but "Ladies in Love" managed to get $500 over the line on a gross of $2,700 at the Lincoln.

Total first run business was $11,450. Average is $9,000.

Estimated takings:

Week Ending Nov. 3:

"CASSIDY RETURNS" (Para.)
"LET 'EM HAVE IT" (U.A.)
"ACCUSING FINGER" (Para.)
"LIMEHOUSE BLUES" (Para.)
LIBERTY—(1,200), 10c-15c, 7 days, first pair for 3. **Gross:** $900. (Average, $850)

Week Ending Nov. 4:

"LADIES IN LOVE" (20th-Fox)
LINCOLN—(1,600), 10c-20c-25c, 7 days. **Gross:** $2,700. (Average, $2,200)
"HOLLYWOOD BOULEVARD" (Para.)
"LAST OUTLAW" (Radio)
"HERE COMES CARTER" (F.N.)
ORPHEUM — (1,350), 10c-15c-20c-25c, 7 days, first 3 with vaudeville featuring Loretta Grey's "Talk of the Town" revue on stage. **Gross:** $2,750. (Average, $1,750)
"END OF THE TRAIL" (Col.)
"COME CLOSER, FOLKS" (Col.)
"MAN WHO LIVED AGAIN" (G.B)
"LEGION OF TERROR" (Col.)
VARSITY—(1,100), 10c-20c-25c, 9 days, first pair for five. **Gross:** $1,600. (Average, 7 days, $1,100)

Week Ending Nov. 5:

"TEXAS RANGERS" (Para.)
STUART—(2,000), 10c-25c-40c, 7 days. **Gross:** $3,500. (Average, $3,100)

Spanish See No Hope for Early Peace

(Continued from page 1)

Spain, and oppose one another for an indefinite period.

Barcelona will continue to function as a film center so long as the rail, sea and air communication with the French frontier is maintained, and, similarly, Valencia will continue to be supplied from Barcelona until the land, water and aerial routes cease to function. It is obvious, of course, that with the battle lines converging so closely upon the city itself, the people of Madrid are concerned with sterner things than pictures, for the time being, at least; in fact, while air raids prevail, both the Spanish and Catalan governments are discouraging by proclamation all mass assemblages, even including the bullfight, Spain's national sport. But the Madrid populace may again seek the relaxation and entertainment of the screen if one or the other of the contending armies proves to be victorious. It is doubtful if new films or even re-issues can be supplied from Barcelona to Madrid for some time to come, as the frequently interrupted transportation routes between the two capitals are needed for military uses and all traffic not within that category is suspended.

Film Interests Prepared

However, the main distributing offices at Barcelona and the Madrid branch managers long ago made preparation for such an eventuality and have provided reserve stocks of films; further, they have arranged for an exchange system as between the different exhibitors, who, as elsewhere indicated in this news article, have not syndicalized their theatres, but remain under independent operation, following the mysterious pilgrimage of their syndicalist committee to Barcelona many weeks ago, when they failed to get into contact with the American and foreign distributor heads in the Cataluna capital they had set out to meet.

One thing should be borne in mind. That is that regardless of a revolutionary victory by the Government forces or of the seizure of Madrid by the military, or Nationalist, besiegers, new obstacles are sure to be placed in the path of American and other film interests—by ukase of the C.N.T.-F.A.I.-U.G.T. dictator committees if the revolutionists maintain their present supremacy at Madrid and Barcelona, or by more or less arbitrary decree of the Fascist or military dictatorship or by formal legislation if the Nationalists succeed in dislodging the Anarcho-Syndicalists.

In neither instance will this condition arise from actual hostility toward the American picture group. It will be due to a new psychology—an almost fanatical urge to develop an independent film industry in Spain. The underlying motive of the revolutionists, of course, will be that of utilizing the Spanish screen "for all that the traffic will bear" for Anarcho-Syndicalist propaganda and the glorifying of the Soviet idea and ideal; that of their opponents the nationalizing of the industry and art. Of course, neither will admit, even to themselves, that the task it seeks for itself is virtually impossible for years to come, due to the dearth of component and experienced directors and of native artists of drawing power and the utter absence of suitable material for screen production other than the pallid type of narrative which the Spanish public already has eschewed in favor of the faster tempoed and infinitely better directed and portrayed films from other countries.

New Distributor Group Formed

There has been a shift in the personnel of the Comité Economico de Distribuidores, the off-shoot of the Cámara de Defensa Cinematografica of Barcelona, which was formed to treat with the Comité Económico de Espectáculos Públicos, the C.N.T. labor-exhibitors' group in all questions relating to the release of American pictures in Barcelona and Cataluña. Word has just reached New York that, due to the "prolonged absence" in Paris of the managers and sub-managers of the Barcelona distributor houses, who went to the French capital late in September to work out with the labor-distributor committee making the same pilgrimage, and the general European managers of the American companies the agreement foretold in MOTION PICTURE DAILY on the eve of their departure from Spain, a new ad interim committee has been appointed to take their places in the local councils of the Cámara de Defensa Cinematografica in Barcelona. Among those seated upon this temporary committee are Ferdinand Bruckner, secretary of Metro-Goldwyn-Mayer Iberica, S. A., and now the ranking official of that house, José Virós Moyes, secretary of the Cámara and publicity representative for Warners-First National, and Jaime Torroella, of Columbia Films, S.A.E. When, as and if any of the Barcelona executives return from their prolonged sojourn on the banks of the Seine, the original composition of the committee will be restored.

When the agreement concluded at Paris between the two entities was finally analyzed by the best legal minds and the politically informed among the distributor houses in the Spanish metropolis, the opinion was expressed that the pact was predicated upon the maintenance of harmonious relations between the Generalidad of Cataluña and the National Government of the Republic at Madrid. In the present moment, this relation, due to the exigencies of the military situation, are such as to encourage the hope that those clauses of the contract relating to the conversion of peseta accounts into dollar remittances and their transmission to the principals in the United States will be carried to fulfillment—if not in whole, at least in part. The agreement, in fact, is a commitment upon the part of the C.N.T., but in behalf of the regional government of Cataluña, of certain obligations which, under the existing governmental status in Spain, properly devolve upon the national administration. The fact must be taken into consideration, however, that within the last month or two the C.N.T. has lost much ground as an administrative factor in Cataluña, to the U.G.T. (Unión General de Trabajo), the rival Syndicalist organization of less "direct action" tendencies. Three months ago the C.N.T. came pretty near to being the government itself—the government at Madrid and the government at Barcelona. The changed political condition at Madrid and the removal of President Manuel Azaña to his "mountain retreat" executive mansion in the ancient Benedictine Abbey of Montserrat—on the heights 30 miles south of Barcelona make the fulfillment of the agreement alike in letter and in spirit a matter of speculation.

No Late Films Available

The Paris agreement will effect the release of a limited number of relatively new films of secondary importance by all of the eight American distributor houses operating in Spain and the opening of the current season already has seen a number of these announced for early presentation, among them being the second run of "Top Hat" in its original version. But the key pictures originally scheduled for fall and winter showing are still withheld from Spain, negatives and prints having been returned to Paris following the Revolt of July 19. Enough leeway, however, has been given the C.N.T. committee to enable it to prove the sincerity of its pledge, none too specifically expressed, to effect the release of some percentage of the "frozen pesetas" deposited with the Centro Oficial de Contratación de Moneda, or Exchange Control Commission of Spain.

Stock Issues of Five Firms Jump 164½ Points in Year

(Continued from page 1)

this issue was paid in scrip several years ago.

Warners, during the past few weeks, have been as active and at times have seen more action on the big board. The common, which was 8½ a year ago, is now 17⅛, and the preferred at 47¼ last Nov. 14, is now 64⅞.

Loew's has hiked 14⅛ points in the last year, the issue now being at 63⅜, compared to 49¼ last year. The stock has been a consistent dividend payer with extras not uncommon.

At Warners, the board of directors will meet tomorrow and discuss the annual financial report. This is expected to show a profit of close to $3,000,000, it is reliably reported. There is a slight possibility a dividend may be declared on the common, but the prospects for the payment of back dividends on the preferred are held as more likely.

RKO, now in the process of reorganization, has advanced $4 in the year. Downtown interests see this stock tipping $10 within the next week or so.

Twentieth Century-Fox common has been steadily gaining in the last few months. For the last 12-month period, this issue has netted a 14 point change in its favor, while the first preferred showed a 17⅜ plus mark. On Sept. 29, the board declared a common dividend of $1, the first in years. The company is reported earning about $3 a share.

Loew's is said to be making about $6.50 a share on the common, while Warners is declared to be earning $1, or better. Payment of a deficit accumulated during the bad periods is held to be one of the reasons for Warners not being in a position at this time to declare a dividend. The company's position is held to be very good and the insiders look to the common stock going to at least 25 before the first of the year.

Universal is progressing nicely. Columbia also has been a consistent dividend disburser, but because of a split-up some time ago, the change in the year's figures is somewhat difficult to compute. This issue has been tapering slightly in the last few days.

M-G-M Closes Rome Plant

ROME, Nov. 15.—The local offices of M-G-M informed United Press today that it is closing its "dubbing-in" studio in Rome as a result of failure to reach an agreement with the Government for export of money earned in Italy. The studio employed 23 engineers, actors and directors. The Italian Government recently advised American film companies that they could not export more than 13,000,000 lire ($680,000) of their total annual earnings representing only about one-third of the proceeds of their business.

Johnston on Coast

HOLLYWOOD, Nov. 15.—W. Ray Johnston is here from the East.

BANKRUPTCY SALE

OF

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U. S. Reports Exhibition in Sharp Upturn

(Continued from page 1)

sources within the industry for basic data.

Its figures on employment now are based upon the film boards' estimate of theatres open, as a result of which the 1929 employment, in past reports carried as 285,915, has been reduced to 129,600.

On the new basis, theatre employment dropped to 67.1 per cent of the 1929 figure in 1932, but had increased to 72.8 per cent by 1934, in which year it is estimated 94,298 persons were engaged in exhibition.

At the same time, the figure for salaries and wages was reduced from $427,443,000 for 1929 to $212,416,000 for that year, from which point it dropped steadily during the next four years to a low of $110,717,000 in 1933, increasing to $119,828,000 in 1934.

Little Data Available

Officials of the department concerned with the compilation of the report explained that no accurate sources of basic data have ever been developed and it has been necessary to take such figures as were available, chiefly from tax reports of the Treasury and such material as was obtainable in the Census Bureau, as a basis for estimates. Because of this, it is stressed, the figures on exhibition are valuable only as showing the trend, although it is felt, as a result of the cooperation of the Film Boards of Trade and other trade sources, that they are more nearly accurate than in the past.

With respect to production, the figures in former reports have been subject only to minor correction since there are available the Census Bureau statistics on this branch of the industry.

The national income report shows that production employment by 1934 had not only recovered from the effects of the depression but exceeded that of 1929 by 7.9 per cent. Total employment in production in 1929 was 19,602, dropping to 15,224 in 1932, then increasing to 19,221 in 1933 and 21,143 in 1934. Salaries and wages, which dropped from $85,028,000 in 1929 to $61,624,000 in 1932, had climbed by 1934 to $81,716,000, or 96.1 per cent of the 1929 figure.

Surplus Reappears in '34

By 1934, also, the producers were again "in the black," with a surplus of $6,804,000, contrasting with a deficit of $32,627,000 in 1932 and but little more than 25 per cent of the 1929 surplus of $23,820,000.

Of all the amusement industries, radio broadcasting has done the best, although the corporate surplus of the industry was reduced from $12,997,000 in 1929 to a deficit of $12,050,000 in 1930. Feeling the effects of the depression at an early date, broadcasting had a good start on recovery and by 1932 had reduced the deficit to $4,590,000, although it took a setback to $6,645,000 in 1933. In 1934, however, a surplus of $1,983,000 was reported.

Employment in the broadcasting industry, with the exception of 1933, has been steadily upward since 1929, when it was 9,322. By 1932 employment had increased to 11,354, dropping back to 11,000 in 1933 and climbing to 11,699 in 1934. Salaries and wages, which increased from $18,569,000 in 1929 to $20,945,000 in 1930 and $23,631,000 in 1931, dropped to $22,640,000 in 1932 and again to $20,916,000 in 1933 but advanced to $23,000,000 in 1934.

No separate figures are given for the legitimate theatre in the current report, although in earlier reports the 1929 employment was placed at 49,035. It was felt that the legitimate figures were so inaccurate as to need drastic downward revision and, when so revised, the total was so negligible that it was bulked with miscellaneous amusements. In the current report, the total employment for miscellaneous amusements is given as 40,344, which is approximately 50,000 under the former figure for legitimate theatres and miscellaneous recreation.

Films Dominate Entertainment

"The entire field of entertainment is characterized by a high degree of business risk due to the varied acceptance by the public of amusement offerings," the report commented. "Motion picture exhibition has been the leading industry in this field. In recent years its change from 'silent' to 'sound' pictures and its encroachment upon the field of the legitimate theatre has given it a more predominant position. This field of activity has a characteristic worthy of note in that it represents a vertical industry, which manufactures, distributes and sells its product, utilizing to a large extent the chain type of business organization.

"Employment and payrolls in recreation and amusement held up relatively well in 1930 and 1931, but the decline from 1931 to 1932 was marked. Employment was lowest in 1932, when it was 77 per cent of that in 1929; by 1934 it had increased to 83 per cent of the total for 1929. The low year for payrolls was 1933, when this item was 64 per cent of the 1929 total; but in 1934 it rose to 69 per cent of the 1929 total. The decline in the per capita income of the employees was less than the decline in the cost of living."

What, No Dinner!

Cicero, Ill., Nov. 15.—The Palace here, with a 15-cent evening admission, offered its patrons the other night: one feature, two shorts, a newsreel, Bank Night, Screeno and an auto giveaway.

And one patron complained because there was only one feature.

To Show "Winterset"

RKO tomorrow will entertain film critics on a number of important newspapers in the east. The reviewers are being brought in at the request of Barret McCormick for a private showing of "Winterset." Following the screening, the men will be feted at the French Casino.

Stevenson with General

Edward F. Stevenson, for years head of Visugraphic Pictures, has been elected a vice-president and member of the board of directors of General Business Films, Inc.

"U" to Apply Concessions This Season

(Continued from page 1)

and whose contract is in good standing on the date of his application for elimination will be entitled to exercise his elimination privilege irrespective of whether the average rental was more or less than $250. We will also accept notice of elimination of any picture within 10 days after notice of its availability to the particular exhibitor, instead of within 14 days after release date, as formerly provided."

"We have not as yet had an opportunity to confer with exhibitors as to a provision which will insure against too many pictures being eliminated during the early part of the contract," Cochrane's statement concludes, "but for the present we will permit two cancellations out of the first 20 pictures in any case where the exhibitor is otherwise entitled to elimination."

Universal is the only company which has publicly stated its policy in relation to the trade practice reforms sought by the M.P.T.O.A. In addition to the liberalized 10 per cent cancellation referred to in Cochrane's statement, the company also pledged itself to refrain from attempts to collect the score charge and offered its cooperation in the establishment of local conciliation boards through which the exhibitor sponsors hope to achieve solutions for the remaining trade practice problems covered by the program.

Mid-Season Meeting Is Called by Sears

(Continued from page 1)

H. Moray, Carl M. Leserman, Robert H. Mochrie, Herbert Ochs, Arthur Sachon and S. Charles Einfeld. Field district managers will include Roy H. Haines, New York; Robert Smeltzer, Washington; Fred E. North, Detroit; Fred M. Jack, Dallas; Leo Blank, Chicago; Nat H. Brower, Los Angeles; and Wolf Cohen, Toronto.

The home office contingent will leave for Chicago next Tuesday. No studio personnel will attend.

The meeting will discuss general distribution policies, and set sales plans for the remainder of the current season and next.

The men will meet the "Gold Diggers of 1937" troupe on Thursday, on their way across the country by air. They left the coast on this mission Saturday.

Home office representatives will fly back to New York Thursday night. District managers will hold informal sessions with their staffs on their return to their territories from the Chicago session.

"Diggers" Troupe on Way

The air tour of a group of the cast of "Gold Diggers of 1937" left the coast on Saturday, has already appeared in El Paso and Fort Worth, and will reach Dallas today. From there it will head north, hitting Memphis tomorrow. After reaching New York, it will head west again by a northerly route, and is due back in Los Angeles Dec. 12.



If your audiences enjoy

Action and Adventure

give 'em a load of thrills with

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A COLUMBIA PICTURE

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 118 NEW YORK, TUESDAY, NOVEMBER 17, 1936 TEN CENTS

See Boost in Scales After Tax Decision

N. Y. Exhibitors Await Outcome of Test

Admission increases are expected to become general throughout the metropolitan area as soon as the current legal test of the city's right to apply the two per cent municipal sales tax to film rentals has been decided, it was learned yesterday.

Numerous exhibitors have been prepared to make upward adjustments of admissions for the past several months on the basis of increased attendance and the marked improvement in general business conditions with its assurance of better public buying power. Admission scale increases have been deferred, however, because of the uncertainty over the outcome of the court test of the sales tax on films.

New York City theatres pay one-tenth of one per cent of their intake

(*Continued on page* 8)

"Pigskin," in Roxy, Figured at $50,000

With $30,000 taken in for the first three days, "Pigskin Parade" is expected to top $50,000 in its first week at the Roxy. Yesterday's business hit around $7,000. It will be held over.

The Capitol garnered approximately $43,247 on the second week of "Libeled Lady." This picture will be followed by "Tarzan Escapes," and then "Love on the Run."

"Charge of the Light Brigade" at the Strand in its second week tallied around $31,000. It is now in its third week and will be held a fourth. "Romeo and Juliet" ended its 13th week with $9,500.

"Wedding Present" will succeed "One Way Passage" at the new Criterion tonight.

Maryland MPTO Ask 25% Cancellations

BALTIMORE, Nov. 16.—Resolutions calling for 25 per cent cancellation privileges in this territory "to prevent the unwholesome and uneconomic practice of double billing from gaining a foothold in this community" were passed at the last meeting of the M.P.T.O. of Maryland, Inc.

The resolution points out that many cheap films have been made for inclusion on duals and that the M.P.T.O. unit members feel they should have the privilege of refusing these in return for maintaining single features here.

20th-Fox Votes Fourth Quarter Dividends; Second for Common

Twentieth Century-Fox directors yesterday voted a dividend of 37½ cents on the preferred and $1 on the common for the fourth quarter. This is the second dividend on the common since the reorganization of the company. The first, also $1, was paid for the third quarter.

The dividends are payable Dec. 12 to stockholders of record Nov. 27.

Federal-NBC Units to Use Film Houses

Film theatres for the most part will be used to house the stage units to be developed as an outgrowth of the new WPA-NBC radio hour which will begin an indefinite period of weekly broadcasts over the NBC-Blue network tomorrow night at 9 P. M.

Months in development, the program, one hour in length, will be called the Federal Theatre of the Air. Completely cast and ready for presentation, the program will be heard privately today by John Royal, NBC vice-president, and if it is satisfactory, will go on as scheduled. In the event that the program still needs

(*Continued on page* 5)

M-G-M May Add Ten To Exploitation Staff

M-G-M will add nine to 10 exploitation men to its field force. Discussions for putting on more men have been held from time to time at various sales meetings by divisional and district heads.

At present there are about 15 regular field men on the payroll. This number has been increased to 35 for special attractions like "Romeo and Juliet" and "The Great Ziegfeld." The new plan is to have an enlarged staff

(*Continued on page* 8)

20th-Fox and CBS Negotiate Program Tieup

HOLLYWOOD, Nov. 16.—Negotiations between Twentieth Century-Fox and the Columbia Broadcasting System for an advertising tieup involving an exchange of air time for film footage is the latest development in the ever-growing link between the film industry and the national air networks. Although the principals in the two organizations refused to divulge details of the plan they admitted that the negotiations are in progress.

Additionally, the deal between Fox West Coast and the Mutual network involving a similar arrangement is virtually completed and is scheduled to

(*Continued on page* 5)

Albert Warner Heads Chicago-Bound Group

Albert Warner, vice-president and treasurer of Warners; Gradwell L. Sears, general sales manager; Carl Leserman, Norman H. Moray, S. Charles Einfeld, Robert Mochrie, Herbert J. Ochs and Arthur Sachson will leave today by plane for Chicago for a mid-season sales meeting at the Blackstone.

R. H. Haines, local district manager, will leave from Albany for the sessions. Last night he attended a

(*Continued on page* 8)

"Gold Diggers" Trip Gets "Tremendous"; Texas Astir

By J. M. JERAULD

It's "tremendous"—that "Gold Diggers" airplane trip across the country. Sid Retchetnik stuck his head up out of a pile of telegrams yesterday afternoon at the Warner home office and said so. If it keeps up the way it's going now, Sid'll be hysterical and the "Gold Diggers" will be exhausted in a short time.

It began Saturday in California and hit El Paso and Fort Worth in a few hours. At Fort Worth Lionel Blevins,

(*Continued on page* 2)

Koenig Quits "U" in Shift At the Studio

Reported Going to MGM To Succeed Pelton

HOLLYWOOD, Nov. 16. — William Koenig, who joined Universal as studio business manager shortly before the company changed hands less than a year ago, has resigned, Charles R. Rogers, vice-president in charge of production, stated today. No reason was given for the resignation which is effective immediately.

It is reported that Keonig will succeed Fred Pelton at M-G-M. The studio would not comment today on this aspect of the situation.

In a rearrangement of the executive setup, James P. Normanly becomes general business manager in charge of business and financial contacts. Val Paul has been elevated from associate producer to studio manager with Martin Murphy and William J. Fender continuing as production manager and studio superintendent, respectively.

Koenig said today he would announce his future affiliation following a vacation. He was with Warners as studio manager for a number of years before joining Universal.

Union Survey Board In Closed Meeting

The Mayor's survey board, which is seeking settlement of the union difficulties in New York, held a closed meeting yesterday afternoon in the office of Howard S. Cullman at the Roxy. There were no representatives of either the union or theatres present, the committee members devoting the session to a discussion of the progress thus far made.

Sam A. Lewisohn, chairman of the board, Cullman, and two technical advisers of the committee, Ben Golden and Harry Lurie, were present. William Collins, the third member of the survey board, was absent, attending the Tampa convention of the A.F.L. No date has been set yet for the next meeting with either union or theatre representatives, but such a session is expected later in the week.

Four Film Issues at New Highs for Year

Heavy trading in film issues yesterday led the entire stock market, with Paramount, Twentieth Century-Fox, Warners and RKO soaring to new

(*Continued on page* 5)

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Schlaifer to Start Schlank in UA Post

Jack Schlaifer left yesterday for Chicago to install Irving Schlank, former head of U. A.'s Salt Lake City office, as Windy City branch manager, succeeding the late Harry Lotz.

George J. Schaefer, vice-president and general manager, is in New Orleans and is due back the latter part of the week.

Hirliman Silent on Plans

George Hirliman, who arrived Sunday by plane, declined yesterday to comment on negotiations for a tieup with A. J. Van Beuren other than to say that he did not make the current trip for this purpose. He added that he was not sure that he would discuss the deal while here.

The producer will leave tomorrow for the coast.

Brauer to Shanghai

Leroy Brauer, formerly with the Universal domestic department, has been appointed manager of the company's office in Shanghai. He replaces Norman Westwood.

"Gold Diggers" Trip Gets 'Tremendous'; Texas Astir

(*Continued from page* 1)

head of the Chamber of Commerce, and the local debutantes turned out. There was a barbecue at the Buck Sanson ranch. Fred Lawrence, Jeanne Madden and Rosalind Marquis did a half-hour broadcast over KTAT and the whole troupe appeared at the Worth. Frank Weatherford, manager, started the telegram avalanche at the New York office.

El Paso got excited, too. Acting Mayor R. E. Sherman and a few thousand El Pasoans turned out. More receptions, more broadcasting and an appearance at the Plaza. Yesterday Dallas went into a ferment, with Mayor Sargent and city officials at the landing port, and Chief of Police Robert L. Jones and a motorcycle escort for a parade. At noon Dallas Variety Club entertained at the Adolphus, with Robert J. O'Donnell, Interstate general manager and chief barker of the club, presiding. At 5:30 they had another tour of the city. In the evening there was a dinner at the Baker Hotel, followed by a stage appearance at the Majestic, also a broadcast over the Texas Quality Network with WFAA as the Dallas outlet.

Memphis Honored Today

The air travelers were gasping for air when it was over, but they're due in Memphis this morning. Streets have been bannered, the Mayor has issued a proclamation calling it "Gold Diggers' Aviation Day." A 15-piece orchestra will be at the air port, and they're even going to use homing pigeons to greet the plane. Just how a homing pigeon greets a plane isn't clear, but Sid says it's so. The Junior Chamber of Commerce will join in the festivities.

On Thursday Albert Warner, the home office contingent and all the district managers meeting in Chicago will greet the aviators and avitarixes—if that's the plural for feminine flyers.

By that time, if the trip isn't colossal, it will at least be epoch-making.

Nominated for S. M. P. E.

HOLLYWOOD, Nov. 16.—Kenneth E. Morgan has been nominated for chairman of the Pacific Coast Section of the S. M. P. E. for the coming year. Gerald F. Rackett, the retiring chairman, served two years. C. W. Handley and Gordon A. Chambers were nominated for secretary. Two managers of the section will be selected from J. O. Aalberg, H. W. Moyce and L. L. Ryder. Voting is by mail with ballots to be counted Dec. 1.

Bazett to Columbia

Sidney Bazett has been named financial director of Columbia Pictures Corp. Bazett has resigned as vice-president of Associated American Distributors, Inc., and also as president and director of American Brokerage, Inc. He was for five years comptroller of Transamerica Corp.

Fox May Get Raft

HOLLYWOOD, Nov. 16.—Twentieth Century-Fox is dickering with George Raft whose unfilled two-year contract with Paramount was mutually cancelled late last week.

Sears a Sharpshooter

Gradwell L. Sears, general sales manager of Warners, took major honors over the weekend at the Westchester Country Club's Rye trap shooting matches, winning the high scratch trophy at singles with 43 out of a possible 50 and the doubles scratch trophy with 41 out of 50.

The C. C. Pettijohns, Sr. and Jr., were among those present.

Edwin Arthur Named Booker at St. Louis

Edwin Arthur has been appointed booker for F. & M.'s six first runs in St. Louis, Harry C. Arthur stated yesterday on his arrival from the Mound City.

No date has been set for taking over operation of the St. Louis Amusement circuit of 22 theatres, Arthur said. F. & M. has a 10-year management contract with the bondholders' committee. This was signed last summer. Arthur will leave for St. Louis Thursday. On his arrival he is expected to confer with Thomas Dysart, chairman of the bondholders' committee.

Cullman Files Report

Howard Cullman, as trustee for the Roxy, filed a report in U. S. District Court yesterday covering the period from Sept. 25 to Oct. 29 of this year. The cash receipts were $203,999 and the disbursements were $175,890. On Sept. 24 the cash on hand was $94,094, and on Oct. 29 it amounted to $122,204. The net profit for the period was listed as $16,660 before deducting interest on funded indebtedness and depreciation.

Para. to Seek "Carmen"

HOLLYWOOD, Nov. 16.—Paramount will make a search for an actress to play the title role in "Carmen," which is being discussed for spring production. The studio owns world rights to the property. William LeBaron has been in conference with Frank Lloyd and Howard Estabrook who will produce the picture if it is made.

Raise Louisville Scale

LOUISVILLE, Nov. 16.—The Kentucky, operated by Switow Brothers, has boosted admissions on Saturday and Sunday to 27 cents, which includes the state tax. The former rate for Saturday and Sunday matinees and nights was 20 cents. This is the only local raise.

Fannie Hurst to Para.

HOLLYWOOD, Nov. 16.—Paramount has signed Fannie Hurst to write the screenplay of "Show Business," from an original story by Lew Lipton. The picture will be produced by Lewis Gensler. Miss Hurst is due to report to the studio in the near future.

Elect 5 Directors Of Dixey's Company

By BRUCE ALLAN

LONDON, Nov. 16.—Five members of the board of directors of Capt. A. C. N. Dixey's new company, the Independent Exhibitors' Distributing Co., have been elected by a mail vote of the exhibitor members of the new organization. Approximately 275 exhibitors in England and Scotland are subscribed members of the company. The five are exhibitor representatives.

Of the 22 nominees for the five posts on the board of directors, the following were elected: R. McLaughlin, for Scotland; Major J. Milner, M. P., and Jack Prendergast, for the northern area; R. H. Dooner, for the Midlands and west, and Randolph Richards, for the south.

The formal beginning of operations of the new company, which has been several months in organization, will get under way very shortly. The exhibitor directors shortly will approve the directors who have been selected as specialists in each of the several phases of the company's operations.

Pickford-Rogers to Wed

HOLLYWOOD, Nov. 16.—Mary Pickford has confirmed reports of her engagement to Charles (Buddy) Rogers. The wedding will take place in the spring, she says, and formal announcement of the engagement will be made at a luncheon this week at the Beverly-Widshire Hotel by Rogers' mother.

Sullavan, Hayward Marry

NEWPORT, Nov. 16.—Margaret Sullavan and Leland Hayward were married over the weekend.

Actors Wed on Coast

HOLLYWOOD, Nov. 16.—William Henry and Grace Durkin, film players, were married Sunday in Ensenada, Mexico.

Harry Ritz Is Married

HOLLYWOOD, Nov. 16.—Harry Ritz of the Ritz Brothers has announced his secret marriage to Charlotte Greenfield on Sept. 11 in Newark, N. J. Mrs. Ritz arrived Friday.

William Hilliar Dies

CINCINNATI, Nov. 16.—William J. Hilliar, 60, widely known press agent here, and until recently associate editor of *Billboard*, died here yesterday as the result of a gunshot wound reported to have been self-inflicted. His widow here, and his father and sister in London, survive.

Johnston Talks Studio

HOLLYWOOD, Nov. 16.—W. Ray Johnston, here on company business, stated to MOTION PICTURE DAILY today that he may arrange for studio space shortly. An announcement is expected from him within a week.

Johnston denied the report of his affiliation with Grand National and added that he had not seen Edward L. Alperson since his arrival on the coast.

To Dine Hays Nov. 24

LONDON, Nov. 16.—Will H. Hays, president of the M.P.P.D.A., now in Italy in the course of a European visit, will be entertained either at a luncheon or dinner by the F.B.I. Film Group on Nov. 24.

Playmate of the Jungle Princess



He's in the strongest Jungle Picture since "King of the Jungle"

(See next page)



Lloyd E. Sheldon's **"THE JUNGLE PRINCESS"** has everything that made his "King of the Jungle" box-office *plus!* It has terrific action...a struggle between a tiger and a man...wild apes in combat with a savage tribe...plenty of hand-to-hand fighting. It has all the lure of the jungle...and...more than all ...it has in **DOROTHY LAMOUR,** who plays the title role in Paramount's **"The Jungle Princess",** a brand new star screen personality...with plenty of what it takes . . .

Paramount Pictures

Federal-NBC Units to Use Film Houses

(*Continued from page* 1)

"dressing up," the opening broadcast will be postponed one week, although that is considered highly unlikely.

The first stage unit is expected to be ready to take to the road shortly after the first broadcast. Following that, according to present plans, a new stage unit will be devised out of each weekly broadcast, each air program to be different, and include different performers.

NBC is donating the station time and broadcasting the program as a sustaining feature. It is anticipated that a sponsor will be obtained for the program in the near future, since it is understood three different companies are considering sponsorship of the air feature now.

NBC and WPA Cooperating

The program is a cooperative effort of the WPA Radio Division and NBC's artists' bureau. The broadcasting company will derive its revenue on the program from the booking of the stage units, in which the WPA will have no hand. The Federal project is interested merely in providing work for unemployed actors and actresses. The first program's personnel will consist of 60 per cent of players on the WPA rolls, and 40 per cent unemployed players not so registered. All are professionals.

Fred Niblo, former film director, hired by NBC, will be master of ceremonies. The first program will consist of 12 old-time vaudeville acts, with Jerry Sears' orchestra, an NBC house band, providing the musical accompaniment. Among the acts for the first unit will be Margaret Padulah, vocalist, and Charles B. Leland, comedian.

The program is considered the highlight of the radio division's efforts since its inception on March 23 of this year. The unit has eight other air programs, but this is considered the most ambitious yet attempted.

Pull "Pastures" Program

LONDON, Nov. 16.—After all preparations had been completed for the broadcasting tonight of sequences from "The Green Pastures," the British Broadcasting Corp. decided not to permit the broadcast. The film was finally passed recently, after first having been banned by the film censor. No reason was given for the radio action other than that an item of that nature could not be included in the mixed program arranged for tonight.

Sears Unit Quits Dec. 10

CHICAGO, Nov. 16.—Sears-Roebuck radio show, "Then and Now," will leave the airlanes permanently Dec. 10. The company is planning a new program to start some time following the first of the year.

WEAN to Move Soon

PROVIDENCE, Nov. 16.—WEAN is almost ready to move into its new transmitter station at Rumford, said to be one of the most extensive in New England.

Colbert Show on Air Is Set Back

"Maid of Salem" with Claudette Colbert in the lead will be replaced by "Theodora Goes Wild," with Irene Dunne on the "Hollywood Hotel" broadcast of Nov. 20. Melvyn Douglas will support Miss Dunne in the air dramatization. No replacement date has been set for "Maid of Salem."

The following Friday "Hollywood Hotel" will feature Mary Astor and Charles Boyer in reenactments of scenes from "The Garden of Allah." Miss Astor will play Marlene Dietrich's part from the picture, Miss Dietrich now being in Europe.

Lanier Wins Contest

First prize of a $1,000 in the children's program contest conducted for the past few months by NBC was won by Henry W. Lanier, son of Sidney Lanier, one of America's best known poets, it will be announced today. Five other cash prizes, totaling $1,200 will be awarded by NBC to other winners.

The contest was conducted in an effort to discover new entertainment for the younger listeners and was held under the direction of Paul Wing, NBC director of children's programs. The judges were Homer Croy, novelist, Louise Seaman, editor of children's books; Dr. Rollo Reynolds, school principal; Sidonie Gruenberg, of the Child Study Ass'n of America; Dr. Arthur Frank Payne, psychologist, and Charles Coburn, actor and producer.

Also a prize winner, but in another contest conducted by NBC, is June Hynd, of the network's New York program department, who won $100 in NBC's slogan contest by coining the phrase, "By Choice the Nation's Voice." The slogan will be used on all promotional and advertising copy issued by NBC, but will not be heard on the air.

Radio Men to B. A.

John Royal, NBC vice-president; Paul White, CBS special events chief; and H. V. Kaltenborn, CBS commentator, leave by plane this week for a 17,000 mile flight to Buenos Aires to attend the Pan-American Conference, opening Dec. 1.

Kaltenborn and White leave tonight, while Royal boards a plane tomorrow. Both networks will carry short-wave broadcasts of the sessions. While the CBS duo will return at the conclusion of the conference, Royal will remain in Latin America indefinitely, traveling from nation to nation as NBC's "good-will" ambassador. Royal acted in a similar capacity for NBC last year, when he toured Europe for four months.

While in Latin America, he will arrange for native broadcasts.

Fiske Only on Music

Dwight Fiske will not participate in person on the new "Fables in Rhythm" series which begin on the CBS network tonight. Fiske will merely write special music for the program. CBS makes this statement to correct the general impression that Fiske would appear on the show and assumes the blame for the error, which was caused by an ambiguously worded release.

O'Neill in Capsules

The March of Time on Thursday will offer pocket dramatizations of six Eugene O'Neill plays in recognition of the playwright's award of the Nobel Prize. The plays, approximating 30 hours of emoting in the theatre, will consume four minutes on the air.

Wynn Wobbly

Ed Wynn got off to a wobbly start at his premiere Saturday night over the NBC-Blue. The program was one of the poorest production jobs heard on a national network, with practically all members of the cast confused with may unforgivable "dead" spots.

Wynn himself was guilty of causing one of the more glaring "dead" spots by getting mixed up in his script and inadvertently walking off the stage when he was due before the microphone. None of the actors dared ad-lib during the lull, which lasted approximately 45 to 50 seconds.

Wynn's comedy in spots was hilarious, but in the main far below his usual standard. The burlesque of "Hamlet," with Lenore Ulric as the comedian's foil, was pointless. Don Voorhees' band was one of the saving features of the program.

A relief was the gaggy commercials. Everyone took witty pokes at the sponsor, which in no wise detracted from the product, as most sponsors unfortunately believe.

In justice to Wynn, however, it must be added that the script was not written by himself, but was prepared at the agency, Young and Rubicam for "Spud" cigarettes. Wynn is reported to be decidedly unhappy with his new show, mainly because the agency insists on handling the script.

BANNER

Lhevinne on the Coast

HOLLYWOOD, Nov. 16.—Marks Lhevinne, head of the artists service for the NBC concert division, arrived here by plane Friday on company business. He immediately flew to San Francisco, but is expected back shortly.

Rubin, Poole, Et Al

Short Shots: Benny Rubin, WOR comic, left by plane for Hollywood last night to visit with his daughter. He returns tomorrow night . . . Andrew Poole, formerly of the WOR engineering staff, has been advanced to traffic manager of the Mutual network . . . Lily Pons and Andre Kostelanetz arrive today from Hollywood . . . Adrienne, M-G-M fashion expert, will be heard in a fashion talk on the Nov. 23 Lux Theatre of the Air broadcast . . . Gogo DeLys, CBS singer, now being film tested by Warners . . . Irving Reis, CBS director and producer arrives today from Bermuda . . . Dr. Dafoe entrains for Toronto tomorrow, from which point his broadcasts will originate in the future . . . Chuck Gay, radio editor of the *Dayton News*, in town for a two week stay . . . NBC elated by the scores of calls from listeners over the weekend, reporting better reception because of the new WJZ transmitter . . . KECA to broadcast four half-hour dramatizations of Hendrik Ibsen beginning next week.

20th-Fox and CBS Negotiate Program Tieup

(*Continued from page* 1)

become effective Dec. 29, when Mutual starts operations. The present plans include a half-hour of air time for picture plugs on four Don Lee coast stations in San Francisco, Los Angeles, San Diego and Santa Barbara. It is understood that theatre advertising for the network will be limited to the Pacific coast.

Four Film Issues at New Highs for Year

(*Continued from page* 1)

highs for the year. With the exception of RKO, all issues closed at top prices. RKO closed at ⅛ off the high.

Paramount common was unusually active. Approximately 60,100 shares were traded in for a gain of 1⅜. It closed at 22. Warners common, with 51,800 shares changing hands for a profit of ⅞, ended at 18. Paramount first preferred, which has taken a sharp spurt in the last few months, showed another gain of nine points yesterday on a turnover of 4,900 shares, closing at 157. The second preferred closed at 19⅞, for a gain of one point on sales totaling 8,100 shares.

Twentieth Century-Fox first preferred jumped 2½ points to reach 47¾. About 1,400 shares changed hands. The common advanced 2, closing at 38¼ on sales aggregating 17,500. Warners preferred gained ⅜, hitting 65¼, with 600 shares being sold.

Reaching a new high of 10⅛, RKO closed at 10 for a one point profit on the 58,200 shares sold. Universal showed a plus 4½ on a turnover of 9,000 shares, closing at 110, or five points from the peak. On the curb this stock hit a new high of 15½, gaining 1¼. About 800 shares were traded.

Warners and Keith set new marks with their bond issues. B. F. Keith 6s '46 reached 98, a gain of ½ point, and closed there. Warners hit 99½ and closed at 99¼, up 1¼.

With Loew's reported earning $6.50 on the common for the current fiscal year, there is a possibility the company may declare an extra dividend of $1, in addition to the regular 50 cents.

K. C. Will Get Joint Film Service Dec. 1

KANSAS CITY, Nov. 16.—Exhibitors Film Delivery here will start Dec. 1 handling the complete film service for a number of independents along the lines set up at the meeting of National Film Carriers, Inc., in Chicago.

A new company will be organized, according to Earl Jameson, to handle inspection, storage and shipping.

Bette Davis in Chicago

CHICAGO, Nov. 16.—Bette Davis, passing through here en route to the coast studios, stated that upon her arrival at the studios she intends to be "a good little girl."


IT'S GOT THAT BOX OFFICE
SOCK!



The fierceness and the tenderness of LOVE . . . the savagery of HATE . . . the bitterness of BETRAYAL . . . under the brooding sky of a strange and OMINOUS LAND . . . ***vividly lived on your screen by the two who thrilled audiences in "Road to Glory"!***

WARNER BAXTER

and **JUNE LANG**

in

White Hunter

with

GAIL PATRICK ALISON SKIPWORTH
WILFRID LAWSON GEORGE HASSELL

Directed by Irving Cummings

Associate Producer Gene Markey. Screen play by Sam Duncan and Kenneth Earl. Based on a story by Gene Markey

Darryl F. Zanuck
in Charge of Production

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

See Boost in Scales After Tax Decision

(Continued from page 1)

as an emergency unemployment tax, and with the social security tax to be added after next Jan. 1, even those exhibitors whose admission scales do not come within the Federal admission tax brackets are agreed that a boost in scales will have to be made in the near future regardless of whether or not the sales tax is eliminated. A determination of the amount of increase required, however, hinges on whether or not the two per cent sales tax need or need not be figured in the new scales, exhibitors say. For this reason action on admissions has been deferred in the hope that the issue will be decided before other tax overhead factors force the increases, it was said.

Each for Himself on Boosts

With no action on increased scales being taken now, the exhibitor will be free to mark up admissions in accordance with conditions prevailing when the sales tax issue has been decided. Judicious increases could be made at that time which not only would absorb the new costs whether the sales tax is upheld or not, but would also result in a net benefit to the exhibitor as well, it is pointed out. If increases were to be made now on the basis of the sales tax being upheld theatres taking such action would place themselves at a competitive disadvantage for the time being and might be forced to reduce scales later if the tax was declared invalid. On the other hand, if the mark-ups were made now on the theory that the sales tax will not be upheld an inadvisable second increase might be necessary later in the event the tax was declared legal.

Out-of-towners Also Affected

Theatres outside the city limits are confronted with the same uncertainty due to the fact that the city comptroller is appealing from that part of the Appellate Division's decision which held that theatres outside the city which are serviced by local exchanges are exempt from the tax. A reversal of this by the Court of Appeals at Albany, which will hear both the city's and the distributors' arguments on Dec. 3, would make all exhibitors in the metropolitan area subject to the tax. Indications are, however, that in such an event the industry would endeavor to bring the case to the U. S. Supreme Court as it is of major concern not only because of the large amount involved locally, but also because of the effect as a precedent such a decision might have on other municipalities.

Distributors have been collecting the tax from exhibitors since Jan. 1, 1936, but the collections have been segregated and will be returned to exhibitors if the appeal is successful. If the tax is upheld, however, the local industry would be liable as well for the uncollected tax on rentals from Dec. 28, 1934, when it became operative, up to Jan. 1, 1936, further suggesting the considerations entering into admission mark-ups while the sales tax remains undecided.

Film Writers Talk To Coast Liberals

San Francisco, Nov. 16.—Papers by John Bright and Viola Brothers Shore, Hollywood scenarists, were read here at a meeting of 300 Pacific coast "liberal intellectuals" presided over by Donald Ogden Stewart.

The general theme of the dissertations was that Hollywood will respond to higher artistic and "more honest social standards" whenever the majority of the public demands them. This thesis was attacked by a scattered group of left-wingers in the audience among whom was Michael Gold, playwright, who stated from the floor that there has been formed in New York a "Motion Picture Patrons' Alliance" having for its object the boycotting of films glorifying Fascism or Naziism.

Dorothy Parker and Alan Campbell were on the platform, but did not address the assemblage.

Ford on Goldwyn Film

Hollywood, Nov. 16.—John Ford was signed by wireless to direct Samuel Goldwyn's production, "Hurricane," which will be filmed in the South Seas, starting about Feb. 1. Ford was cruising in those waters on his yacht.

Two Plays Closing

"St. Helena," stage play which opened at the Lyceum Oct. 6, closes Saturday night.

"Night Must Fall" that same night closes at the Ethel Barrymore after a run of eight weeks.

Holton Does Stuff

Joe Holton, whose efforts at Twentieth Century-Fox at picking future Shirley Temples and Robert Taylors are well known, had the eyes turned on him Sunday night at the dress rehearsal of the Lambs' Gambol. News had leaked out that he was to appear as a "beautiful girl" in one of the sketches, so every talent scout in the city was was among those present.

Joe admitted last night that as yet he had received no offers.

M-G-M May Add Ten To Exploitation Staff

(Continued from page 1)

so that the field men can concentrate on limited territories instead of making long jumps to cover assignments.

William R. Ferguson, head of the company's exploitation department, is awaiting the return of Howard Dietz from the coast before adding to his force.

Name Projection Groups

Hollywood, Nov. 16.—Two Academy committees, on sound and pictures, have been appointed by William Koenig, chairman of the Research Council, to study the standardization of projection equipment. Both are under the supervision of Carl Dreher, as coordinating chairman.

Overseas Previews

"Rembrandt"

(London Films—United Artists)

London, Nov. 9.—Declared to be Alexander Korda's last personally directed picture, "Rembrandt" provides many proofs of his imagination and artistry. From Charles Laughton, also, there is a display of virtuosity sufficient to lift any picture out of the ruck. Whether these qualities, to which the virtues of fine art direction and beautiful camera work must be added, are sufficient to justify the epithet "great" which one may feel inclined to apply in advance to any Korda-Laughton effort is in doubt.

This story of the life of one of the greatest of painters is, in fact, just a bit out of focus. It seems to have nearly every quality but the most important quality of all, conviction. The studio work is brilliant, but there is too much studio. Laughton is brilliant in his best moments, but there is too much Laughton; he is a magnificent elocutionist but why, except to prove that fact, give him two long biblical passages to deliver as well as a very stilted eulogy of Woman?

Rembrandt, the man of temperament, who insults the clients who want portraits when he has given them art; Rembrandt, the unlucky lover; Rembrandt, the failing old man who spends his last penny on paint for a self-portrait and his near-last breath for the whisper: "All is Vanity," —that is the theme of the series of detached pictures which make up "Rembrandt."

Many of them are very fine episodes. Rembrandt, painting his wife's portrait before her memory fades and disregarding the tolling bell summoning him to her burial; Rembrandt, telling the story of Saul and David in order to inspire his models with the spirit of their parts; the unveiling of the picture now known as "The Night Watch" and his denunciation of the dissatisfied Syndics who ordered it. It is all beautifully done pictorially, but it leaves one a little cold, although Laughton shows that there is scarcely any part, however he may appear unsuited to it, to which he cannot give distinction and although Elsa Lanchester plays charmingly the part of Hendrickje, his last love.

It seems a picture for big city audiences, and for that percentage of that public which is superior to conventional entertainment values.

Running time, 84 minutes. "U." Allan

(Additional Review on page 10)

Ross Men Leave for Chicago Convention

Harry Ross, accompanied by Controller Frank X. Miske and other home office executives of Ross Federal Service, Inc., left yesterday for Chicago where they will attend the fall Midwest convention of the company to be held at the Hotel Congress during the remainder of the week.

Among the field executives expected at the meeting are: Walter I. Brown, director; F. A. Rosevelt of Cleveland, Harry Schiffrin of Des Moines, B. E. Jolley of Indianapolis, H. O. Gleiss of St. Louis, W. O. Redden of Kansas City and Murray K. Ross of Minneapolis.

The convention will discuss new lines of endeavor now under consideration and will seek to establish a more intensive home office supervision of the entire field force.

Albert Warner Heads Chicago-Bound Group

(Continued from page 1)

farewell party given by exhibitors and distributors at the Ten Eyck, Albany, for Ray S. Smith, manager, who has been transferred to Buffalo.

Council Seeks Funds

Oakland, Cal., Nov. 16.—A benefit performance of the Ballet Russe will be given in the civic auditorium here Feb. 3 for the Motion Picture Research Council of America, National organization pledged to "elevate and control" the social standards of films.

D. C. Allied Moves

Washington, Nov. 16. — Allied Theatre Owners of the District of Columbia have moved into new offices in the Earle Bldg.

Wall Street

Issues Still Gaining on Board

	High	Low	Close	Net Change
Columbia	38⅞	38	38⅛	—2¾
Columbia, pfd.	45	44⅜	44⅜	—1⅝
Consolidated	5	4¾	5	+ ½
Consolidated, pfd.	17⅝	17	17⅜	+ ⅜
Eastman Kodak	177	177	177	.....
Gen. T. Equip.	28⅜	27¾	27¾	+ ⅝
Loew's, Inc.	63⅞	63	63⅝	+ ¼
Loew's, Inc., pfd.	105½	105½	105½	— ⅛
Paramount	22	20⅞	22	+1⅛
Paramount 1 pfd.	157	150	157	+9
Paramount 2 pfd.	20	19	19⅞	+1
Pathe Film	9½	9¼	9½	+ ½
RKO	10⅛	9¼	10	+1
20th Century-Fox.	38¼	36¾	38¼	+2
20th Century, pfd.	47¾	46	47¾	+2½
Universal, pfd.	110	104	110	+4½
Warner Bros.	18	17⅜	18	+ ⅞
Warner, pfd.	65¼	63¾	65¼	+ ⅜

Universal Leads Curb

	High	Low	Close	Net Change
Grand National	3¼	3⅛	3¼	— ⅛
Sentry Safety	⅞	⅞	⅞	.....
Sonotone	2	2	2	— ⅛
Technicolor	24½	23⅞	23⅞	+ ⅛
Trans-Lux	5	4¾	5	+ ⅜
Universal Pict.	16½	15	15½	+1¼

Bonds Show Increases

	High	Low	Close	Net Change
Keith B. F. 6s '46	98	98	98	+ ½
Loew's 6s '41 ww deb rights	101	100⅞	101	.....
Paramount B'way 3s '55	67	67	67	.....
Paramount Pict. 6s '55	100⅜	100	100⅜	+ ⅛
RKO 6s '41 pp	100	99½	100	+1
Warner Bros. 6s '39 wd	99½	98½	99¼	+1¼

(Quotations at close of Nov. 16)

HIGH INTENSITY PROJECTION



THEATRE patrons desire enough supplementary lighting for comfortable vision from the moment of entrance. They are annoyed when a dark theatre compels them to stumble and grope blindly for their seats.

High Intensity Projection permits ample side lighting for a comfortable level of general illumination. It improves the quality of black and white projection and brings out the full beauty and realism of color productions.



INSTALL HIGH INTENSITY LAMPS IN YOUR THEATRE

They Insure Sustained Patronage

There is a High Intensity Lamp, A.C. or D.C., for every theatre, large or small.

There is a National Projector Carbon for every Projection Lamp.

NATIONAL HIGH INTENSITY PROJECTOR CARBON COMBINATIONS

D.C., High Intensity Lamps—Condenser Type

Amperes	Positive Carbon	Negative Carbon
120-130	13.6 mm. x 22″ National High Intensity White Flame	$\frac{3}{8}$″ or $\frac{7}{16}$″ x 9″ National Orotip Cored Projector
140-160	16 mm. x 20″ National High Intensity White Flame	$\frac{7}{16}$″ x 9″ Extra Heavy Coated, National Orotip Cored Projector

D.C., "High-Low," Reflector Arc Lamps

60-85	9 mm. x 20″ National "High-Low" White Flame	$\frac{5}{16}$″ x 6″ or 9″ National Orotip Cored Projector

D.C., High Intensity Lamps with Non-rotating Positives

42-50	7 mm. x 12″ SUPREX Cored	6 mm. x 9″ SUPREX Cored
56-65	8 mm. x 12″ SUPREX Cored	6.5 or 7 mm. x 9″ SUPREX Cored

A.C., High Intensity Lamps

60-65	7 mm. x 12″ National Copper Coated A.C. High Intensity
75-80	8 mm. x 12″ National Copper Coated A.C. High Intensity

NATIONAL

PROJECTOR CARBONS

NATIONAL CARBON COMPANY, INC.

Carbon Sales Division, Cleveland, Ohio

Unit of Union Carbide UCC and Carbon Corporation

Branch Sales Offices

New York ❖ Pittsburgh ❖ Chicago ❖ San Francisco

Purely Personal

MONROE GREENTHAL and LYNN FARNOL flew to Chicago yesterday on the advance campaign for "Come and Get It," which opens at the Roosevelt there Saturday, and "The Garden of Allah," which goes into the Chicago eight days later. FARNOL returns today and takes off for Hollywood Wednesday.

•

ELENA MIRAMOVA and JEANNE STEWART, coming here to appear in a local stage production of "The Two Mrs. Carrolls"; RUTH GORDON, LOUIS ALLEN, GILBERT MILLER's general manager, Douglas Montgomery and ROY SIMMONDS of the Twentieth Century-Fox British office are due this morning on the *Queen Mary* which is a day late because of storms.

•

LILY PONS, MARY GARDEN, BUDDY DE SYLVA, JUDITH BARRETT, ROSA PONSELLE, JANE WYATT, EVERETT JOHNSTONE and ANDRE KOSTELANETZ will attend the DEANNE DURBIN party today at the Pierre. EDDIE CANTOR will be master of ceremonies with MARC LACHMAN assisting.

•

AL LICHTMAN and HOWARD DIETZ are not expected from the coast until the end of the week. WILLIAM F. RODGERS, E. M. SAUNDERS, WILLIAM A. SCULLY and ALAN CUMMINGS have returned from Chicago, while TOM CONNORS has gone to Dallas.

•

GEORGE VALLAR and ANDRE OLSEN of the Paramount foreign department are due the end of the month, the former from Berlin en route to Mexico City, and the latter from Java, headed for a European assignment.

•

LEO SPITZ and PANDRO BERMAN arrived yesterday from the coast. BERMAN plans to return to the RKO studio about Thursday after meeting New York critics and sundry other "Winterset" enthusiasts.

•

HARRY GOLDBERG, advertising head for Warner theatres, returned yesterday from a trip to Chicago, Columbus, Pittsburgh and Clarksburg, West Pa.

•

RODNEY BUSH, eastern representative for WALTER WANGER, and LYNN FARNOL will leave via American Airlines tomorrow for the coast.

•

DAVE FINN and JULIUS HABER of RCA Photophone's Camden office were visitors to the offices of Quigley Publications the other day.

•

EMANUEL SILVERSTONE has returned from the coast where he attended the United Artists' meeting as representative of Alexander Korda.

•

J. J. MILSTEIN, general sales manager for Republic, will leave Thursday for Chicago and Minneapolis. He'll be gone two weeks.

•

W. P. LIPSCOMB, producer, is in town, and sails tomorrow on the *Queen Mary* for London to produce "Ninety Sails," a play.

•

EMANUEL COHEN arrived from the coast yesterday for a 10-day visit during which he will attend the premiere of "Go West Young Man" and look over new plays.

•

CHARLES DE GRANDCOURT, MICHAEL BALCON's assistant at the G. B. studios, sails tomorrow on the *Queen Mary*.

•

BARNEY BALABAN and STANTON GRIFFIS plan to head east from the Paramount studio on Friday of this week.

•

JAMES CLARK, head of Horlacher's Film Delivery Service, was in town from Philadelphia yesterday for the day.

•

HANS KASSMANN, American representative here for ANDRE DE BRIE, has returned from Hollywood.

•

LOU IRWIN, WILLIAM DOVER and BUDDY G. DESYLVA plan to head for Hollywood next Monday.

•

SIDNEY HOWARD leaves this week for the coast to prepart the script of "Gone With the Wind."

•

ELEANOR POWELL, NACIO HERB BROWN and SID SILVERS will arrive on the Century tomorrow.

•

BABE RUTH will start work today on a Vitaphone one-reeler, "Home Run on the Keys."

•

E. L. ALPERSON and SIDNEY M. BIDDELL are due to return from the coast tomorrow.

•

C. C. MOSKOWITZ and LEO COHEN of Loew's will leave for Washington tomorrow night.

•

EDDIE GOLDEN will spend Thanksgiving with his family on the coast.

•

A. M. BOTSFORD and family arrived from California yesterday aboard the *Santa Paula*.

•

NEIL F. AGNEW and ROBERT GILLHAM will leave by plane tomorrow for Hollywood.

•

LOUIS PHILLIPS is scheduled to return Thursday from a business trip to Dallas.

•

A. E. MEYER, export manager of National Theatre Supply Co., is in Chicago.

•

ARTHUR A. LEE left yesterday for Buffalo and Toronto. Back again tomorrow.

•

D. W. GRIFFITHS and GUS EDWARDS dining in the Green Room of the Hotel Edison.

•

T. AULBACH will leave via American Airlines for Hollywood today.

•

RICHARD A. ROWLAND is due to arrive from Hollywood tomorrow.

•

FELIX JENKINS returned from Hollywood yesterday afternoon.

•

MARC LACHMAN plans to leave for Hollywood next Monday.

•

NILES WELSH is in town. He may appear in a stage play.

•

WILLIAM GERMAN left for the coast yesterday.

•

GEORGE DEMBOW has returned from the coast.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Mandarin Mystery"

(Republic)

HOLLYWOOD, Nov. 16.—This one is a laughless comedy, carrying the added weight of a sluggish murder mystery and a romance without any love interest to mention.

Charlotte Henry, with a $50,000 postage stamp for sale, is chased by wicked stamp dealers intent on stealing the valuable bit of paper. Eddie Quillan, as Ellery Queen, the boy detective, runs around embarrassing the police force and finding the murderer. Among those one suspects of doing the murder or of trying to be funny are Rita La Roy, Franklin Pangborn, Wade Boteler, George Irving, Kay Hughes, William Newell, George Walcott and Edwin Stanley.

On top of everything else, stamp collectors may be filled with horror at the way the valuable collectors' item is carried, carelessly folded in an ordinary envelope, and handled without tongs.

Production Code Seal No. 2,803. Running time, 66 minutes. "G."

"The Yellow Cruise" ("La Croisiere Jaune"), opening at the 55th St. today, was reviewed on May 7.

"Go West, Young Man," tomorrow's opener at the Paramount, was covered by wire from Hollywood Nov. 4.

"Wedding Present," which goes into the Criterion tomorrow, was also reviewed from Hollywood on Sept. 21.

"Murder with Pictures," the Rialto's new attraction beginning tomorrow, was reviewed from Hollywood on Aug. 28.

"Tarzan Escapes" goes into the Capitol Thursday. The Hollywood wire reviewed it on Oct. 26.

"The Garden of Allah," opening at the Music Hall that same morning, was seen in Hollywood and covered on Nov. 2.

"Can This Be Dixie?", slated for the Palace Friday, was reviewed from the coast on Nov. 10.

Malibu Club Burned

LOS ANGELES, Nov. 16.—The clubhouse of the Malibu Lake Club in the Malibu Mountains was destroyed by fire today. Sir Guy Standing is president of the organization.

New English Circuit Capital $32,500,000

LONDON, Nov. 9.—Financial details of the Union Cinemas amalgamation scheme, already reported, have been released. They provide for a merger between Union Cinema Co., Ltd., Oxford and Berkshire Cinemas, Ltd., and National Provincial Cinemas, Ltd., and the establishment of a new company with a capital of £6,500,000 in 2,000,000 redeemable six per cent cumulative first preference shares of £1 value, 1,500,000 redeemable six per cent second preference of £1; and two classes of ordinary shares, 10,000,000 "A" of five shillings value (£2,500,000) and 2,000,000 ordinary at five shillings (£500,000). Both classes of preference shares are redeemable at 22 shillings, by a one per cent sinking fund commencing in 1940, or at the company's option.

Security interchanges with the existing companies are proposed to holders on the following basis:

Union Cinema Co., Ltd.—37 "A" ordinary and 12 ordinary for every existing £1 ordinary. Five first preference and 10 second preference for every seven per cent preference.

Oxford and Berkshire—two "A" ordinaries and one ordinary for each five shilling ordinary. One preference and one second preference for every seven per cent preference.

National Provincial—Three "A" ordinaries and one ordinary for each five shillings ordinary. Seventeen preference and 17 second preference for every 24 £1 preference.

The scheme will be submitted at a special shareholders' meeting of the three existing companies on Nov. 27.

Leading figures in the Union groups are C. F. Bernhard and W. Southan Morris. An easier quotation for the companies' shares, and greater freedom in obtaining finance are the ascribed reasons for the amalgamation scheme.

Columbia's Net for Quarter Is $129,258

Columbia Pictures Corp., and subsidiaries for the quarter ended Sept. 30, 1936, has reported net profit of $129,258, equal, after dividend requirements on the $2.75 preference stock, to 26 cents a share on the 296,649 common shares outstanding.

The net compares with a net profit of $495,083, equal to $2.64 per share on 182,382 common shares outstanding, at the end of the September quarter in 1935.

Club Has Charity Lunch

DALLAS, Nov. 16.—About 500 members and guests of the Variety Club attended a luncheon at Bouche's Theater-Casino. The proceeds went to the Freeman Memorial Hospital for children.

CAPA to Hold Dance

CHICAGO, Nov. 16.—The Chicago Amusement Publicists Ass'n. will stage its second annual ball Thanksgiving Eve in the ballroom of the Hotel Sherman. Ina Ray Hutton and her Melodears, will supply the music.

Stagehands Plan Ball

NEW HAVEN, Nov. 16.—The Stagehands' union has set Jan. 9 as the date for its second annual ball at the Hotel Taft. A special feature will be a floor show.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 119 NEW YORK, WEDNESDAY, NOVEMBER 18, 1936 TEN CENTS

Government Is Studying Rise in Film Securities

Plan for RKO May Go Before Court Friday

Status of the Rockefeller Claim Not Made Known

A plan of reorganization for RKO may be completed in time for filing with the U. S. District Court here on Friday, it was stated on good authority yesterday.

"While we still cannot be certain that the plan will be completed within the time set," the spokesman for the reorganizing factors said, "our aim today is to file a plan with the court on Friday."

Leo Spitz, RKO president, who returned from the coast Monday, is understood to have spent considerable time since then at conferences with reorganization factors downtown in an effort to expedite the completion of the plan. The Atlas Corp. and Lehman Bros. interests are the proponents of the plan, with the law firm of Simpson, Thacher & Bartlett acting as counsel.

Whether the plan, if completed by Friday, would include a provision for the Rockefeller Center claim of $9,100,000, which dominates the unsecured creditor class, could not be ascertained yesterday. It is understood that several proposals, looking either to a compromise settlement of the

(*Continued on page 12*)

Trade Conference Called; Film Industry to Accept

As a result of indications that definite steps will be taken to enact enabling legislation for enforcement of wage and hour agreements and trade practice regulations at the conference of business leaders called for Dec. 10 and 11 at Washington by the National Council for Industrial Progress, the film industry is now regarded as certain to send its representatives to the sessions.

Since the demise of NRA the industry's attitude has been that participation in such conferences was futile because of the absence of enabling legislation for the enforcement of any trade pacts which might result from the meetings. It was this viewpoint which decided the industry against sending its representatives to the industrial conference held in Washington a year ago at the instigation of Major George L. Berry, head of the National Council for Industrial Progress.

With the current possibility of enabling legislation being at least con-

(*Continued on page 12*)

Treasury, Reserve Board And SEC Are Concerned Over Heavy Sales

By BERTRAM F. LINZ

WASHINGTON, Nov. 17.—Administration officials who are watching stock exchange activities to determine whether there is a trend toward a stock boom which might get out of hand, were today understood to be studying the film securities as a result of recent heavy trading.

While Treasury and Federal Reserve Board officials are known to be somewhat concerned about the recent boom in the market, which was especially pronounced following the election, officials of the Securities and Exchange Commission refused to divulge their views on the situation, other than to say that at all times they have about 100 stocks under scrutiny. Whether specific picture stocks were among those under study could not be learned.

However, the SEC is believed to be watching the situation to some extent since under the law it is required to prevent stock manipulations which might come under the heading of "market rigging." It is against the law for any person to operate in the market for the purpose of creating an artificial appearance of activity or an artificial trend. In the instance of a

(*Continued on page 18*)

Security Board Mad; Circuits Won't Play

Local headquarters of the Social Security Board is piqued over its inability to obtain time on the screens of three national circuits for a series of institutional shorts depicting the operations and objectives of the Board, it was learned yesterday.

One official of the Federal agency here threatened a "publicity expose" of the three circuits unless notice of their capitulation was forthcoming within 24 hours.

"But don't mention it in your

(*Continued on page 12*)

MPTOA Likes "U's" Reply On 4 Issues

The M.P.T.O.A. yesterday declared its "complete satisfaction" with four of the statements of policy made recently by Universal in taking action on the exhibitor organization's 10-point trade practice program, asks for reconsideration and clarification by the distributor of two points and expresses the hope that the remaining four topics can be met through the establishment of the proposed local conciliation boards.

The reactions are presented in a letter from Ed Kuykendall, M.P.T.O.A. president, to R. H. Cochrane, president of Universal, made public

(*Continued on page 12*)

G. B. May End Producing for World Market

LONDON, Nov. 17.—The board of directors of G. B. is understood to be considering the abandonment of production designed for the world market, which would include the United States.

Such consideration was indicated by Mark Ostrer at the recent stormy annual stockholders' meeting, which was adjourned pending the publication of the consolidated financial statement for the company and subsidiaries.

Ostrer said at that time that it is impossible to recover from the home market alone the full cost of quality product.

"We are therefore faced with the choice of abandoning our efforts in the American market in favor of a

(*Continued on page 18*)

Warners to Vote on Merger for Stanley

Warners today will vote approval of the merger of Stanley Co. of America and Stanley-Davis-Clark Corp. at a stockholders' meeting at the home office. The consolidation of the two companies is for simplifying the corporate structure and for tax and corporate savings.

The Stanley-Davis-Clark Corpo-

(*Continued on page 12*)

E. J. Smith Is Named Imperial Sales Head

E. J. Smith, former western division manager for United Artists, has joined Imperial Distributing Co. as general sales manager in charge of distribution. Lou Berman, who remains as vice-president in charge of operations, will hold a sales meeting in Chicago on Saturday.

"Broken Blossoms," Imperial's first,

(*Continued on page 12*)

20th-Fox Stand on Policy Up to Kent

A final draft of Twentieth Century-Fox's response to the M. P. T. O. A. 10-point trade practice program was completed yesterday and forwarded for approval to Sidney R. Kent, president, now in Hollywood. Indications are that the statement will not be returned here to be made public before the first of next week.

The company's statement of policy

(*Continued on page 12*)

Mannix to Produce In Shift at M-G-M

HOLLYWOOD, Nov. 17.—E. J. ("Eddie") Mannix is expected to devote all of his time to production at M-G-M, relinquishing his post as general manager of that studio in a rearrangement which will give Joe

(*Continued on page 12*)

Schumann-Heink Dies in Hollywood

HOLLYWOOD, Nov. 17.—Mme. Ernestine Schumann-Heink, for more than half a century a star of the operatic and concert stage and who during recent years had turned her attention to films, died here today at the age of 75 following a lingering illness.

During late years Mme. Schumann-Heink had endeared herself particu-

(*Continued on page 18*)

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Hays Has Half-Hour Audience with Pope

VATICAN CITY, Nov. 17.—Will H. Hays had a half-hour audience with Pope Pius today.

Hays described the meeting as the "apex" of his career in the industry and said that he was in accord with the Pope's views on morality in pictures. The Pontiff's "freshness and energy" impressed him, he said.

Hays Dinner Now Dec. 1

LONDON, Nov. 17.—The F. B. I. Film Group dinner to be tendered Will H. Hays, president of the M. P. P. D. A., now in Europe, has been shifted from Nov. 24 to Dec. 1, subject to his confirmation. Leading producers and other interests will give him a private party, and W. R. Fuller, secretary of the Cinematograph Exhibitors' Ass'n., plans an elaborate luncheon, which is expected to be widely attended.

Sonotone to Pay 15 Cents

Sonotone Corp. has voted a quarterly dividend of 15 cents a share on the common, payable on Jan. 2.

Insiders' Outlook

By RED KANN

NOT so, not so, insist two distributors. Releases for those waning weeks ending with the dreaded pre-Christmas slump may be doddering throughout all of the industry, but no bearing has it on what's to come from Metro and Warners. The companies say so themselves. They say so in answer to the unnamed circuit bookers of the other day's column who wailed and mentally tore their hair over conclusions drawn from a bulking of releases from all sources for the initial three weeks of next month. There is the Warner organization, pointing pridefully to

1. "The Charge of the Light Brigade."
2. "Three Men on a Horse."
3. "Polo Joe."
4. "King of Hockey."

And Metro, as usual, with no apologies to make for Leo to anyone, with

A. "Love on the Run."
B. "Camille."
C. "After the Thin Man."

Enough good stuff for any man's theatre there, they insist. Metro even goes beyond. It has optioned the space in Macy's window the scoffers said they'd occupy if any distributor can prove them wrong. . . .

▼ ▼

The wise film man will tell you readily enough that no one can predict the public's reactions to a given attraction. There are, of course, known equations; no great variance develops with a Temple or an Astaire-Rogers, although don't kid yourself that there is not some. Yet, beyond that very limited starring group of which those cited are examples, precedent these days means little or nothing. Because it does not, sales managers' fingers, late 1936 model, are forever more crossed. Several important exhibitors, reaching the town since the week began, separately brought with them interesting information about the current status of three attractions over which New York critics purred and Hollywood naturally raved....

▼

In the vast mid-country area, this trio is passing through a first run experience decidedly out of kilter with the forecasts. As a matter of fact and to cut the verbiage, they are flops. Each of the three, for reasons inherent in themselves, rates the public's support which has not been forthcoming although merit, beyond question, is there. The coast will be discouraged and cannot be blamed for its inevitable reaction. In one case, an important star cannot lure them past the box-office. In the second, the film is accurately and dramatically drawn from a nationally known property. In the third, the subject is a stirring depiction of a popular best seller. Earmarked by all the requisites demanded of money pictures, no money is in them and thus this unfortunate tale comes to its unsatisfactory end. . . .

▼ ▼

In case you don't know it, Gypsy Rose Lee is a dark-haired, dark-eyed dame of buxom proportions who specializes in that creation of burlesque known as the strip-tease. The strip-tease is a form of entertainment which calls for an orchestral accompaniment, usually hot and certainly rhythmic; sometimes a song, but more often not, from the strip-teaser and always an undress act. It provides for an evening gown, maybe cut on the bias, but anyway cut to allow hips, torso, et al to show by the easy discard of a minimum of pins tied up in a general plan which presumably tantalizes an audience made up almost entirely of men. Your effective strip-teaser shows little, finally gets to all and is skilled when she reveals her womanly charms first on a modesty plus basis and builds up to a climax when the lights go blue and she goes naked. . . .

▼

Miss Lee ranks high in this chosen profession of hers and so, far be it for us to disparage an artiste. However, when reports get around that she is being considered for pictures, we go violently disparaging long enough to suggest that this is more than a mild form of insanity, not to include taste that reminds of the one about last week's socks. Miss Lee, when her professional abilities are cleaned up, might have something to offer Hollywood. For the sake of the argument, we'll concede it, but, whatever the histrionic virtues, the coast can afford to pass them up and not run counter the danger of missing out on a potential Duse, if that renowned actress's memory will pardon the comparison. The market demand seemingly created for Miss Lee may be the usual agent's manouevres and that would occasion no surprise. But of burlesque and the strip-tease, Miss Lee is a Minsky product and to Minsky and the Shuberts she should be permitted to remain true. . . .

▼ ▼

Not so long ago: Instructions to the Warner Theatre bookers to find their film where they might, but not from Grand National.

Now: These same houses giving G. N. dates. And that makes for a story, proving the sighing of the wind changes with its direction.

Warners were none too pleased about losing the widely-known Carl Leserman to Alperson and certainly Grad Sears was not too happy about it. W. B. men, here and there and in scattered manner, followed suit. Then, of course, the Cagney situation which is a delicate one. But Leserman and Alperson, as those things go, might have gotten along far better and that made it a likely proposition for Carl to return to Sears as the latter's assistant, thereby to revive what always has been a closely-knit and understanding selling combination. It happened and it resulted in a sort of peace. Also in dates for Grand National. . . .

"Gold Diggers" Due In Milwaukee Today

Those flying "Gold Diggers" are getting around. Yesterday it was Memphis. Today it's Milwaukee and tomorrow it'll be Chicago.

Memphis turned out in a big way with bannered streets, an air circus with 50 planes, a speech by the acting mayor and a broadcast over WBMQ at the Municipal Airport. After a parade, luncheon was served at the Rotary Club. Then there were more broadcasts, a personal appearance at the Warner and a "Gold Diggers Ball" at the Hotel Peabody in the evening under the auspices of the Junior Chamber of Commerce.

At Milwaukee today the visitors will be welcomed by five winners of a contest put on by the *Wisconsin News*. On the City Hall steps the Marquette University football team will present a good luck token to Jeanne Madden. Broadcasts will be made, followed by a party.

Jack L. Warner and the sales executives attending a mid-season conference at the Blackstone Hotel, Chicago, will greet the flyers tomorrow in Chicago.

Officers Reelected By Selznick Board

HOLLYWOOD, Nov. 17.—All officers of Selznick International were reelected at the meeting of the board of directors held here last night.

David O. Selznick today refused to affirm or deny reports that the company will increase its production to 12 or 15 films annually but he stated that considerably more money has been placed at the company's disposal for production purposes.

John Hay Whitney will leave for New York tomorrow by plane.

Col. Assets $10,328,761

The consolidated balance sheet of Columbia Pictures Corp. for the quarter ended Sept. 26, 1936, shows current assets of $10,328,761.40 and total current liabilities of $1,459,201.42. Earned surplus was $4,021,993.94 and working capital $8,869,559.98.



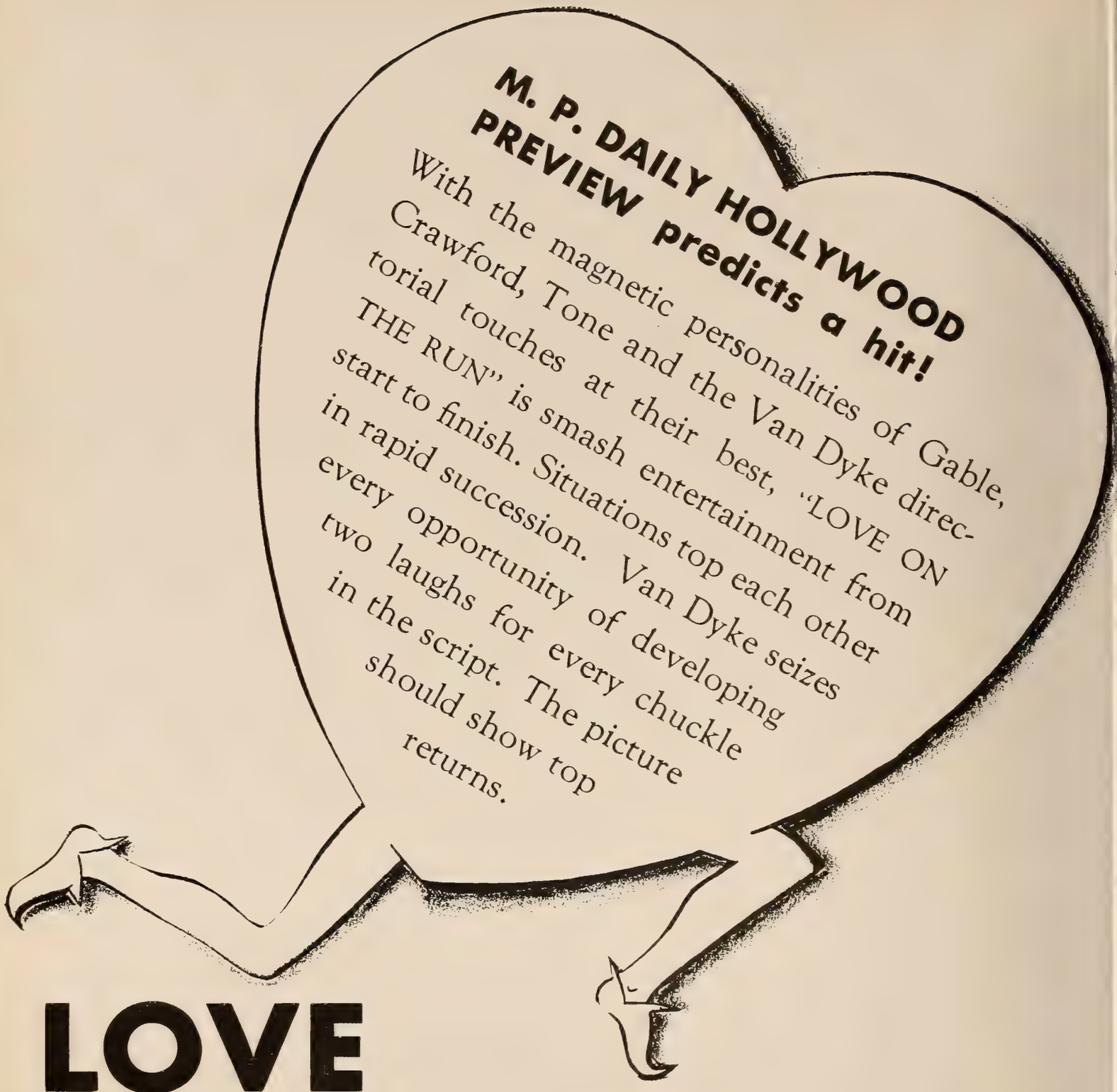
RUN! DON'T WALK! "LOVE ON THE RUN" IS GREAT! RUN TO THE NEAREST PROJECTION ROOM AND SCREEN IT! THEN RUN AND TELL THE TOWN! THEN WATCH THEM RUN TO YOUR BOX-OFFICE! AND, OH BOY, GET SET FOR A LONG RUN!



Joan Crawford looks great in Gable's loving arms!



Clark Gable's loving arms are strong for Joan!



LOVE ON THE RUN TO YOUR BOX-OFFICE!

Keep Running with Leo of M-G-M—



THE RUN ON YOUR BOX-OFFICE CONTINUES!

Keep running! "Love On The Run" is just the start-off of another M-G-M Run of Hits!

Read while you Run—

THE Film DAILY

Tuesday, Nov. 17, 1936

Reviews of the New Films

Eleanor Powell in
"BORN TO DANCE"
with James Stewart, Virginia Bruce, Una Merkel, Frances Langford, Buddy Ebsen, Alan Dinehart
(HOLLYWOOD PREVIEW)
105 mins.

M-G-M

A MUSICAL ON A GRAND SCALE; SHOULD BE A WOW AT ANY BOX OFFICE.

This is one of the singingest, dancingest mammoth musicals ever made. And it sure is one grand show. As produced by Jack Cummings, and directed by Roy Del Ruth, it is a big production that should be a box-office wow. Everybody sings and everybody dances, but the topper of them all is Eleanor Powell. Her dances are many, and some of the routines are nothing short of sensational. The songs by Cole Porter are in the hit class, with "I've Got You Under My Skin", "Easy to Love", "I'm Nuts About You" and "Rap, Tap On Wood", standing out. James Stewart sings and dances, and he and Eleanor are splendid as the romantic interest. For comedy there are Una Merkel, Sid Silvers and Buddy Ebsen. Besides contributing a lot of laughs they are very important in the song and dance set-up. Raymond Walburn adds to the laugh footage. Virginia Bruce and Alan Dinehart have important roles, and Frances Langford sings in nice style. Special mention should go to Reginald Gardiner for a smash routine in which he directs a non-existent symphony orchestra. Georges and Jalna present a superlative ball-room number, Barnett Parker has an enjoyable bit, and Helen Troy's telephone skit is hilarious. Juanita Quigley is a clever and beautiful child, who gets her lines over well. The dance ensembles, as staged by Dave Gould, are gigantic numbers and are most important in the total lay-out. The story by Jack McGowan, Sid Silvers and B. G. De Sylva, with screenplay by the first two, furnishes a peach of a structure on which to use the songs and dances, and their dialogue is very clever. Ray June's photography gives scope to the numbers and his work on the individuals is noteworthy. Roy Del Ruth's direction gives the piece a swift pace, with entertainment every foot of the way, and Jack Cummings can be proud of a production of this calibre. While visiting his wife, Una Merkel, whom he has not seen during his four years in the navy, Sid Silvers introduces a fellow sailor, James Stewart, to Eleanor Powell, who is desirous of getting on the stage. Eleanor goes for James in a big way and he for her. A publicity gag involves him with Virginia Bruce, an actress, and Eleanor thinks it is on the level. Virginia falls for James, too, and he leads her on because of the opportunity it affords him to maneuver his Eleanor into Virginia's job, which the former is understudying. Jimmy's explanation, plus Eleanor's professional success, reunites them romantically.

Cast: Eleanor Powell, James Stewart, Virginia Bruce, Una Merkel, Sid Silvers, Frances Langford, Raymond Walburn, Alan Dinehart, Buddy Ebsen, William and Joe Mandel, Juanita Quigley, Georges and Jalna, Reginald Gardiner, Barnett Parker, J. Marshall Smith, L. Dwight Snyder, Jay Johnson,

Joan Crawford, Clark Gable in
"LOVE ON THE RUN"
with Franchot Tone, Reginald Owen, Mona Barrie, Ivan Lebedeff, Charles Judels, William Demarest
(HOLLYWOOD PREVIEW)
80 mins.

M-G-M

RIOTOUS COMEDY PUT OVER IN GRAND STYLE BY BOX OFFICE BIG SHOTS.

One riot of a comedy is this "Love On the Run". It sparkles with clever dialogue that Joan Crawford, Clark Gable and Franchot Tone put over in grand style. In such a swell piece of entertainment, this name cast should mean smash box-office returns. Every type and kind of audience should love its gay, breezy, laugh-loaded qualities. Tone deserves special mention for his performance. Crawford and Gable are splendid in this light type of comedy as they certainly know how to put over the lines. Reginald Owen makes a perfect suave spy, masquerading as a Baron with an accent, and Mona Barrie serves capably as his accomplice. Donald Meek is in for a dance with Joan that is a wow, and she and Gable do a routine that will rock the audience. The piece is filled with hilarious situations, and the lightning tempo that is maintained never allows for a dull moment. W. S. Van Dyke's expert direction is everywhere to be noted, and the screenplay with the praiseworthy dialogue was written by John Lee Mahin, Manuel Seff and Gladys Hurlbut. Franz Waxman contributed a very appropriate musical score. This production should do Joseph Mankiewicz, its producer, proud. Gable and Tone are a couple of double-crossing, fast-working reporters. Gable meets Joan, who is hot copy and befriends her while getting her story exclusively. In making a hurried getaway they take Owen's airplane, in which they discover a very important map. Joan and Gable proceed to fall for each other and when she learns his true identity, is off him momentarily. Tone always manages to be around somehow and he fortunately slips in when it seems as though Owen has got Crawford and Gable in his clutches. Joan forgives Gable, and the picture ends with both boys still trying to out-smart one another.

Cast: Joan Crawford, Clark Gable, Franchot Tone, Reginald Owen, Mona Barrie, Ivan Lebedeff, Charles Judels, William Demarest, Donald Meek.

Producer, Joseph L. Mankiewicz; **Director,** W. S. Van Dyke; **Authors,** Alan Green, Julian Brodie; **Screenplay,** John Lee Mahin, Manuel Seff, Gladys Hurlbut; **Cameraman,** Oliver T. Marsh; **Editor,** Frank Sullivan. **Direction,** Tops. **Photography,** Excellent.

THAT'S WHY Marquees WERE BORN!




Roll your eyes over the glorious scenes on this page and thank your lucky stars you're an M-G-M showman because never since the leaping tintypes began to leap has human ingenuity put together such a wealth of joyous entertainment on any stage or screen. When we tell you this is M-G-M's successor to "Great Ziegfeld" we mean it TOPS it with eye-filling wonders and Cole Porter's melodies and a love story for the romantic and a million laughs! Oh electric lights! Here's your new baby!
M-G-M's
BORN TO DANCE
with the "Broadway Melody" Girl
Eleanor POWELL
James Stewart
Virginia Bruce
Una Merkel
Sid Silvers
Frances Langford
Raymond Walburn
Alan Dinehart
Buddy Ebsen
Director Roy Del Ruth
Producer Jack Cummings
Ah!

November 14, 1936 THE Hollywood REPORTER

MGM'S 'BORN TO DANCE' THE SEASON'S BIGGEST SHOW

Eleanor Powell Again Sensation

"BORN TO DANCE"
(MGM)

Associate Producer.....Jack Cummings
Direction ..... Roy Del Ruth
Story: Jack McGowan, Sid Silvers, B. G DeSylva
Screenplay: Jack McGowan, Sid Silvers ..... Ray June
Photography ..... Cole Porter
Songs .....Alfred Newman
Musical Director.....Dave Gould
Dance Ensembles.....Blanche Sewell
Film Editor.....Harvey S Haislip.
Marine Adviser: Com.

Cast: Eleanor Powell, James Stewart, Virginia Bruce, Una Merkel, Sid Silvers, Frances Langford, Raymond Walburn, Alan Dinehart, Buddy Ebsen, William and Joe Mandel, Juanita Quigley, Georges and Jalna, Reginald Gardiner, Barnett Parker, J Marshall Smith, L Dwight Snyder, Jay Johnson, Del Porter.

MGM's "Born to Dance" has one of the best openings and greatest finishes yet seen in one of those big, lavish and entertaining productions. The opening demands attention that holds for the full length of the picture, setting a pace that would seem impossible to follow, while the finish will send an audience out yelling its praises

It's a big show

Submarine Locale

This big musical, assembled by MGM around the nimble feet and radiant smile of Eleanor Powell, is a super-galaxy of young dancing and singing talent in a coruscating collection of Cole Porter musical numbers and comedy interludes, with several specialties and two or three big production numbers added It is a generous order of breezy and tuneful entertainment and will give general satisfaction and register solidly at the boxoffice

Its frame is another navy story, located this time on a submarine, with a gob-meets-girl romance, and uses the dependable device of having the gob engineer the girl into an understudy spot in a big show and then engineer the leading woman out on the opening night There are some engaging variations along the way, but it is what the story frames that matters, and matters plenty

Eleanor Powell's dancing seems more magical each time one sees and hears it. She is credited with exhibiting 14 different styles in this show and is just about perfection in them all. Her good looks and unaffected charm continue to be winning assets.

The show opens with a male chorus, "Rolling Home," sung by the gobs in the heart of the submarine as it enters New York harbor, and the singing is led by James Stewart, who becomes Eleanor's romance and by Sid Silvers and Buddy Ebsen, his pals. The boys, sent on an errand by Captain Raymond Walburn, the jovial but feeble-minded skipper, land in a boy-meet-girl social club, where Una Merkel is clerk, Frances Langford, a waitress, and Eleanor an out-of-town refugee. The dancing and singing, as well as the romancing, begin right there and it continues on into the show business, where Virginia Bruce is a singing star loaded with explosive temperament who walks out on the spectacular battleship finale.

An amusing story-variant has Sid Silvers married to Una Merkel and returning to her after a four-year absence, to find an addition to the family in little Juanita Quigley This situation is pie for Una and Sid and yields many of the best laughs of the piece.

Outstanding Songs

The outstanding songs are "Rap, Tap on Wood," for Eleanor, who has also a lilting waltz song, "I'm Nuts About You" and "Swingin' Away" for the big finale With Stewart she has "So Easy to Love," which is repeated by Frances Langford and Buddy Ebsen Virginia Bruce's best song is "I've Got You Under My Skin" and there is one for Raymond Waldron, "Miss Lucy James," with a male chorus.

One of the hit specialties is Reginald Gardiner's burlesque of a showy orchestra conductor, leading in a policeman's uniform in Central Park an invisible band in a fine orchestral interlude Another topnotch skit is Barnett Parker's floorwalker rave in a department store cottage and a third is a dance by Georges and Jalna.

The music throughout is admirably delivered under Alfred Newman's baton and rates credits to its arrangers, Roger Edens, Edward Powell and Leon Arnaud, with another to Dave Gould for his dance direction and to Merrill Pye for musical number sets

Bright Dialogue

The authors of the piece, Jack McGowan, Sid Silvers and B. G. DeSylva, have decked their story frame out with a heavy sprinkling of laugh-lines and bright gags, and director Roy Del Ruth has adroitly swung the whole into breezy continuity, while Ray June at the camera has given it arresting pictorial value.

In the support James Stewart's bashful gob is amusingly different and engaging Virginia Bruce sings and looks better than ever in her ungrateful part. Frances Langford wins at every opportunity Alan Dinehart scores pleasantly as an enterprising press agent, Buddy Ebsen helps a lot in all departments and Helen Troy scores uproariously as a switchboard operator

The picture is a first producer assignment for Jack Cummings, who must get his share of the praise.

As suggested in the opening paragraph, MGM or any other company has not produced a finish to a picture that is as fast, as lavish and as entertaining as the big finale. The number reeks of heavy expenditure and, whatever the outlay, it is justified by the entertainment.

Exhibitors will welcome this new musical; audiences will do nip-ups over it. It's a cinch to add plenty to any theater boxoffice and that's why pictures are made.



FLASH THE NEWS TO THE WORLD!

(And please don't stop! It's fun to read about hits!

HOT FROM HOLLYWOOD!

Gee it's great to be an M-G-M showman!

You'll see Greta Garbo love Robert Taylor in this one!

TELETYPE MESSAGE
from Culver City Studios

"CAMILLE"
ABSOLUTE
KNOCKOUT

William Powell and Myrna Loy do it again!

TELETYPE MESSAGE
from Culver City Studios

"AFTER THE
THIN MAN"
SENSATION



Oh what fun!
Start with
"Love On The Run",
And then keep going!
They'll walk a mile
For "Camille"—
Then go into your
dance with
"Born to Dance"
And prepare for
Merry Xmas with
"After The Thin Man"!

Purely Personal

GRADWELL SEARS and GEORGE SKOURAS will go duck hunting in North Carolina after SEARS returns from the two-day midseason sales meeting, which gets under way at the Blackstone in Chicago today. SKOURAS is planning to spending Christmas on the coast with his family, and there's a possibility LOUIS WEBER and his family may go along.

•

AUSTIN C. KEOUGH, LOUIS PHILLIPS and LOUIS NIZER are financially interested in "The Eternal Road," which MAX REINHARDT will produce here shortly. REINHARDT is due from the coast next month to begin work on the mammoth stage production.

•

GEORGE J. SCHAEFER, SPYROS and GEORGE SKOURAS, NED DEPINET, CHARLES D. PAINE and WILLARD MCKAY are due to spend the weekend in New Haven as spectators at the Yale-Harvard game.

•

VIRGINIA CHERRILL, DWIGHT DEERE WIMAN, W. P. LIPSCOMB, C. F. DIXON of Paramount and CHARLES DE GRANDCOURT depart today on the *Queen Mary*.

•

ROY SIMMONDS of the British Twentieth Century-Fox office and LES WHALEN will leave for Hollywood via American Airlines tomorrow.

•

GEORGE W. WEEKS, general sales manager of G. B., leaves today for a tour of the middle west branches. First stop is Chicago.

•

BABE RUTH proved a good draw for photographers and reporters yesterday at the Vitaphone Studio, where he is making a short.

•

RUBE JACKTER left for San Francisco on Monday for the two-day midseason Columbia sales meet which will get under way Saturday.

•

ROBERT GRAHAM, exploitation director of HERBERT WILCOX Prod., London, is at the Ritz Carlton.

•

JOHN BALABAN left the Michael Reese Hospital in Chicago yesterday after a much need rest.

•

RICK RICKETSON, operating head of Intermountain Theatres in Denver, is in town. He plans to leave Friday.

•

SOL EDWARDS, eastern sales manager for Grand National, left yesterday afternoon for Pittsburgh on business.

•

RODNEY BUSH, eastern representative for WALTER WANGER, leaves for the coast today.

•

BOB GILLHAM will leave for Chicago tomorrow.

•

SYLVIA SIDNEY trains in today from the coast.

•

NEIL F. AGNEW has cancelled his trip to the coast this week.

•

EUGENE PICKER yesterday celebrated his birthday.

•

JACK GOETZ will arrive from the coast today.

Jolson to Head New Ether Show Originating on Coast

Hollywood gains another important radio show next month when Al Jolson, Martha Raye, Sid Silvers, and Victor Young's orchestra premiere in an as yet untitled offering over a coast-to-coast CBS hookup. Announcement to this effect will be forthcoming shortly.

CBS yesterday denied all knowledge of the new program, but Ruthrauff and Ryan, the agency handling the account for Lever Bros., admitted that the program was practically set and would be delivered on Tuesday, Dec. 22.

Time and length have not yet been decided upon, but the present indication is that it will be a half-hour show, 8:30 to 9 P.M., E.S.T., and that it will replace the Ken Murray program, now occupying the CBS channel Tuesdays at the above time, and sponsored by Lever Bros. in the interests of Rinso and Lifebuoy soap.

Gotham Licks Hollywood

The score in the game between Hollywood and New York now stands six to five in favor of Gotham. At least, that's the score as compiled by an outfit which polls the popularity of the various radio offerings and whose results are accepted as gospel by all advertising agencies, sponsors, networks, and stars.

In the current compilation, released yesterday, the top 11 programs—no one pays much attention to the balance of the list—are: The Jack Benny Show, Major Bowes' Amateurs, Hollywood Hotel, Eddie Cantor's Texaco Town program, Good-Will Court, George Burns and Gracie Allen, Fred Allen, Lux Radio Theatre, Vallee Variety Hour, Fred Astaire's Packard program and the Kraft Music Hall, starring Bing Crosby, in the order named.

Surprise programs in the poll were Hollywood Hotel and the Packard show, which made unexpectedly strong showings.

WPA Talent Lined Up

The talent for tonight's Federal Theatre of the Air program, which premieres over the NBC-Blue network at 9 P.M., E.S.T., was definitely established after a five hour "grind" behind locked doors at Radio City yesterday.

The actors are Margaret Padulah, vocalist; Charles B. Leland, comedy; Orlando Ricalbe, baritone; Elsie Mae Gordon, monologist; Edna White, trumpeter; a harmony trio known as the Harmonettes; Ralph Hertz in a skit; Perchik Melik, vocalist; Sow and Lubin, blackface comedians; and a war sketch by the company.

Fred Niblo and Jerry Sears' orchestra complete the cast.

20th-Fox Busy on "Lloyd's"

20th Century-Fox is waging an extensive radio exploitation campaign in connection with its latest film, "Lloyd's of London." On the west coast, KHJ, KFI, KNX, KECA, and KMTR have been announcing the premiere dates at key program spots for the past few days.

Here in New York, Norman Corwin, of the local 20th Century-Fox publicity staff, will be interviewed at 4 P.M. this afternoon by Penelope Summerwell over WNEW.

"Court" in Court

Radio's Good-Will Court was hailed to Supreme Court yesterday by Municipal Court Justice Sweedler of Brooklyn who sought an injunction against the program and sued for $250,000. Justice Sweedler, who claims to have originated the Good-Will Court, is suing Standard Brands, the sponsors of the program, and the Knickerbocker (WMCA) and National Broadcasting companies.

Justice Conway, who heard the case, reserved decision.

Party for Deanna Durbin

Eddie Cantor tossed a great big party at the Pierre last night for his tiny singing discovery, 13-year-old Deanna Durbin. The news mob turned out en masse to welcome Deanna on her first visit to New York.

Needless to state, practically the entire local personnal of Universal, producers of Deanna's "Three Smart Girls," were among the welcomers.

Myrt and Marge, Powell, Et Al

Short Shots: Myrt and Marge, mother and daughter radio team, left Chicago by motor yesterday for a trip to New York for several auditions lined up by the William Morris office . . . Eleanor Powell arrives on the Century this morning from Hollywood . . . WXYZ, NBC station in Detroit, begins construction on a new 474-foot vertical antenna . . . Don Higgins of CBS news dep't, planed to Washington last night to arrange for coverage of the Presidential inauguration . . . Don Stauffer, radio head of Young and Rubicam, leaves for the coast on Saturday . . . Walter Johnson, former film player, now associate producer on the Hollywood staff of the same agency . . . Billie Bailey, CBS artist, off to visit with old friends at WBBM, Chicago station, where she first attracted attention. . . Johnny Augustine, CBS bandleader, engaged to play at the New York World's Fair . . It may sound premature, but CBS is already laying plans for its 10th anniversary, which will be celebrated next fall . . Hanley Stafford, character actor heard on many NBC and CBS programs, will be film tested by Universal next week.

Increase W3XE Power

WASHINGTON, Nov. 17.—An increase in power for both its television and accompanying aural transmitters, the former from 1,500 to 10,000 and the latter from 250 to 10,000 watts was today granted the Philadelphia Radio and Television Corp. by the Federal Communications Commission.

The company operates Station W3XE, over which it is broadcasting experimental television and sound programs.

The commission also granted licenses for the two new broadcasting stations, one at Price, Utah, and the other at El Dorado, Ark. Each is to have a power of 100 watts.

MPPDA, Allied Unit Seek Radio Solution

Allied of New Jersey is now working with the Hays organization, producers and distributors on an interchange of ideas in connection with stars appearing on important radio broadcasts, it was stated yesterday following a meeting of Allied at the Lincoln.

Max A. Cohen is chairman of the radio committee with Dave Snaper and Morton Miller of New Brunswick and Passaic, N. J., respectively. Realizing a protest will do no good unless there is a spirit of cooperation in trying to work out the problem among the interests involved, Cohen yesterday told MOTION PICTURE DAILY that "we feel this is a mutual problem and concerns us all.

"There is no use yelling copper," he added. "We will accomplish nothing unless all hands join in. Allied is working on an interchange of ideas to benefit the exhibitor so that these radio broadcasts may be a definite asset to the box-office," he said.

Says Benefit Is Possible

"Certain types of broadcasts, if properly applied, can help the box-office. There is no doubt that these air shows as scheduled today are a definite harm to the theatre operator.

"There is no angle of venom involved. We do not ask the distributor to take the stars off the air. We are trying to work out an active and constructive program."

As soon as the Hays office and the distributors complete their statistical data, Allied of New Jersey will try to work out an equitable program.

Meanwhile, the I.T.O.A., which on Nov. 7 sent a letter to Nicholas M. Schenck, president of M-G-M, protesting the appearance of the company's stars on a proposed Ford program Sunday nights from 8 to 9, received an answer, assuring the exhibitor group that the complaint will be given careful consideration.

This may indicate that the M-G-M-Ford deal is off or may result in the broadcasting hour being changed, if and when a deal is signed.

RCA Rests Patent Case

WILMINGTON, Nov. 17. — Radio Corp. of America and RCA Victor rested their case today in the patent trial in which Hazeltine Corp. charges them with infringement of an automatic volume control for radio receivers in the U. S. District Court here. Testimony of Frank N. Waterman, consulting engineer, and five depositions concluded the case of the defendants.

Depositions of P. H. Betts, Herbert H. Fischer, Edward L. Nelson, Henry F. Scarr and a stipulation concerning the proposed testimony of Benny O. Browne were offered by RCA.

A. J. Friis, who also testified for RCA, stated that he filed application for his patent in 1924 while in research work for Western Electric. The receiver, he said, he constructed in 1923 in New Jersey, and was tapped in such a manner as to provide energy for automatic gain control. One tube amplified, he stated, while the other tube rectified, thus eliminating the necessity for an operator at the receiver for clarification of signals. Friis testified that he knew of the diode but did not use it because the use of the triode for automatic gain control gives better results than the diode.

Ask All Film Interests to Berry Parley

By CLARENCE LINZ

WASHINGTON, Nov. 17.—Practically all film companies, including distributors and large exhibitors and labor organizations and other interests in the business, have been invited to attend the sessions of the National Council for Industrial Progress to be held here Dec. 10 and 11, with George L. Berry, Coordinator for Industrial Cooperation, expected to preside, it was made known today.

In all, more than 3,000 invitations were sent out. Because of its size, the list was not made public by officials.

Observers believe that the response to these invitations will indicate the possibilities of the council becoming a factor in the development of the Administration's policies with respect to labor legislation. Last year, about 300 organizations sent delegates to the meeting, but after the turbulence which marked the opening session, only a handful remained.

A number of industrial organization heads have intimated that they would be willing to participate in a discussion of industrial and labor legislation provided it was headed by some person other than Berry, with whom they claim it is impossible to cooperate, and there is some informal discussion in Washington of turning the council over to some department, preferably the Dep't. of Commerce.

20th-Fox Stand on Policy Up to Kent

(*Continued from page* 1)

on the exhibitor proposals has been delayed due to the absence from the city of various officials who had to be consulted both on the decisions involved and the drafting of the statement. These included Sidney R. Kent, John D. Clark, W. C. Michel and Felix Jenkins. The latter returned from the coast yesterday and is understood to have given the statement a final inspection from the distributor's legal viewpoint.

Policy statements from RKO, M-G-M and Paramount are expected in the near future. The Columbia statement will be delayed until the return from the coast of company officials. United Artists is reported not to have made its final decisions yet.

Mannix to Produce In Shift at M-G-M

(*Continued from page* 1)

Cohen his former title and William Koenig the title of studio manager.

Mannix has produced a scattered number of pictures in the last few years, but the contemplated change is in line with his long-standing desire to concentrate on the actual making of pictures. Cohen has been with Metro on studio administration for years. Koenig resigned from Universal on Friday after differences of opinion with Charles R. Rogers. His resignation, however, was not formally acknowledged and made public until Monday.

Trade Conference Called; Film Industry to Accept

(*Continued from page* 1)

sidered at the forthcoming conference of industry and Administration officials, the conference is viewed by film executives as taking on a different complexion from that of a year ago. With the promise that enforceable trade agreements may materialize, the sound attitude for this or any other industry would be to have representatives in attendance at the sessions, thus assuring the industry of a voice in any legislation which might be suggested and under which it ultimately might have to function, industry spokesmen point out. Such a course, they say, is obviously more prudent than ignoring the conference and learning later that legislation pertaining to the industry was being drafted by others.

Industry spokesmen said that invitations being sent out by Major Berry's office and addressed to film officials had not been received here up to yesterday, but indications are that a representative group will accept the bids when they are received and will attend the sessions in the capacity of observers for the industry. Subsequent action undoubtedly will be guided by developments at the conference itself, it was said.

Security Board Mad; Circuits Won't Play

(*Continued from page* 1)

paper," he admonished a MOTION PICTURE DAILY reporter. "They might act at the last moment. But if they don't we're going to call in all the newspapers, especially the Associated press. We'll give you the story, too."

Spokesmen for national circuits said they had rejected the subjects solely because, in their opinion, the reels lacked sufficient entertainment merit to remove them from the advertising or propaganda classification. The Security Board said the reels were made by the industrial film division of Pathe. There are five subjects and 2,500 prints have been ordered. The board said that the reels are being shown in theatres all over the country and that 600 houses in this state have accepted them, and 385 theatres in the city.

E. J. Smith Is Named Imperial Sales Head

(*Continued from page* 1)

will open at the Belasco in Washington on Thanksgiving Day for an indefinite run. Smith has been with Universal, Warners and Tiffany in sales positions. His headquarters will be at the Imperial home office here. Imperial has already 12 branches in operation, with more expected this week. The entire exchange setup is expected to be in operation within a month.

Warners Transfer Stern

PITTSBURGH, Nov. 17.—Sam Stern, for the last four years Warners' head artist here, will transfer to the home office, Jan. 1. He came here with Joe Feldman, advertising director for the Pittsburgh zone, in 1932.

Scherzo in B Major

Philadelphia, Nov. 17.—Members of the Philadelphia Symphony Orchestra, with Leopold Stokowski and Eugene Ormandy as possible recruits, will join the picketing of Warner downtown theatres on Thursday for the Musicians' Union. It may be in the form of a sonata, a fugue, concerto or symphony or it may be merely for sweet publicity's sake.

Last week Meyer Davis and Thaddeus Rich, noted conductor and head of the Temple School of Music, were in line.

The union says Warners have agreed to everything except the price, but Warners deny it.

Plan for RKO May Go Before Court Friday

(*Continued from page* 1)

claim or to provisions for its treatment on a parity with other unsecured claims against RKO, have been submitted to Rockefeller Center, but none has been formally approved yet. Whether the absence of such approval would result in a delay in filing the plan on Friday is problematical. Consideration has been given to possible means of treating the claim apart from the plan, probably by reserving new securities in a sufficient amount to satisfy contingencies resulting from future negotiation or litigation of the claim.

Warners to Vote on Merger for Stanley

(*Continued from page* 1)

ration operates Warner houses in Western Pennsylvania. The company is wholly owned by Stanley Corp. of America, which in turn is 99 per cent controlled by Warners. The name to replace Stanley-Davis-Clark will be Stanley Co. of America.

No action was taken on the Warner financial report at the directors' meeting yesterday, which was regarded as "routine," having to do with extension of mortgages and other details.

Price, Waterhouse had not completed the audit by yesterday, but it is planned to send out copies of the report for the year ended Aug. 29 to stockholders on Monday. A net of more than $3,000,000 is expected to be shown.

Crosby to Sponsor Golf

HOLLYWOOD, Nov. 17.—Bing Crosby is to sponsor an open golf tournament with $2,000 in prizes to be held on Feb. 6 and 7.

MPTOA Likes "U's" Reply On 4 Issues

(*Continued from page* 1)

yesterday, in which the distributor's action on the program is acknowledged and further discussed for purposes of clarification.

The four points on which Universal declared a policy with which the exhibitor organization is in complete accord, the latter sets forth, are approval of the proposed local conciliation boards; policy with respect to non-theatrical competition with established theatres; elimination of the score charge, and policy with respect to the forcing of shorts with features.

Reconsiderations Asked

The letter asks for reconsideration of Universal's stipulation that a 10 per cent cancellation under liberalized conditions will apply only to exhibitors contracting for the company's entire picture lineup, and asks further consideration, as well, for the proposal that distributors make available an optional short form of contract. Universal rejected this proposal, citing legal objections and the company's experience with former unsuccessful attempts within the industry to draft such a contract. Kuykendall's letter suggests that the reasons for the use of such a contract as that proposed may have been misunderstood by the distributor. He asserts that while the contract form suggested by the exhibitors "does not simplify the terms and conditions of the contract itself" it would have the effect of facilitating the "physical and mechanical handling of the contract."

Points on which Universal and the M.P.T.O.A. are not in disagreement as to the need for corrective action, but which the exhibitor organization hopes to regulate by means of the local conciliation boards are unreasonable clearance; overbuying to deprive a competitor of product; cut-rate competition between theatres and designated playdates. Non-theatrical competition is also suggested as a problem for the boards.

Seeks Rejection of One in 10

In respect to M.P.T.O.A.'s views on cancellation, the letter urges the distributor to grant exhibitors the right to reject one picture out of each group of 10 in all exhibition contracts for 10 or more feature pictures bought at the same time.

The letter commends Universal for taking the initiative in the matter of publicly defining its policy in the light of the exhibitor program and adds: "We are certain that the modifications in sales policies and sales practices which you have announced prove to be a very definite step towards removing the unnecessary friction and needless irritations that have existed for years in the trade relations between exhibitors and distributors and that your sincere cooperation, particularly in the matter of organizing and establishing local boards of conciliation, will go a long way towards developing the best and most practical solution of some of our most troublesome problems that is possible under the present circumstances."

Classification by Ontario Censor Hit

TORONTO, Nov. 17.—The announced intention of O. J. Silverthorne, chairman of the Ontario Board of Censors, to publish lists of classified recommendations on approved features has brought a sharp reply from M. J. McGrath, secretary of the Toronto Council of the Legion of Decency, although Premier M. F. Hepburn had taken his censor chairman to task for his statement and had repudiated the promise. Silverthorne intimated that Government classification of films was necessary to offset the alleged misleading decisions of the Legion which, he said, were based on opinions in the United States which would not entirely apply in Ontario.

McGrath pointed out, in a lengthy reply to Silverthorne, that the Legion branch in Toronto had a previewing committee made up of members of the bench, the bar, medical and nursing professions, social workers, college professors, teachers, office workers and college graduates who are parents. McGrath said, in part, "I think this cross section of the community will compare quite favorably with that of the two members of the Ontario Censor Board."

Complaint Is Filed On Fees in Canada

TORONTO, Nov. 17.—The first and only complaint against the new music tax rates adopted for the Dominion by the newly constituted copyright appeal board to be made thus far was filed yesterday by the London, Ont., Railway Commission, which operates various places of amusement at Port Stanley, Ont. The complaint charges that the rates, which are the same as those prescribed recently by the Canadian Performing Right Society, an Ascap affiliate, are "excessive."

The Dominion rate commission will receive appeals from the schedule of fees adopted for 1937, ranging up to 15 cents per seat for theatres, only until Dec. 1. Thus far, no complaints have been made by individual exhibitors or circuits.

Zanuck Answers League

HOLLYWOOD, Nov. 17.—Replying to the wired protest of the American League Against War and Fascism on the planned production by Twentieth Century-Fox of "The Siege of the Alcazar," Darryl F. Zanuck, vice-president in charge of production, declared: "Our picture is neither Fascist nor Communistic. We shall take no sides. The film will be made purely for entertainment, its drama having no direct bearing on the Spanish political situation. It will no more take sides than did that outstanding play, 'Journey's End,' propagandize Germany or the Allies."

"Ecstacy" Case Heard

A U. S. Statutory Court yesterday heard an application of Eureka Prod. for an injunction against New York State which they claim has no censor power over "Ecstasy," once it has been admitted to the country by the Federal Government under the 1930 Tariff Act. Decision was reserved by Judges Manton, Patterson and Mandelbaum upon completion of argument.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Jungle Princess"

(*Paramount*)

HOLLYWOOD, Nov. 17.—Genders are reversed in this fantastic jungle production as Dorothy Lamour is the exotic female Tarzan and Ray Milland the mighty white hunter. Improbable in its mixing of romance, drama, animal comedy, heroics, sex implications and love interest complications, the film nevertheless, is entertaining in its outlandish way.

Made an orphan by an elephant stampede, Miss Lamour grows to be a native jungle beauty with a tiger and an ape for companions. While sheltering the injured Milland during the rainy season, her pristine mating instincts play havoc with Milland's civilized social and moral ethics and the action of the situations provoke choice comedy. When the girl, feared by the superstitious natives as a witch, is brought to the camp she comes into conflict with Molly Lamont, Milland's finacee, who believes his infatuation is only a passing fancy.

The natives rebelling, prepare to massacre the girl and Milland, Miss Lamont, Hugh Buckler, Lynne Overman first kill the tiger. But as Milland frees himself to kill Mala, the chief, an ape summons legions of his kind to panic the terror-struck savages. In the finale Miss Lamont recognizes the eternal power of love and nature and so surrenders Milland to Miss Lamour.

Supported by good jungle production effects and camera work, Max Marcin's weird original has been ingeniously adapted by Cyril Hume, Gerald Geraghty and Gouverneur Morris. In directing their material William Thiele has taken care to fix things so that Miss Lamour's feature debut concentrates plenty of attention on her. She seems to possess the talent and personality that presages a future. Her singing of a plaintive native love ballad, in a strange contrast to her other dialogue because it is rendered with trained artistry, elicited comment at the preview.

Production Code Seal No. 2,595. Running time, 85 minutes. "G."

Overseas Previews

"Man of Affairs"

(*Gaumont British*)

LONDON, Nov. 11.—A very good Arliss, the better that it is all Arliss, A dual role gives him exceptional opportunities. Story values are excellent and the net result is a sparkling comedy in which characterization and incident are both far above average. The picture was produced as "The Nelson Touch" and is being released in England as "His Lordship."

Lord Duncaster, pompous foreign secretary in the British Government, has a twin brother, his opposite in every detail of character, who is an Eastern traveler and an expert in Eastern politics. With the knowledge that two emirs, on a mission to England, intend to murder the young prince whom they are escorting home from an English school, the traveler finds it impossible to convince his politician brother of the danger. He therefore, kidnaps him, impersonates him at a cabinet meeting and, per dictaphone, traps the emirs into a confession. The pompous one gets all the credit.

Arliss has never been more polished than in his subtly differentiated study of the two brothers; excellent dialogue shows his diction to great advantage.

Clever and amusing and for all audiences. Running time, 75 minutes. "G."

ALLAN

Denver Men Have Party

DENVER, Nov. 17.—Following the annual meeting of Gibraltar Enterprises, Inc., a banquet and party were held at the Lakewood Country Club. Exchange managers, bookers, salesmen, theatre equipment and sound men, newspaper men and others were among the guests.

Invitations, delivered by a policeman, were in the form of a summons, and caused some little excitement on Film Row the day they were delivered.

Three Books Filmed

Books published by Random House which have been or will be made into films, include "No Letters for the Dead," by Gale Wilhelm; "They Gave Him a Gun," by William Cowen, and "I, Claudius," by Robert Graves.

Fairbanks, Jr., to Start

LONDON, Nov. 17.—"For Ever and Ever," Douglas Fairbanks' next for Criterion, starts Nov. 23. Raoul Walsh will direct.

Short Subjects

"Rah! Rah! Rhythm!"

(*Educational*)

Featuring Herman Timberg, Jr., and Pat Rooney, Jr., this snappy little comedy of college doings is nicely entertaining. The story is of the rivalry between Pat and Herman for Grace MacDonald. They outdo one another in thinking up difficulties in order to appear in the school show and to the accompaniment of much snappy dialogue, dancing and merriment the piece winds up with the pair both doing their stuff. Production Code Seal No. 01,260. Running time, 16 mins. "G."

"Sports Headliners of 1936"

(*Twentieth Century-Fox*)

A review of the high spots of the Olympic games. Many scenes have been culled from newsreels. Re-editing has brought out the vivid action of the games and it unreels as spectacular and snappy entertainment. Reviewed without production code seal. Running time, 10 mins. "G."

Pettijohn Improving

C. C. Pettijohn, M. P. P. D. A. general counsel, was reported yesterday as resting comfortably at Mt. Sinai hospital, where he was taken on Monday after being stricken while at work. Physicians said that Pettijohn might have to remain under observation several days before his illness could be definitely diagnosed.

Neilson's Father Dies

Anthony Rutgers Neilson, father of Rutgers Neilson, publicity manager for RKO Radio, died Monday afternoon at Doctors' Hospital after a short illness. He was 75 years old.

Funeral services will be held this afternoon at 2:30 o'clock at St. Peter's Episcopal Church, Perth Amboy. Burial will be in St. Peter's churchyard.

Rites for A. E. Aarons

Funeral services will be held at noon today at All Angels' Protestant Episcopal Church, 81st St. and West End Ave., for A. E. Aarons, stage producer and theatre manager, who died Monday morning at Presbyterian Hospital following an operation. He was 71.

Grace Gannon Passes

DES MOINES, Nov. 17.—Grace Gannon, formerly secretary for the code board at Kansas City, died Monday of an infection which set in after removal of a tooth.

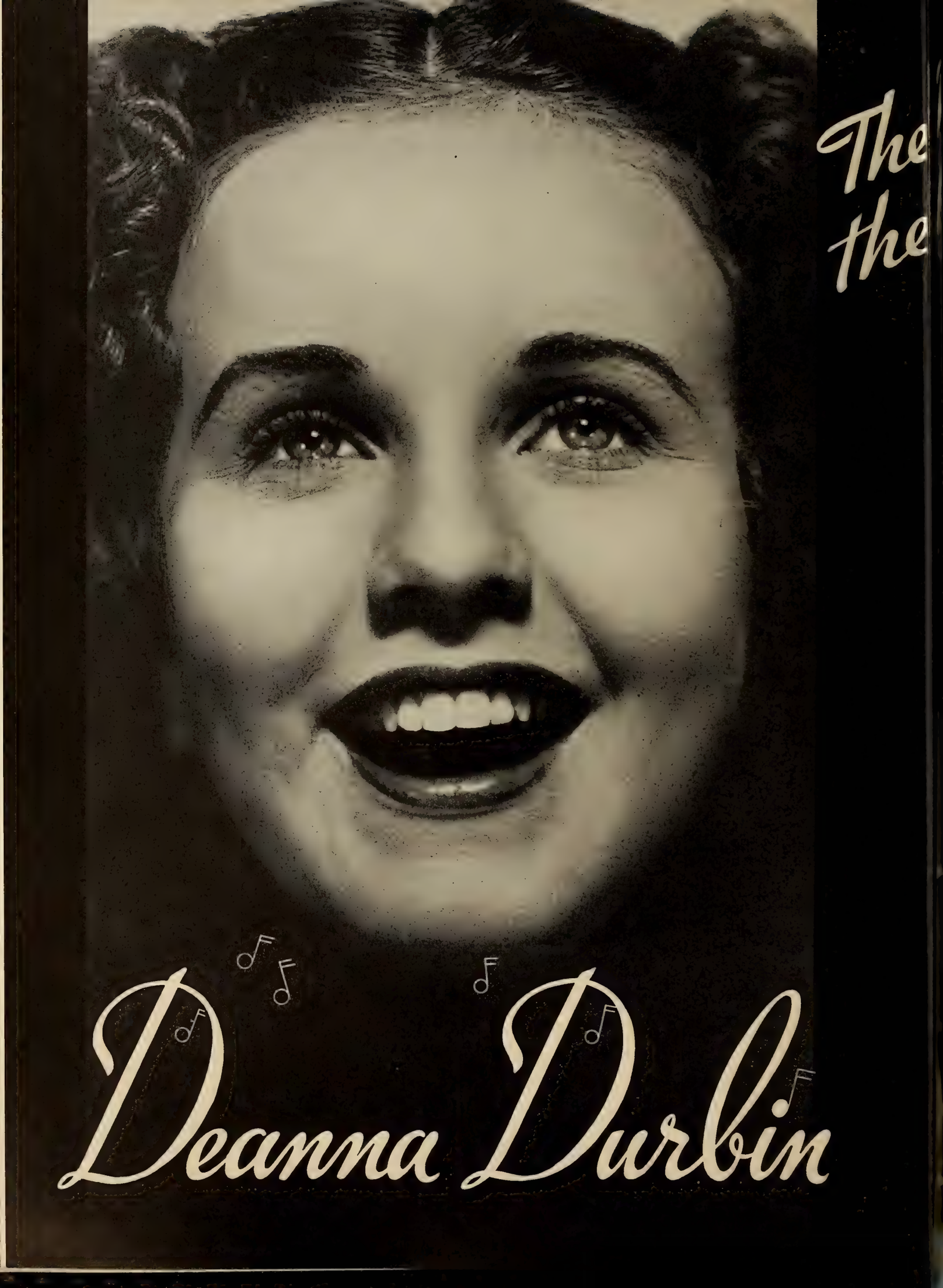
At the time of her death, she was secretary to Harry Weinberg, head of Central States Theatres. She also had previously worked for A. H. Blank.

Oscar Hanson Recovers

TORONTO, Nov. 17.—Oscar R. Hanson, president of Empire Films, Ltd., has recovered from a recent heart attack and will shortly be permitted brief visits to his office.

L. B. Wilson Is Laid Up

CINCINNATI, Nov. 17.—L. B. Wilson, who operates four houses and radio station WCKY, at Covington, Ky., immediately across the river, is ill.


The
the
Deanna Durbin

Miracle Girl of Radio Becomes Radiant Marvel of the Screen!

The voice that poured its golden splendor into a million homes now takes glorious form—to pour a golden harvest into your theatre.

The NEW UNIVERSAL *presents*

DEANNA DURBIN

in

3 SMART GIRLS

with

BINNIE BARNES

ALICE BRADY

RAY MILLAND

CHARLES WINNINGER

MISCHA AUER • NAN GREY

BARBARA READ • JOHN KING

DIRECTED BY HENRY KOSTER

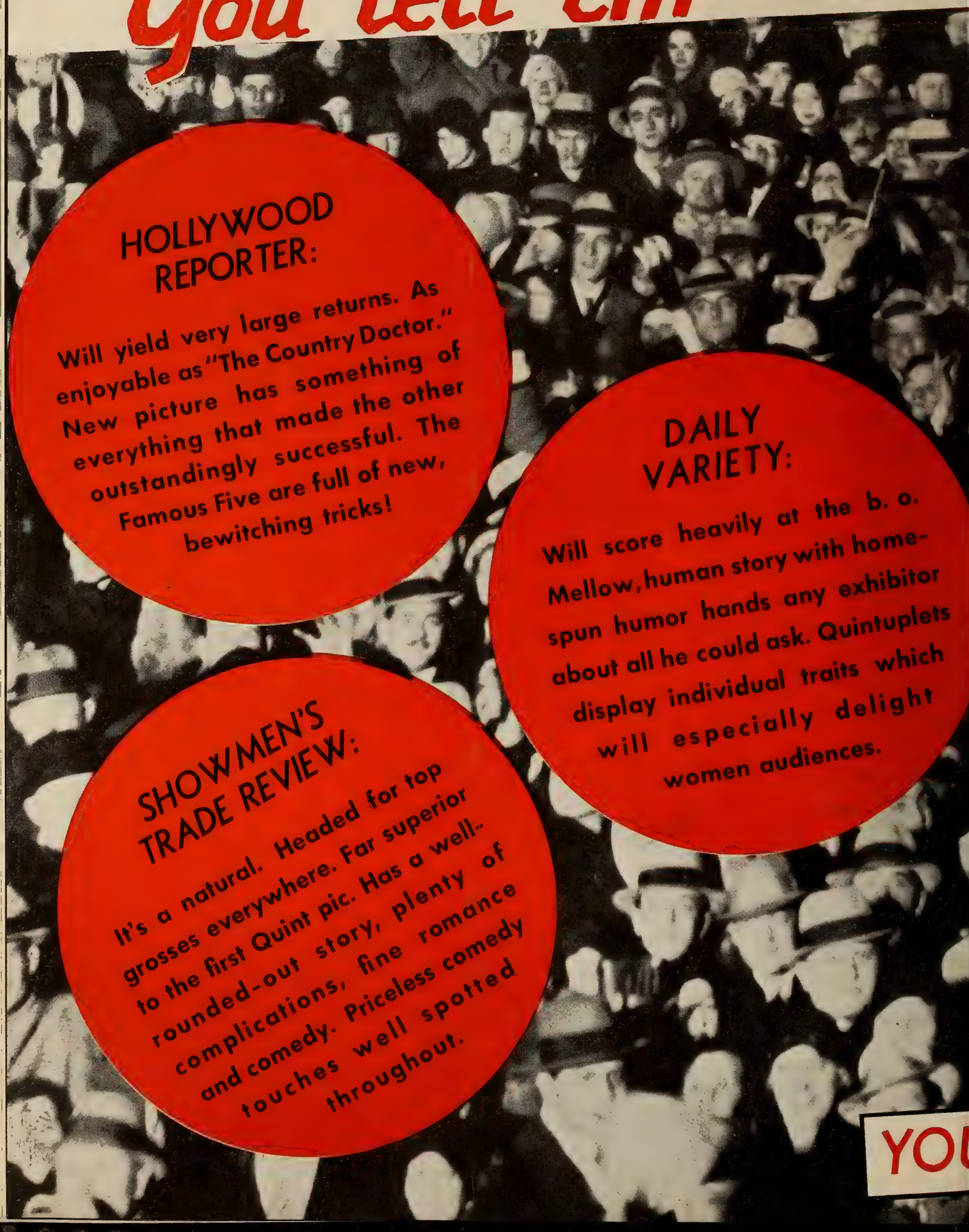
Associate Producer, JOSEPH PASTERNAK

CHARLES R. ROGERS

EXECUTIVE PRODUCER

THE STARS OF TOMORROW SHINE FROM THE NEW UNIVERSAL TODAY!

You tell 'em —



HOLLYWOOD REPORTER:

Will yield very large returns. As enjoyable as "The Country Doctor." New picture has something of everything that made the other outstandingly successful. The Famous Five are full of new, bewitching tricks!

DAILY VARIETY:

Will score heavily at the b. o. Mellow, human story with home-spun humor hands any exhibitor about all he could ask. Quintuplets display individual traits which will especially delight women audiences.

SHOWMEN'S TRADE REVIEW:

It's a natural. Headed for top grosses everywhere. Far superior to the first Quint pic. Has a well-rounded-out story, plenty of complications, fine romance and comedy. Priceless comedy touches well spotted throughout.

YOU

GENTLEMEN OF THE PRESS!



MOTION PICTURE DAILY:

Warm in human interest rich homely humor and appealing pathos-tinged drama. A new and unique idea. Places in exhibitors' hands a wealth of material for sock exploitation. Seems geared for box-office excitement.

FILM DAILY:

Should hit the b. o. in high. A very human story... handled with fine understanding. Plenty of gags ... plenty of laughs. The cute Quintuplets high-light this comedy drama. Most entertaining!

THE DIONNE QUINTUPLETS

with the year's most important cast

in "REUNION"

with

JEAN HERSHOLT

ROCHELLE HUDSON · HELEN VINSON
SLIM SUMMERVILLE · ROBERT KENT
Dorothy Peterson · John Qualen · Alan Dinehart
J. Edward Bromberg · Sara Haden · Tom Moore
George Ernest · Montagu Love

Scenes of the Dionne Quintuplets photographed under the Technical Supervision of Dr. Allan R. Dafoe

Directed by Norman Taurog

Associate Producers Earl Carroll & Harold Wilson

Screen play by Sam Hellman, Gladys Lehman, Sonya Levien. Based on a story by Bruce Gould.

Darryl F. Zanuck in Charge of Production

RS FOR HOLDOVERS——

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Federal Study Begun on Film Security Rise

(*Continued from page 1*)

member of a stock exchange the commission can institute proceedings to suspend or expel the company from membership on an exchange, the latest case to be brought in this manner being the citation on Nov. 13 of W. E. Hutton & Co., a New York brokerage firm, for alleged manipulation of Atlas Tack Corp. stock.

In the case of a person not a member of an exchange, the commission must go to court and secure an injunction.

Under the law, the commission is not required to await the receipt of complaints before taking action in such matters, but may, and has, instituted investigations and proceedings on its own initiative.

Call Film Spurt Natural

Observers in Washington who have had their attention directed to the heavy trading in picture stocks point out that that in itself is no indication that any premeditated drive is being made. They explain that some stock must naturally lead the market in activity and that heavy trading in a stock may merely mean that the attention of the investing public has been directed to it and there is an effort to "get aboard" on a good thing, or it may be that speculators are buying on the basis of some knowledge, real or inferred, that the company has entered upon a prosperous season or is preparing to announce dividends which will push the quotation up.

At the same time, the Administration is rather nervous over the market situation generally and may be preparing to prevent too rapid a rise in values by stepping in where there is reason to believe a planned movement is taking place.

Renewing Bank Night

NEW HAVEN, Nov. 17.—Following reinstitution of Bank Night in Derby last week, Warners will renew the game at the Lyric here on Dec. 2.

Out Hollywood Way

HOLLYWOOD, Nov. 17.—DAVID L. LOEW borrows ANN SOTHERN from Radio for lead in "When's Your Birthday?" . . . HOMER CROY to write industrial shorts for Standard Oil. . . . "That Girl from Paris" picked as title for LILY PONS picture at Radio.

"We've Had Our Moments" picked as title for Universal's co-starring film with JAMES DUNN and SALLY EILERS. . . . B. P. SCHULBERG signs Baroness GOTFRIED HOHENBURG—LULI DESTE—to term pact. . . . She will arrive shortly after first of year. . . . Radio to star HERBERT MARSHALL in "Escadrille," an air story.

GENE FOWLER checks in at Twentieth Century-Fox to continue his contract. . . . DONALD OGDEN STEWART back on the M-G-M lot. . . . ALICE FAYE completely recovered from her illness, resumes work in "Stowaway," at Twentieth Century-Fox. . . . DOT PONEDEL, makeup woman at Paramount, signed to a three-year contract. . . . RAY MCCAREY vacationing at Palm Springs.

✚

Casting—GRACE KERN, JACK RICHARDSON and GEORGE MOGRILL in "Maid of Salem," Paramount. . . . At Columbia, ANN ROTH in "Women of Glamour," RALPH MCCULLOUGH and FRANK SHERIDAN in "Woman in Distress," MONTAGUE SHAW in "Interlude," and VERA STEDMAN in "A Slug for Cleopatra." . . . HENRY HUNTER and NOAH BEERY, JR., in the serial, "Secret Agent X 9," Universal. . . . CORA WITHERSPOON in "On the Avenue," HELEN WOODS in "Death in Paradise Canyon," and STEPIN FETCHIT and SLIM SUMMERVILLE in "Love is News," Twentieth Century-Fox. . . . EDWARD PAULEY and CHARLES ARNT in "Sinner Take All," M-G-M.

✚

Title Change—"The Lost Nancy Steele" has been changed to "Nancy Steele is Missing," Twentieth Century-Fox.

✚

Writers—LEON GORDON and MONCTON HOFFE writing the screenplay of "The Last of Mrs. Cheney," M-G-M. . . . ROBERT FONATAINE on "Life Begins With Love," Columbia.

✚

New Contracts—Paramount signs VIRGINIA VAN UPP to a new writing contract, and LUCIEN LITTLEFIELD to an acting contract.

Schumann-Heink Dies in Hollywood

(*Continued from page 1*)

larly to veterans of the World War, singing in many hospitals in various parts of the country. Of her two sons who died in the war, one wore the uniform of the United States; the other that of Germany.

In 1935 the prima donna appeared in "Here's to Romance," produced by Twentieth Century-Fox.

Germans Studying Films

WASHINGTON, Nov. 17.—For the first time this year many German universities are including in their courses of instruction, matters pertaining to films, a report to the U. S. Dep't of Commerce from its Berlin office states.

Films are discussed in lectures on current affairs, the theatre, national economy, music and the history of art.

See Union Agreement Ready in Two Weeks

The completed draft of the agreement brought about by the Mayor's committee, by which the Allied Union will be merged with Local 306, is not expected to be completed for about two weeks, it was learned yesterday. The basic principles of the agreement call for the absorption by 306 of the membership of Allied, and the granting to Allied projectionists of a wage increase of 25 per cent by theatre members of the I. T. O. A.

The agreement is being reduced to written form by the attorneys for the three units involved, Milton C. Weisman for the I. T. O. A., Matthew Levy for Local 306, and Murry Harston for Allied. Upon completion, the draft will be submitted to the membership of the three organizations for ratification. If that fails, the points at issue will be submitted to the survey board for clarification and settlement, after which ratification again will be sought. The arrangement will become effective then on the date specified in the agreement.

Meanwhile, the survey board has as yet set no date for a consideration of the problem involved with respect to the Empire union, which has many unemployed members. It is thought probable in some quarters that a completion of the first phase of the union settlement will precede specific action on the Empire situation.

The I. T. O. A. will discuss the union situation at its regular meeting at the Astor today.

Out on Zukor Drive

HOLLYWOOD, Nov. 17.—Shirley Ross and Eleanore Whitney, sponsors, respectively, of the west coast and Cleveland districts in the Adolph Zukor Jubilee Drive, will leave here this week for a visit to the exchanges in their territories. Miss Ross will leave tomorrow and Miss Whitney Friday.

G. B. May Halt Its World Producing

(*Continued from page 1*)

program of cheaper films for the home market only, or abandoning film production altogether," Ostrer said. "Either of the two latter alternatives would greatly assist our financial position, but on the other hand it would mean giving up a great potential source of income. It would at the same time, however, make dividends assured.

"This problem is now receiving the careful consideration of your directors," Ostrer told the stockholders.

Ostrer's remarks were seen by observers here as indicating that the company's financial position has been a direct reflection of the expense of producing for the world market, and maintaining a distribution system of its own in the United States, which, he declared, "must necessarily be high in the initial stages."

Decision Probable Next Month

John Maxwell of Associated British Pictures, who purchased the Ostrers' non-voting shares in Metropolis and Bradford Trust, which controls G. B., had said recently that there would be no immediate curtailment of the American distribution setup in the United States as far as he is concerned. However, the board of G. B. is understood still giving consideration to the advisibility of abandoning world-market production, and its decision is expected to be a feature of the stockholders' meeting when it resumes some time next month.

In some quarters substantiation of the possibility of a completely revised production policy for the company is seen in the recent cutting of the G. B. production staff at the Shepherd's Bush studio to only two units, and the other moves indicating a tightening of the company's distribution activities.

Wall Street

Most Gain; Some on Board Off

	High	Low	Close	Net Change
Columbia	38⅛	36¼	38⅝	—1½
Columbia, pfd.	43½	43½	43½	— ⅞
Consolidated	5¼	5⅛	5⅛	+ ⅛
Consolidated, pfd. 18	17¾	17¾		+ ⅛
Eastman Kodak .179½	177½	179½		+2½
Eastman, pfd.	160	160	160	—3½
Gen. T. Equip.	30⅛	28¼	29⅞	+2⅛
Loew's, Inc.	64⅝	63⅜	64	+ ⅜
Paramount	22⅞	21¾	22¼	+ ¼
Paramount 1 pfd.	163¾	159	160	+3
Paramount 2 pfd.	20⅝	19⅝	20	+ ⅜
Pathe Film	9⅞	9¼	9¼	— ¼
RKO	10⅞	10¼	10⅝	+ ⅜
20th Century-Fox.	38⅝	37⅞	38	— ¼
20th Century, pfd.	47½	47¼	47¼	— ½
Warner Bros.	18¼	17½	17¾	— ¼
Warner, pfd.	65⅜	65⅜	65⅜	+ ⅜

Curb Continues Gain

	High	Low	Close	Net Change
Grand National	3⅜	3¼	3¼	+ ⅛
Sonotone	2	1⅞	2	.....
Technicolor	24¼	23¾	24¼	+ ⅝
Trans-Lux	5	4⅞	4⅞	— ⅛
Universal Pict.	16	16	16	+ ½

Paramount Bonds Rise

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	101¼	101	101	.....
Paramount B'way 3s '55	68⅛	68	68⅛	+1⅛
Paramount Pict. 6s '55	100⅜	100	100	— ¼
RKO 6s '41 pp.	100	100	100	.....
Warner Bros. 6s '39 wd	99	98½	98¾	— ¼

(Quotations at close of Nov. 17)

BANKRUPTCY SALE

OF

SOUND AND SILENT MOTION PICTURE NEGATIVES AND PRINTS 35 M.M. and 16 M.M.

Accounts Receivable, Contracts, Etc., Laboratory Machinery and Equipment, and All Other Assets of

EMPIRE LABORATORIES INC.

and Affiliated Companies

By Order of the United States District Court for the District of New Jersey

HONORABLE JOHN GRIMSHAW, JR., Referee

At 599 Jefferson Street, West New York, N. J.,

on Thursday, the 19th day of November, 1936, at 10 A.M., and continuing thereafter until completed.

Inspection November 16, 17, 18, 1936—8:30 A.M. to 6:00 P.M.

Catalogue will be furnished on request to:

SAMUEL M. FRIEDMAN, Trustee
33 Newark Street
Hoboken, N. J.

JACOB E. MAX, Trustee
22 Journal Square
Jersey City, N. J.

EMANUEL WEITZ, Trustee
75 Montgomery Street
Jersey City, N. J.

GROSS & GROSS
Attorneys for Trustees
15 Exchange Place, Jersey City, N. J.

RECORD BREAKER

EIGHTEEN months ago Eastman Super X Film was introduced as a special film for a special purpose. Today it stands as the world's leading all-purpose negative. Breaker of records, it is a notable contribution to a record-breaking era in the motion picture industry. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, New York, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

Jerseymen Refusing To Pay Sales Levy

Theatre owners have not and will not pay the two per cent sales tax, it was stated yesterday by a spokesman for Allied of New Jersey after the matter was discussed at a meeting of the unit at the Lincoln.

By advice of counsel, exhibitors across the Hudson have been told not to pay the New York City levy, the spokesman stated. So far no shows have been held up by exchanges, it was said, and there is no expectation that shipments will be delayed because of the unpaid tax.

The Social Security tax insofar as exhibitors are concerned also was taken up at the session.

Skouras in Manhasset

Skouras Theatres will operate the new Manhasset, Manhasset, L. I., which is scheduled to open Monday. The theatre is being built by Century circuit which retains a half interest. Century's other new house, the Elm in Brooklyn, will not be ready for opening until Christmas.

Vincent Traynor, who has been managing the Lafayette, Suffern, will continue in that post when Skouras assumes operation shortly.

G. N. Sets 20 Deals

Grand National has closed product deals with 20 circuits, including Loew's, Fox, Butterfield, Central States, Dickinson, Fabian, Dent, Hines, Comerford, Great States, Warners, Paramount, RKO, Skouras, Thalheimer, West Virginia, Randforce, Schine, Wometco and Midwest.

In Bank Night Suit

DALLAS, Nov. 17.—William J. Lyon, Jr., has filed suit in District Court here against Interstate circuit over a Bank Night drawing. He claimed his name was called at a drawing at the Melba, and that he arrived shortly afterwards. He asks $1,400, the amount of the award, plus six per cent interest.

Ask Columbia Trading

LOS ANGELES, Nov. 17.—The Los Angeles Stock Exchange has applied to the Securities and Exchange Commission for extension of unlisted trading privileges on Columbia voting trust certificates for common stock and also for the underlying common stock.

McCarthy on Trip

Frank J. A. McCarthy, eastern sales manager of Universal, is on his way to Universal exchanges in Charlotte, Atlanta, New Orleans, Dallas and Oklahoma City. He returns in 10 days.

Postpone Club Dance

DES MOINES, Nov. 17.—The Variety Club dance, planned for Nov. 21, has been postponed indefinitely because of the illness of Harry Herman, chairman of the entertainment committee.

WPA Leases House Here

The Federal Music Project of the Works Progress Administration has leased the Casino de Paree for concerts and opera.

Paramount Theatre Starts Its 10th Anniversary Week

By BILL ORNSTEIN

The Paramount theatre today will celebrate its 10th anniversary with a combination show consisting of "Go West Young Man," with Mae West on the screen, and Al Donahue and his band, Paul Draper, Jack Powell and Louise Massey and her westerners on the stage.

During the past decade the average gross for the theatre has been $50,000 a week, it was estimated yesterday. No picture during the first three years averaged under $70,000, it was said. Some of the big films which tallied better than $60,000 a week included "Lives of a Bengal Lancer," the Mae West pictures, "Ruggles of Red Gap," "Cleopatra," "The Big Broadcast of 1937," and "Underworld." The highest gross for any combined show at the house was chalked up by "Pointed Heels" and Buddy Rogers and his band. This show drew $103,000.

Average attendance has ranged from 85,000 to 90,000 persons a week, it was said. Some of the outstanding headliners have been Nancy Carroll, Eddie Cantor, George Jessel, Dave Rubinoff, Maurice Chevalier, and Rudy Vallee.

Has Shown 480 Films

When the theatre opened Nov. 18, 1926, the admission scale was 40-65-85 cents weekdays and 99 cents weekends. Today the prices are 25-55-75 cents and 85 cents on Saturday and Sunday. About 480 pictures have been shown during the life of theatre. "God Gave Me Twenty Cents" was the opening attraction.

There are approximately 250 employed today. This figure includes 50 ushers, eight doormen, four cashiers and three assistants to Bob Weitman, manager.

Weitman, at the time the house opened, was assistant manager of the Rialto, but contributed his services on the opening night by tearing up tickets as the customers arrived. After a year at the Rialto, he was transferred to the Paramount, Brooklyn, as manager. A short stay in Brooklyn and then Weitman was promoted to city manager by Paramount with supervision of the old Criterion, the Rialto, Rivoli and both Paramounts.

Promotions from the Staff

After a term as city manager, Weitman returned to the Brooklyn Paramount and when that theatre closed about three and a half years ago with the Paramount bankruptcy, he was switched to his present post.

Promotion from within the ranks has been Weitman's policy. Ben Greifer, his first assistant, was with him as a part time usher at the old Rialto when Weitman was there. Bob Shapiro, who was an usher at the former Rialto, has succeeded Greifer as second assistant. Eugene Peshette, treasurer of the Paramount, succeeding Shapiro, started at the theatre as an usher.

Few outside pictures have been booked by the Paramount, a rough estimate being an average of two a year at the most.

The current show is expected to continue for four weeks, which naturally will carry with it anniversary tidings.

Page the Digest

Kansas City, Nov. 17.—Muriel Hawkins, in the "Speaking the Public Mind" column of the *Kansas City Star*, has suggested a straw vote to determine popular reaction to dual bills.

Only 14 days after election, too, with the straw votes giving Kansas to Landon.

To Open Memphis House

MEMPHIS, Nov. 17.—The Orpheum, closed for the past year, will be opened by M. A. Lightman for George White's "Scandals" Nov. 25-26.

If the "Scandals" engagement clicks, Lightman is considering a stage show policy for the house which has gone through many openings and closings under four different regimes since an RKO receivership kicked it back to the local bondholders nearly four years ago.

Salt Lake House Burns

SALT LAKE CITY, Nov. 17.—Andy Floor's Hollywood burned today, resulting in damage of over $2,000.

An ultra-modern theatre will be built here by the Auerbach Co. at State and Broadway.

Fox Bankruptcy Case Hearing Is Delayed

ATLANTIC CITY, Nov. 17.—Resumption of the bankruptcy inquiry into assets of William Fox was postponed today until next Tuesday.

In the meantime Herbert Leitsteen, Fox family bookkeeper, has been served with an order to appear at 10:30 o'clock Dec. 4 before U. S. District Judge John Boyd Avis at Camden for refusal to answer questions in the proceedings here.

The postponement today was due to the fact that several lawyers were in court at Camden.

Delay Signing Penn Pool

Signing of papers in the pooling of the Penn, Warner and Stanley in Pittsburgh by Loew's and Warners is being held up pending the consummation of product deals now being negotiated. The signing of the contracts is regarded as a formality as the pool is now in effect.

Home for Miss Sullavan

SOMERVILLE, N. J., Nov. 17.—Margaret Sullavan, who was married Sunday to Leland Hayward, has purchased the home of Margaret Gilbert Skougor, artist, at South Branch, N. J.

"Broadcast" at $30,000

"The Big Broadcast" ended its fourth week at the Paramount with a gross of $30,000. At the Brooklyn Paramount the picture finished a first week with $26,000.



The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 120 NEW YORK, THURSDAY, NOVEMBER 19, 1936 TEN CENTS

Para. Final Quarter Net Seen Over 3rd

Its Earnings in October Reach $1,000,000

With a $1,000,000 net for October and earnings for the current month running at approximately the same pace, Paramount's profit for the final quarter of the year is expected to exceed the third quarter profit by a substantial amount, company officials said yesterday. Net for the third quarter is estimated at $1,700,000.

The company's indicated showing for the final quarter is credited with sustaining the strength and market interest in Paramount securities, rather than anticipation of the favorable results which will be shown by the third quarter report when it is made public late this month or early in December, it was said. If the present earnings pace is maintained during the remainder of the final quar-

(*Continued on page 9*)

Union Merger Terms Hit by ITO Members

A number of members of the I. T. O. A. are understood to be dissatisfied with the terms of the Local 306-Allied operator merger, it was learned yesterday. The labor situation was discussed at a meeting of the I. T. O. A. at the Astor, but John Manheimer, secretary, would not comment on it.

Exhibitors now using Allied exhibitors will be forced to hike booth costs 25 per cent, it was stated, and because of the 10-year contracts the I. T. O. A. has with Allied, no exhibitor can install non-union operators. The Allied contracts with local exhibitors are part of the deal with Local 306.

The 60-day truce between the two opposing unions ends Jan. 11, by which time it is expected that some of the smaller theatre owners, who cannot afford the 25 per cent increase, may get concessions.

U. A. Behind Mexico And Argentine Deals

United Artists probably is the first American film company to finance production in the Argentine and Mexico. Two deals were recently signed by Walter Gould, assistant to Arthur W. Kelly, foreign sales head, on his recent five-month trip to these countries.

The first provides for six films to

(*Continued on page 9*)

Warners Add 3 Million to Film Budget

Applies to "A" Product, Sears Tells Meet

CHICAGO, Nov. 18.—Warners added $3,000,000 to its production budget six months ago, which is to be applied to pictures to be released during the coming winter and spring, Gradwell L. Sears, general sales manager, told the mid-season sales convention at the Blackstone here today.

The increase was made in anticipation of the result of the national election and the increased prosperity of the nation and film business, Sears said. The additional money will be used on Class A pictures, of which the company plans to release two or three every month.

Sears declared an elaborate 15-week sales drive will start soon, ending Easter Week.

All the service divisions of the distribution department are represented at the two-day meeting, which will conclude tomorrow. District sales managers, home office sales executives, advertising and publicity representatives, and members of the accessories department in this country and

(*Continued on page 9*)

Warners' Air Plans Near Consummation

HOLLYWOOD, Nov. 18.—Expectation that Warners will announce plans for a new national radio network within a week were increased here today with the information that Martin Gosh, who is in complete charge of Warners' radio division, is completing plans for a general expansion. Gosh has been here three days conducting private negotiations.

It is reported that changes are planned for local setup of Station KFWB which aim to make the station the most powerful independent

(*Continued on page 6*)

Opening on Thursday To Be Tried by Roxy

The Roxy will try out Thursday openings, beginning with "Reunion," which follows "Pigskin Parade" on Thanksgiving Day. For the first five days of the current attraction, "Pigskin Parade" tallied $39,800, with another $8,000 expected before the seven-day finish tonight.

Howard S. Cullman, trustee, is understood dickering for another four

(*Continued on page 9*)

Stumped for Once

It was over the radio—the Jimmy Fidler broadcast, to be exact—that James R. Grainger first heard rumors of the reported engagement of his son, Edmund Grainger, to Mary Rogers, daughter of the late Will Rogers.

Edmund is an associate producer for Universal, but was not "available" when his father tried to reach him on the transcontinental telephone yesterday for the low-down.

Therefore, at a late hour last night Grainger, pere, was still wondering. Ditto for Mrs. Grainger.

"U" Deals Greatest In 6 Yrs.—Grainger

James R. Grainger, general manager of distribution of Universal, stated yesterday that thus far the number of contracts closed by the company this year is greater than in any year during the last six. The statement followed the completion of a deal with A. H. Schwartz of the Century Circuit, including 41 houses in the New York area.

Grainger said that 606 more contracts were signed this year, as of last Saturday, that every important circuit

(*Continued on page 9*)

Fox Unit Reported In Deal on Denver

Rick Ricketson, operating head of Intermountain Theatres, a subsidiary of National Theatres, now in New York, is understood to be working out details of a deal for the acquisition of the Denver, Paramount, Alladin, Tabor-Grand and several other houses in Denver.

Harry Huffman is interested in a number of the theatres involved. The deal, when completed, will give Intermountain at least three first run downtown situations.

Ricketson is believed to be con-

(*Continued on page 9*)

Cohen Says Stage Financing Needed

Film companies will have to return to the financing of stage productions if only to insure themselves of an adequate supply of production material, Emanuel Cohen, head of Major Pictures, opined in an interview here yesterday.

Cohen, who came here to look over

(*Continued on page 9*)

Ostrer Sails To Iron Out G. B. Impasse

Isidore Seen Seeking To Aid Maxwell

By BRUCE ALLAN

LONDON, Nov. 18.—Isidore Ostrer, ranking executive of G. B., sailed for New York on the *Normandie* today reputedly in an attempt to clarify his company's situation so that John Maxwell may proceed with completion of his still pending deal for complete control of G. B. This would entail efforts to reach an understanding with Twentieth Century-Fox which must approve sale of the 5,100 shares of "A," or voting stock held by the Ostrers and on which Maxwell holds an option. Twentieth Century-Fox holds the remaining 4,900 shares and, furthermore, must sanction any financing or refinancing moves which the G. B. management may seek to undertake.

Insofar as the official aspects of the trip are concerned, G. B. merely announced Ostrer would spend four weeks in America, dividing his time between New York and Hollywood.

No specific connection between Ostrer's visit and the present negotiations for the acquisition of control of G. B. by Maxwell was indicated officially, but speculation ran high here when Ostrer's departure was revealed.

It was pointed out in some quarters that Ostrer's visit here may make it

(*Continued on page 10*)

Loew's Sets Extra Dividend in Quarter

Loew's directors yesterday declared a regular quarterly dividend of 50 cents and an extra dividend of $1, payable Dec. 31 to stockholders of record Dec. 11.

Leopold Friedman, head of Loew's legal department, and A. Schlader, attached to the legal force of the circuit, will leave for Washington tomorrow in connection with tax discussions.

League May Boycott Tobis German Films

The Non-Sectarian Anti-Nazi League has determined upon a boycott of the German-produced product released in this country by American Tobis, in the event that the film company within a reasonable time fails to cooperate in the League's request that

(*Continued on page 9*)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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J. M. JERAULD, *Managing Editor*
JAMES A. CRON, *Advertising Manager*

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Set Plans for Jubilee

HOLLYWOOD, Nov. 18.—Plans for participation in the 17-week Silver Jubilee of Adolph Zukor were made today by a number of Paramount players at a luncheon attended by Zukor as guest of honor. Bob Burns acted as chairman.

Cadman U. A. Manager

R. J. Cadman, former salesman in San Francisco for the company, has been named United Artists manager for Salt Lake City. Cadman is now in Salt Lake. He succeeds Irving Schlank, new Chicago manager.

Roach Names McLeod

HOLLYWOOD, Nov. 18.—Norman McLeod was signed today by Hal Roach as producer-director. "Topper," by Thorne Smith, is his first assignment. Jeanie MacPherson and Jack Jevne are doing the screen treatment.

DuWorld Extends Plan

DuWorld plans to extend its direct-to-theatre sales plan with "Girl in the Case," according to Arche Mayers, sales manager, who has just returned from a sales tour.



'GOLD DIGGERS' MARCH ON MILWAUKEE in mammoth parade as gala reception, broadcasts and stage appearance highlight latest stop on Warner Bros.' 4-week Sky Tour heralding Xmas release of 'Gold Diggers of 1937'. CHICAGO NEXT! (Advt.)

Stockholders Delay Stanley Co. Merger

Because certain papers were not ready for signing, stockholders of Stanley-Davis-Clark Corp., operating theatres in Western Pennsylvania, yesterday postponed merging this company with Stanley Co. of America. The meeting was held according to schedule and adjourned until next Wednesday.

Stanley Co. of America owns Stanley-Davis-Clark and Warners own 99 per cent of the stock of Stanley Co. of America.

Warners are not confronted with the necessity of paying a dividend at this time because the tax on undistributed profits does not apply to the fiscal year ended Aug. 29, last, it was stated. No dividend was declared on either the common or preferred, the $3,000,000 profit for the year slated to be set aside to reduce an accumulated deficit of $14,000,000.

Stewart McDonald, assistant secretary of Warners, will leave for Pittsburgh early next week on the Stanley-Davis-Clark matter.

Korda's Program Is Raised to 10 Films

Alexander Korda has increased London Films' production schedule for the current season from six to 10. Emanuel Silverstone, American representative, briefly outlined Korda's plans at the U. A. board meeting on the coast.

The 10 pictures are "Rembrandt," "Men Are Not Gods," "Fire Over England," "The Man Who Could Work Miracles," "Elephant Boy," "Rank Without Armour," "I, Claudius," "Divorce of Lady X," "Troop Ship," and "Dark Journey."

At the same time, the directors declared a $250,000 dividend. All officers and directors were reelected.

Steve Pallos, general sales manager for London Films, is due from England next week. He may arrive on the *Normandie*.

Expect MPTOA Meet In Miami Next Feb.

Indications are that the annual convention of the M. P. T. O. A. will be designated for Miami for a late February or early March date when the organization's board of directors is polled on the meeting place early next month.

The M. P. T. O. A. board meeting may be held in New York if a sufficient number of directors can be assembled for the session.

Miss Powell Dances On Train Platform

M-G-M's publicity boys rolled a red piano down the long platform at the Grand Central Terminal yesterday and spread a bamboo mat for Eleanor Powell. She danced.

The photographers used up a gross of flashlight bulbs. Passengers, especially commuters, forgot what time it was and the writers took notes. Miss Powell said she was going up to her parents' home in Westchester for a vacation.

MGM Issues Bulletin

The first of M-G-M's new bi-weekly cooperative campaign service letters was distributed to the company's exhibitor accounts yesterday. The new service is designed to present in brief and simplified form picture-selling ideas for exhibitors who prefer them to lengthy promotional campaign reports.

Flash Previews

"Smart Blonde" — First of the "Torchy" Blane series, featuring the experiences of a newspaper woman. Glenda Farrell and Barton MacLane are good in their parts.

"Lady from Nowhere"—Mary Astor as a manicurist who becomes involved in a gangster feud.

These films will be reviewed in full in a coming issue of Motion Picture Daily.

Church Dignitaries Convene in Capital

By BERTRAM F. LINZ

WASHINGTON, Nov. 18.—High dignitaries of the Catholic Church today convened here for the annual two-day meeting of Archbishops and Bishops for the discussion of general ecclesiastical problems. This will be followed by a meeting of the administrative board of the National Catholic Welfare Council on Friday.

No pronouncement was issued following the initial session of the conference, but it is understood that motion pictures, which in past years were a subject of serious consideration, were not discussed.

Whether there will be any discussion of recent moral trends in the industry could not be learned. From unofficial sources, however, it was suggested that during the past year a number of exceptionally fine pictures have been produced and there has been a diminution in the output of gangster and other types of films on which the hierarchy in past years has frowned. It is expected that if any statement regarding films is issued it will be more commendatory than critical. At the same time there is a possibility that it may carry an admonition to communicants of the church that they must not abate their vigilance to detect and avoid pictures which violate the tenets which have been laid down.

It is expected that the Legion of Decency, which two years ago was a potent force in "cleaning up" the screen and which last year was continued as a deterrent to any relapse by producers, will again be continued, forming a powerful defense against any recurrence of the situation which led to its formation.

Schumann-Heink Funeral Tomorrow

HOLLYWOOD, Nov. 18. — Funeral services for Mme. Ernestine Schumann-Heink will be held here Friday morning at American Legion Hall under the auspices of American Legion Post No. 43 and the Disabled Veterans of the World War. The eulogy will be delivered by Father Keating, post chaplain.

Services will also be held at San Diego on Saturday morning under the auspices of the Legion. Army and Navy officials will attend the cremation which will follow in Greenwood Cemetery, San Diego.

Clinton Repp Dies

PLAINFIELD, N. J., Nov. 18.—Clinton Repp, founder of the Repp Laboratories, died today at the age of 59.

The United Press yesterday declared Clinton Repp was the inventor of Vitaphone.

Sam Livesey Dead

LONDON, Nov. 7.—Sam Livesey, veteran British stage and screen actor, died early today.

Early May Join Para.

WASHINGTON, Nov. 18.—Reports today persisist that Stephen Early, assistant secretary to the President, will resign Jan. 1 to assume a post with Paramount Pictures and probably with Paramount Newsreel.

Prior to his secretarial post at the White House, Early was identified with Paramount Newsreel.



"--the boss says to use an iron chain instead of the tape-- we're getting Warner Bros.' 'Gold Diggers of 1937' for Christmas!"



The Mightiest Musical of Them All

She Shall Have Music

STARRING **JACK HYLTON** and His **BAND**





ONE OF THE THIRTY

IMPERIAL PICTURE — A National Institution

with **JUNE CLYDE**

A Hundred Merry-Makers

A Million Moments of Melody

and

10 GREAT SONG HITS

"MY FIRST THRILL"
"MOANIN' MINNIE"
"THE RUNAROUND"
"NOTHIN' ON EARTH"
"LEADER OF THE BAND"
"SHE SHALL HAVE MUSIC"
"THE BAND THAT JACK BUILT"
"DON'T ASK ME ANY QUESTIONS"
"MAY ALL YOUR TROUBLES BE LITTLE ONES"
"SAILING ALONG ON A CARPET OF CLOUDS"

THE FIRST PRODUCING AND DISTRIBUTING COMPANY TO TAKE RADIO OUT OF DIRECT THEATRE COMPETITION

and use it for Exhibitor Good



225 RADIO STATIONS

BROADCASTING
RADIO PREVIEWS
OF ALL
IMPERIAL
PICTURES

Watch

IMPERIAL PICTURES — A National Institution

The INDUSTRYS NEWEST BLESSED EVENT!

FCC Grants 1 Radio Permit, Denies Ten

WASHINGTON, Nov. 18.—The Federal Communications Commission today granted the application of the Press Democrat Publishing Co. for a construction permit for a new broadcasting station at Santa Rosa, Calif., and had denied 10 other applications for new stations, eight of them in California. Two of the proposed stations would have used high power.

The commission granted the Rensalaer Polytechnic Institute, Troy, N. Y., an increase in power from 500 to 1,000 watts for station WHAZ, and granted the Iowa Broadcasting Co., station KSO, Des Moines, authority to increase its power for day operations to 2,500 watts.

Minneapolis Showme Hit Star Broadcasts

MINNEAPOLIS, Nov. 18.—Aroused by lowered box-office receipts due to the appearance of film stars on radio programs, independent exhibitors in this territory are agitating for removal of stars from the air and recently sent a vigorous protest to M-G-M headquarters in New York against the practice. Special reference was made to the reported Ford tieup.

In answer to the telegram sent Al Lichtman of M-G-M, the Allied office here was instructed the matter would be given serious consideration. W. A. Steffes, head of Allied here, said today the organization would continue to fight although there was little that could be done just now outside of registering protests.

Dispute Looms Over Powell's Air Shows

HOLLYWOOD, Nov. 18.—Perhaps establishing a new relationship between studio and radio, Dick Powell's new Warner contract is claimed by Warners to provide for his retirement from the "Hollywood Hotel" program when his radio pact expires Dec. 1. Campbell's Soups, the sponsors, on the other hand maintain Powell will continue.

In the background may be tied in the Warner network plan and the reported intention of the company to hold its film talent for its own radio broadcasts.

Warner Air Plans Near Consummation

(*Continued from page* 1)

broadcasting unit in the country. A new cooperative move between the station and Warner theatres is said to be in the making. The plan would take Haven McQuarrie's air program titled "Do You Want to Be an Actor?"—an amateur show—into local Warner houses to strengthen their bills during Christmas week.

McQuarrie today was signed as studio director for seven years in recognition of his work on producing the radio show.

Attorney Turns Actor

Michael A. Romano, a Chicago attorney, will be added to the cast of "Today's Children," popular serial heard over the NBC-Red network at 10:45 A. M., E. S. T., Mondays through Fridays. Romano formerly was the personal attorney for Rudolph Valentino.

Loretta Young on the Air; Signed for One Lux Program

Loretta Young will play the lead role in "Polly of the Circus" on the Lux Radio Theatre program of Nov. 30. It is reported that the broadcast will emanate from the Columbia studios in New York instead of from Hollywood, as heretofore, but J. Walter Thompson, the agency controlling the program, denies this.

However, it is known that Cecil B. De Mille, producer and director of the program, will arrive in New York on Nov. 27 to confer with Paramount here on "The Plainsman," which is scheduled to open some time in January. Of course, De Mille could be bridged to the cast in Hollywood by remote control, but this action is deemed unlikely.

In the event that the Lux program of the 30th is presented here, the performance will be the first New York effort since the first week in June, at which time the Lux base of operations was transferred to the coast.

Another Hollywood Tie-In

Both NBC networks will offer a special events program titled "Forward Industry" on Friday, Nov. 27, from 2 to 3 P.M., E.S.T. Remote pickups will be made from field, factory, office, and from a Hollywood lot.

Microphones will be set up in industries in New York, Philadelphia, Boston, Chicago, Cleveland, Pittsburgh, Schenectady, Denver, San Francisco and Hollywood. The film industry will be represented in a pickup from a working stage.

Venuta to "Court of Honor"

Benay Venuta yesterday was signed as a permanent player on the *Radio Guide*-sponsored "Court of Honor" program, heard weekly on the NBC-Blue network. She will, however, continue with her series on WOR and the Mutual network.

Cantor on Boston Stage

Eddie Cantor, who arrived in New York for a short stay last week, has been signed for a one week vaudeville engagement at the Keith's Memorial in Boston—at a salary of $15,000 against 50 percent of the gross. Eddie's entire radio troupe, consisting of Jimmy Wallington, Deanna Durbin, Jacques Renard's orchestra and Parkyakakus, will appear with him. The act opens on Thanksgiving Day and omits the Sunday performance because of Cantor's air duties.

Muni on New Lux Show

Paul Muni, one of the most air-minded of film players, returns to the microphone this coming Monday to do "The Story of Louis Pasteur" on the Lux Radio Theatre program, heard 9 to 10 P.M., E.S.T., over the CBS network.

Muni was signed for the program several weeks ago, but no announcement was made due to the trouble experienced in obtaining the air rights to the biographical drama from the copyright owners. The deal was closed late yesterday and, while no supporting cast has been selected as yet, preliminary rehearsals began immediately.

Arnold in "The Last Mile"

Edward Arnold will be Rupert Hughes' guest on the Camel Caravan broadcast of next Tuesday, Nov. 24. Arnold will offer an air version of the prison drama, "The Last Mile." The Caravan is offered Tuesdays, 9:30 to 10:30 P.M., E.S.T.

Silent on "Good-Will Court"

J. Walter Thompson maintains its usual silence when queried on matters pertaining to the "Good-Will Court," but rumors will not be downed to the effect that several jurors, who had accepted invitations to sit as advisors, had reconsidered and withdrawn, following the recent blast of disapproval against the program made by the New York County Lawyers Ass'n.

St. Luke, Editor

The NBC press department yesterday received a request from the radio editor of the *New York News* (not the tabloid), who asked to be placed on the network's press release list.

The editor's name is Mr. St. Luke.

The *New York News* is Father Divine's paper and the letter was addressed to the attention of the "angels" in the press department.

Icemen Sign Gladys Swarthout

It's still very much of a secret, but Gladys Swarthout of the opera and films has been signed for a new radio series by National Ice Advertisers, Inc., an organization representing the ice industry of America. While no definite starting date has been established as yet, the program will be aired over the CBS network. Donahue and Coe, New York, is the agency.

The new program will supplant the morning program titled "Home Makers Exchange," now heard twice weekly over CBS and sponsored also by National Ice.

NBC-RCA Goes Contesting

Beginning yesterday, NBC and RCA will give away five RCA radio sets and 25 kits of RCA radio tubes to listeners writing the best 100 word, or less, essays on "What NBC Has Meant to My Family." The contest will continue indefinitely and winners will be announced each night at 6:35 P.M. E.S.T. on WEAF and the Red network, and at 7:15 P.M., E.S.T. over WJZ and the Blue.

Joan's Qualms Ended

Superstitious Joan Bennett, who would not appear with Elza Schallert last week because it was Friday, the 13th, will be heard this Friday in an interview revolving about her sister, Constance. The program is carried over the NBC-Blue network at 10:45 P.M., E.S.T.

Obler, Bailey, Et Al

Short Shots: Arch Obler, author of "Light's Out," air horror serial, will be Hollywood bound next month to write mystery films. . . . Mildred Bailey, the "Rocking Chair Lady," who has been absent from the airlanes for a long spell, returns Saturday over the Mutual web, singing with Red Norvo's band. Off the air, Mildred is Mrs. Red Norvo. . . . Carleton Smith, NBC announcer, left for South America last night to report on the Pan-American Peace Conference beginning Dec. 1. . . . Sam Taylor, Mutual web screen commentator, off to Hollywood for a month's vacation. . . . Don Higgins, CBS news head, due back from Washington this morning. . . . The Jean Paul Kings celebrate their eighth wedding anniversary Sunday. . . . Jackie Heller, NBC vocalist, to England next week to fulfill vaudeville and radio commitments there. . . . Frank Parker's local WEAF program fades from the air in two weeks.

Wheeler Heard in RCA Suit

WILMINGTON, Nov. 18.—Harold A. Wheeler, inventor of the Wheeler patent for automatic volume control in radio receivers, took the stand today as the Hazeltine Corp. opened its case in U. S. District Court here charging RCA and RCA Victor with infringing on its automatic volume control patent.

Wheeler testified at length concerning notations in a notebook in which he marked progress made in automatic volume control.

"Professional Parade" in Debut; Acts, Variety Style, Are Good

"Professional Parade," the new WPA program aired for the first time last night over the NBC-Blue network from 9 P. M. to 10 P. M., E. S. T., is a smartly produced, entertaining show and is assured of a happy future on the air if subsequent broadcasts can keep pace with the inaugural offering.

The program adheres to the time-tested variety formula by offering a plentitude of acts, each calculated to please a different type of listener. Fred Niblo, who emerged from retirement to m.c. the show, kept the entertainment moving at a swift pace and seemed to have plenty of microphone "savvy" considering his limited radio experience.

Twelve acts in all were offered. Most outstanding were: Margaret Padullah, vocalist; Elsie Mae Gordon, monologist, and Orlando Ricardo, operatic baritone.

According to plans completed by NBC and WPA, regular vaudeville units comprising acts heard on this and subsequent broadcasts, will be sent on tour weekly. The units, in the opinion of this observer, should do well inasmuch as all performers who will be heard on this series have vaudeville background.


The girl-in-a-million who never said "yes" to a marriage proposal meets the man with a million who never took "no" for an answe
"Smartest Girl in Town"

The smartest cast around . . . in the smartest comedy of the season! . . . Flash and class production values . . . sparkling dialog . . . breathless tempo, and laugh upon laugh . . . in this reckless romance of a model with a fortune in her figure who went gunning for a fortune in seven figures.

GENE RAYMOND
ANN SOTHERN

in

Smartest Girl in Town



with

HELEN BRODERICK
ERIC BLORE
ERIK RHODES
HARRY JANS

RKO Radio Pictures

Directed by Joseph Santley
Produced by Edward Kaufman

Warners Add 3 Million to Film Budget

(*Continued from page* 1)

Canada are present at the current convention.

Sears mentioned the exploitation plane trip of members of the cast of "Gold Diggers of 1937," and called it the "biggest promotion stunt we have ever undertaken."

The "Gold Diggers" troupe, en route east on their exploitation flight for the picture, will arrive here tomorrow morning from Milwaukee, where they were greeted today at the city hall, made a radio broadcast and appeared on the stage of the Warner.

Their arrival here will be the occasion for a reception by the convention delegates, headed by Major Albert Warner, Sears and other executives. A parade, luncheon, and interviews are on tomorrow's card for them. The plane is scheduled to alight in Detroit on Friday, and the group will aid in a Red Cross drive in Philadelphia next Wednesday.

U. A. Behind Mexico And Argentine Deals

(*Continued from page* 1)

be produced by Portena Films of Buenos Aires; the second is with Exito Films of Mexico and calls for three features and an option on as many more. In addition, a separate deal was arranged with Exito for distribution of two pictures already completed without U. A. sponsorship. They are "Que Hago Con La Cariatura" and "Mas Alla de La Muerta." All contracts call for the handling of pictures in Latin American countries, the United States and Spain.

According to Gould production in the Argentine and Mexico is at its peak with 40 to 50 features expected from local producers in the Argentine this season and about 40 from Mexican companies. Brazil is slow in moving with the production tide, he said. This country will make about twelve.

United Artists has the right to approve stories, casts and directors in all of the Spanish produced films. So great is the market for Spanish films that U. A. is planning to add several other foreign-made films, Gould said. A few deals are now in work, he added.

"U" Deals Greatest In 6 Years—Grainger

(*Continued from page* 1)

in the country and Canada has been sold, and that all of "the 244 key cities have booked Universal's new product." He predicted that when the 1937-38 selling season begins the company will have closed more contracts than ever before in Universal's history.

Find Body of Bowers

HOLLYWOOD, Nov. 18.—The body of John Bowers, well known to the silent screen, was washed up on shore yesterday near Malibu Beach. He had not been active in screen work for several years, and was said to have been despondent.

Out Hollywood Way

HOLLYWOOD, Nov. 18.—MERVYN LEROY starts first independent production with ceremonies. . . . JACK L. WARNER, CARL LAEMMLE, JR., HAL WALLIS, FERNAND GRAVET, EDWARD EVERETT HORTON, MARY NASH and LIONEL PAPE on set. . . . Picture is "The King and the Chorus Girl."

SERGE BETCHNOKOFF signed to M-G-M production staff and assigned to HARRY RAPF unit on "They Gave Him a Gun." . . . DAVID O. SELZNICK renews contract of WILLIAM WRIGHT, production assistant. . . . DR. HUGO REISENFELD scoring "Rainbow on the River" for SOL LESSER. . . . HERBERT STOTHART writing one-reel original operetta for JEANETTE MCDONALD and NELSON EDDY in M-G-M's "Maytime." . . . BENNY RUBIN here for a visit to his daughter.

SUE CAROL signed for "A Doctor's Diary" by B. P. SCHULBERG. . . . I. BERMAN, former M-G-M manager in Poland, visiting the studio on his trip to the coast.

✚

Casting—JOHN LITEL in "Slim," Warners. . . . At Paramount, PATRICK KELLY, DORIS LLOYD and DAVID CLYDE in "Bull Dog Drummond's Romance," and ANTHONY QUINN in "Swing High, Swing Low." . . . GEORGE OFFERMAN in "Love Is News," and PAUL IRVING in "On the Avenue," Twentieth Century-Fox. . . . LEONARD LORD and LON CHANEY, JR., in "Secret Agent X9," Universal.

✚

Story Buys—MERVYN LEROY buys "Death in the 'Deep South" from Ward Greene.

Cohen Says Stage Financing Needed

(*Continued from page* 1)

the new Broadway offerings as much as to attend the opening of his new Mae West picture at the Paramount, cited the dearth of outstanding plays among those now current as a direct indication of the stage's need for film backing. Of 28 offerings now on the boards, only two could be considered of any import, he believes, and attributes the situation directly to the refusal of film companies to sponsor plays produced under the new Dramatists' Guild contract.

Cohen indicated that Major Pictures will be active this season in signing established stars and developing new talent. It has considerable growing yet to do, he intimated, and cited the recent signing of Warren William and Karen Morley as indicative of the sort of growing its mentor has in mind for it.

Will Make 8 for Para.

Major will make eight pictures a year for Paramount release on a three-year contract. "Go West Young Man" and "Mind Your Own Business" are the first two to be completed. The company has also finished "Pennies from Heaven" for Columbia, which is the last picture it will make for release by an outside company during the term of the Paramount contract.

The producer was elated yesterday over returns being relayed to him from the Paramount box-office. The Mae West picture, he was told at 3:00 P. M., was $4 ahead of "The Big Broadcast of 1936" for the same opening day time.

Cohen plans to return to the coast in about a week.

Opening on Thursday To Be Tried by Roxy

(*Continued from page* 1)

films from Twentieth Century-Fox for playing time after Christmas. The theatre is booked with Universal and G. B. product until that time.

"One Way Passage" at the Criterion garnered about $10,000. The cold weather yesterday, while not seriously affecting the box-office, kept away quite a bit of trade, it was estimated by Broadway operators.

Fox Unit Reported In Deal on Denver

(*Continued from page* 1)

ferring with Spyros Skouras on the terms. Skouras will leave for the coast Nov. 29 to confer with S. R. Kent, president of National Theatres. Ricketson yesterday insisted there was nothing to the story.

Fox Settlement Near

KANSAS CITY, Nov. 18.—No creditors appeared in court here yesterday to protest the final disposition of claims and assets of Fox Rocky Mountain and Fox Midland theatre properties.

Herbert V. Jones, trustee, probably will be discharged by Judge Albert L. Reeves within the next few days, which will wind up the bankruptcy histories of the two companies.

Wall Street

K.-A.-O. Gains 8 Points on Board

	High	Low	Close	Net Change
Columbia	37½	36⅞	36⅞	+ ¼
Columbia, pfd.	44	43½	44	+ ½
Consolidated	5¼	4¾	4¾	— ⅜
Consolidated, pfd.	18	17½	17½	— ¼
Eastman	181¾	179¾	181¾	+2¼
Eastman, pfd.	162½	162½	162½	+2½
Gen. T. Equip.	30¾	29½	29¾	— ⅛
K.-A.-O., pfd.	110	110	110	+8
Loew's, Inc.	65¼	64	64	.....
Paramount	22¼	21¼	21½	— ¾
Paramount 1 pfd.	158½	153	157⅞	—2⅛
Paramount 2 pfd.	19⅞	19⅛	19⅛	— ⅞
Pathe Film	9¼	9	9	— ¼
RKO	10¾	10⅜	10⅜	— ½
20th Century-Fox.	38⅝	37⅝	38	.....
20th Century, pfd.	47½	47	47	— ¼
Warner Bros.	18	17¼	17¼	— ½

Fractional Curb Changes

	High	Low	Close	Net Change
Grand National	3⅜	3⅛	3¼	.....
Sentry Safety	⅞	⅞	⅞	.....
Sonotone	2¼	2⅛	2¼	+ ¼
Technicolor	24¾	24	24	— ¾
Trans-Lux	5	5	5	+ ⅛
Universal Pict.	16¾	16	16	.....

RKO Up 75¼ Points

	High	Low	Close	Net Change
Keith B. F. 6s '46	99¼	98⅜	98⅜	+ ⅜
Loew's 6s '41 ww deb rights	101	101	101	.....
Paramount B'way 3s '55	68	68	68	— ⅛
Paramount Pict. 6s '55	100¼	100⅛	100¼	.....
RKO 6s '41 pt. pd. ctf.	275¼	275¼	275¼	+75¼
Warner Bros. 6s '39 wd	99	98⅞	98⅞	— ⅛

(Quotations at close of Nov. 18)

Para. Final Quarter Net Seen Over 3rd

(*Continued from page* 1)

ter, Paramount's net for 1936 would approximate $4,400,000. This estimate, wholly unofficial and based only on indicated business prospects, would reflect the benefit of the application during the year of $2,500,000 set aside out of 1935 earnings as a special inventory reserve, but includes only a partial net interest of Paramount as a stockholder in the undistributed earnings of its partially owned theatre companies. This interest amounted to $785,000 at the end of the first half of 1936, and unofficial estimates indicate that this amount will be increased to approximately $1,650,000 by the year end.

However, the third quarter report will be benefited by a partial distribution of theatre company profits and the report for the final quarter, it is expected, will reflect an even greater participation in such profits as dividends undoubtedly will be voted by the theatre companies to avoid Federal taxes.

Inventory Reserve Appropriated

The entire $2,500,000 special inventory reserve set aside on Dec. 28, 1935, has been applied already to write-offs for the current year, thus benefiting the 1936 showing to date to that extent. Earnings for 1936, according to expectations of financial interests associated with the company, may be equal to 50 cents a share on the 1,610,452 shares of common, after provision for accumulated dividends of $12 a share on the first preferred and $1.20 a share on the second preferred at the year end.

Profit for 1935 was $3,153,167 before applying $2,500,000 to the special inventory reserve for 1936.

Paramount first preferred closed on the N. Y. Stock Exchange yesterday at 157⅞, off 2⅛ for the day. Both the second preferred and common also were off fractionally.

League May Boycott Tobis German Films

(*Continued from page* 1)

it cease the importation of German films. The boycott, if it becomes necessary to bring it to bear, will take the form initially of the listing of American Tobis on the league's "unfair" list, it was indicated.

Milton Diamond, attorney for the film company, declared yesterday that it is giving consideration to the league's request, and that it will be some time before a final decision is reached in the matter. The attorney had had discussions with the officials of the League prior to the declaration of the possibility of action being taken against the company, which holds that it is a Dutch-owned organization.

Amer. Seating Dividend

American Seating Co. has resumed common dividends with the declaration of $2.50 a share, payable in cash or optionally, 1-10 shares of common, both payable Dec. 21. The last previous payment was 50 cents in April, 1930.

Ostrer Sails To Iron Out G.B. Impasse

(*Continued from page* 1)
impossible for him to return to England in time for the resumption of the adjourned annual stockholders' meeting, which is scheduled for some time next month, although no specific date has been set as yet. The date is dependent upon the publication of the consolidated financial statement of the company.

Schenck Silent

HOLLYWOOD, Nov. 18.—Joseph M. Schenck, now in Palm Springs, today refused a statement concerning the current trip of Isidore Ostrer. Schenck stated that he will not comment until he learns what Ostrer himself intends to do.

Film Group on Normandie

SOUTHAMPTON, Nov. 18.—The *Normandie* left here today for New York with Herbert Marshall, Roland Young, Sir Cedric Hardwicke and Basil and Mrs. Rathbone aboard. The boat is due in New York Nov. 23.

Selznick to Expand, Says J. H. Whitney

HOLLYWOOD, Nov. 18.—Selznick International will institute a large-scale program of refinancing and expansion and will make 10 or 12 features annually with four or six to be in Technicolor, according to a statement issued today by John Hay Whitney prior to his departure by plane for New York.

Whitney expressed the intention to "take the lead in the independent field, concentrating exclusively on high calibre films."

Dictograph Secures Court Order on SEC

An order was signed yesterday by Federal Judge Julian W. Mack requiring SEC representatives to appear before him tomorrow in connection with an application filed by the Dictograph Products Co. and others seeking an injunction to enjoin SEC from further activities in the investigation of the company's stock.

Dictograph charges SEC with using its powers to persecute the company. An affidavit by Dictograph says that SEC harrassed brokerage concerns and banks that maintain accounts for customers who had purchased Dictograph stock.

Yesterday, the company was apprised for the first time that SEC was engaged in a new investigation for delisting the Dictograph stock from the curb. "Because of the fear inspired in brokerage concerns and others, a general attempt was made by all parties to dispose of their stock on the market," a statement from Dictograph declares. "In order to protect the stockholders and public from loss, the Curb Exchange has temporarily suspend the stock from further trading.

Net sales for the first 10 months of the year were said to total over $2,000,000, an increase of $854,000 over the same period in 1935, according to an affidavit by Lawrence M. Ogden, treasurer.

Purely Personal

E. S. DE MELCHER, who has resigned as drama editor of the *Washington* Star, to write in Hollywood, goes west around Christmas. In the meantime, he is visiting his family in New York and taking in a lusty round of farewell parties.

•

T. P. MULROONEY, foreign sales manager for U.A., yesterday became a daddy. The event took place at New York Hospital. WALTER GOULD, assistant to ARTHUR W. KELLY, is expecting a blessed event sometime next week.

•

NEIL F. AGNEW and BOB GILLHAM left for Chicago yesterday, not the coast. There, they will discuss the Zukor Jubilee with B. and K. GILLHAM is due back tonight.

•

J. J. MILSTEIN will leave today on a two-week tour of Republic's midwest exchanges. First stop is Chicago.

•

NACIO HERB BROWN another Hollywood in-towner.

MONROE GREENTHAL back from his one-day air jaunt trip to Chicago. LYNN FARNOL left for California yesterday and returns Sunday. Rodney Bush of Walter Wanger Prod., also of yesterday's air travelers.

•

EUREGA ELOY DAVID of RKO has selected the title of "Carousel Is Running" for the new play she is writing.

•

SID RECHETNICK is now handling radio contacts for Warners in addition to trade papers.

•

GEORGE HIRLIMAN and M. LEBERMAN will leave via American Airlines for the coast tomorrow.

•

GEORGE J. SCHAEFER, who is in New Orleans, is due back tomorrow or Saturday.

•

ROBERT LIVESEY, English actor who plays in "Rembrandt," is due today on the *Bremen*.

•

SYLVIA SIDNEY arrived from the coast yesterday.

Airplane Film Screened on Long Island-Upstate Flight

By J. M. JERAULD

Marc Lachmann and Buelah Livingtston of Universal invited a new kind of a thrill for New York's jaded film critics yesterday. They took them up in the air to see "Air Hostess," and had Judith Barrett, feminine lead in the film, to add to the realism.

All the airport activity and the spreading panorama of New York's lower harbor were a perfect build-up for what was shown in the film, the big scene of which takes place in the pilot's cabin of a TWA plane after the pilot and co-pilot have been knocked out by an escaped convict and the air hostess lands the plane while receiving instructions by radio telephone from the ground.

Time for Sightseeing

It was a perfect day. The plane rose to 7,000 feet, slipped over the Statue of Liberty in a few seconds and swung over the *Queen Mary* near Sandy Hook. The big liner had left New York nearly two hours before. No curtains were drawn until after the plane had swung high over Jamaica Bay and had reached Jones Beach.

When the film started the plane was over the eastern tip of Fire Island. By the end of the first reel it had traveled north over Great Neck and across Long Island Sound to Westchester near the Connecticut line.

In the meantime, the air hostesses in the picture had reached California. Judith Barrett had leaped out in a parachute and a romance was budding with William Hall, the film pilot.

When the reels were changed the steam of a West Shore train below the cliff at Bear Mountain was rising beneath the plane and West Point was in full view. The hills of the Bear Mountain reservation looked like brown biscuits with shadows all on one side and the tan outlines of the Catskills were just visible far to the north.

The climax of the picture approached. Shots out of plane windows, lurches, frightened passengers, close-ups of Miss Barrett struggling with the controls intermingled. The plane lurched. Some of the passengers chewed gum rapidly and tried to look nonchalant. Some succeeded.

When the plane in the picture finally landed after bursting through high tension wires there was an audible sigh of relief, and it wasn't from the screen.

Miss Barrett Was Thrilled

There was applause. The curtains were opened again. The plane was over South Brooklyn. It turned east over Long Beach and passed above Floyd Bennett field on the shore of Jamaica Bay. In another eight minutes it touched ground at Newark.

About 250 miles in one hour and 44 minutes at an average rate of 176,000 feet a minute. The film had been running 90 feet a minute.

A real air hostess, Betty Steffin, graciously unfastening passengers' safety belts, while the film air hostess, Miss Barrett, told how thrilled she had been. The pilot, Wayne Williams, and his co-pilot, Irving Kravitz, explaining how far and how high the party had been.

It was quite a stunt.

Korda Is British Citizen

LONDON, Nov. 18.—Alexander Korda's application for British nationality has gone through. His name now appears in an official list of formally naturalized citizens issued this week.

Ampa Meeting Today

The Ampa will hold a closed membership meeting at the Hotel Edison today to vote on the motion introduced at last Thursday's session to dissolve the organization.

Voluntary Action Is Suggested by Roper

WASHINGTON, Nov. 18.—Voluntary action by industry on compliance with the fundamental principles of NRA was advised today by Secretary of Commerce Daniel C. Roper in order to forestall a public demand for an arbitrary return to invalidated features of the recovery program.

Roper emphasized that he did not mean that NRA would be re-established by arbitrary measures. He expressed the belief that NRA principles must be applied generally to insure economic recovery and added the hope that fundamental principles of the outlawed program could be worked out cooperatively through agreements among industry, labor, business and consumers.

"If this is not done," he said, "the ends sought by NRA again will be brought to the attention of legislative and administrative branches."

Bids to the general meeting of industry, labor and Administration officials, called by the National Council for Industrial Progress in Washington, Dec. 10 and 11, which were mailed from the Capital on Tuesday, had not been received by any leading industry figure here, so far as could be learned up to a late hour yesterday. Both industry and officialdom and labor have been included in the invitations, however, it was said in Washington, and current indications are that the industry will have accredited representatives in attendance at the December sessions, if only as observers.

Artists Give $75,250 For Federation Fund

A total of $75,250 was contributed by stage, screen and radio stars to the campaign of the Federation for the Support of Jewish Philanthropic Societies of New York City at a meeting held yesterday in the Hotel Astor under the auspices of the Artists' Division, a section of the Amusement Division of the Federation which, under the chairmanship of Major Albert Warner and David Bernstein, has undertaken to raise a quota of $200,000 to support the work of the 91 institutions affiliated with the Federation.

Appeals were made at yesterday's meeting by Eddie Cantor, Ben Bernie and Phil Baker, each of whom is a co-chairman of the Artists' Division. Other speakers included Lawrence Marx, David L. Podell and Louis Nizer.

Among those present at the meeting were: Rubinoff, Lanny Ross, Max Gordon, Al Goodman, Sylvia Froos, Juliette Lowell, Irving Caesar, Max Rudnick, Benny Goodman, Bob Hall, Jack Pearl, Jack Waldron, Guy Lombardo, Yascha Bundchuk, Bill Robinson, Eddie Dowling, William Gaxton, Cab Calloway and Rex O'Malley.

Wehrenberg Anniversary

ST. LOUIS, Nov. 18.—Fred Wehrenberg, owner of four South St. Louis houses, and chairman of the board of the M.P.T.O.A., will celebrate his 30th year in the film business during the week of Nov. 23. All his theatres will join the observance. He is also president of the M.P.T.O. of St. Louis, Eastern Missouri and Southern Illinois.

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MOTION PICTURE DAILY

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British Group Aims for New Major Circuit

Portal, Rank and Woolf Seek 400-500 Houses

By BRUCE ALLAN

LONDON, Nov. 19.—One of the repercussions of the Maxwell deal with G. B. is the penetration of interests headed by Lord Portal, J. A. Rank and C. M. Woolf into exhibition with a chain of from 400 to 500 theatres in the next few years, thereby providing General Film Distributors, Ltd., which Woolf heads, with an outlet for Universal and various British product which it handles.

Woolf began to shape his plans prior to the Maxwell deal and at the time when it appeared control of G. B. would go to Twentieth Century-Fox and Loew's. It became obvious to even cursory observers of the British trade that major interests here would immediately launch steps to offset the consolidation of large theatre interests in one group. M-G-M which now operates the Empire in the West End is reported considering first runs in key cities.

James Kay, who with his three sons at present runs the Kay circuit of five at Becontree, Ilford, Barking and Dagenham in Essex neighborhoods, is declared to be associated with the Portal-Woolf-Rank scheme for a new major circuit. With unlimited money declared to be available, the Kay interests are stated to have already acquired options on 60 houses.

Warner's Campaign Named "Sears Drive"

CHICAGO, Nov. 19.—The "Sears Drive" was designated as the name for the 15-week sales drive which Warners' sales forces will launch beginning Dec. 20, it was decided at the morning session today of the Warner mid-season sales meeting at the Blackstone Hotel. The drive will end April 3.

Carl Leserman, assistant to Gradwell L. Sears, general sales manager,

(*Continued from page* 13)

Leishman Gets Post With Schine Circuit

E. D. Leishman, formerly in charge for Radio in England, has joined the Schine circuit and is now at the company's headquarters in Gloversville, N. Y., acquainting himself with the organization and its policies before taking definite assignment in the field.

RKO Reorganization Plan Expected in Court Monday

Completion of work on the RKO reorganization plan sponsored by Atlas Corp.-Lehman Bros. interests is expected by late today, affording a "good probability" that the plan will be filed in U. S. District Court here Monday morning, reliable authorities stated yesterday.

Indications are that the plan will not be definitive in respect to all creditor classifications and may provide only the basis for treatment of the several claim groups, with final agreements left to be reached through subsequent court hearings. Reorganization authorities decline to comment on any provisions of the plan and little official information is available on its specific contents. Important creditor groups insist that they have seen nothing but tentative drafts of a plan and, in face of the meager information available to them, expressed incredulity yesterday over the prospect of its being presented to the Federal Court on Monday. Moreover, no agreement appears to have been made with Rockefeller Center on its $9,100,000 claim, which dominates the unsecured creditor class.

These circumstances, in the face of the optimistic assertions of the reorganization managers, lead to the belief that the plan, in all probability, recognizes insurmountable obstacles in the way of the desired early reorgani-

(*Continued on page* 12)

Orpheum Groups Get Kresel on RKO Plan

Isidor J. Kresel has been retained by preferred stockholders of Orpheum Circuit to represent their interests in the RKO reorganization, it was learned yesterday. If the group is not consulted on the reorganization, it appears certain that litigation will be initiated which might have the effect

(*Continued from page* 12)

B. & K. Delays Duals

Plans by B. & K. to spread duals generally in Chicago next week are reliably reported to have been postponed until after the first of the year. Sales executives visiting the territory within the last few days have brought back assurances from B. & K. officials that the twin bill policy will not be expanded during December.

Members Vote Ampa New Lease on Life

The Ampa is making progress, finally, after 20 years, some 41 members voting at yesterday's meeting at the Hotel Edison not to dissolve the organization. There was no opposition, even the press agent exponent of the resolution voting against his own motion. But there the harmony ended, for no one among the 25 per cent of the total membership, who were present, seemed to agree with any other as to where, when or how the organization is headed.

This much is certain, however: (1) House-to-house canvassers from among the members in good standing

(*Continued on page* 12)

Paramount and Raft Settle Differences

HOLLYWOOD, Nov. 19.—The dispute between George Raft and the Paramount studio has been settled satisfactorily to both parties and the actor's contract has been reinstated.

The difficulties, which originated several months ago and resulted in Raft's suspension, were ironed out between William LeBaron and the star.

War Play Theme in Clear, But Its Handling Is Not

The same sort of righteous indignation which fired Sidney Kingsley into the authorship of "Ten Million Ghosts" lurks behind the theme of "Johnny Johnson," first of the Group Theatre's offerings of the season, at the 44th St. Theatre last night.

Again it is war and what makes it and, although the technique by which the Group approached and disposed of its play by Paul Green is vastly and widely removed from Kingsley's, the results in this latter day instance, like the former, are mixed up, ineffective and effective, in turn, but generally a confused melange of satire, straight drama and missouts, inter-

(*Continued from page* 13)

Loew Deal for U.A. Theatres Is Called Off

Chicago, Detroit Spots Get M-G-M Product

CHICAGO, Nov. 19.—Negotiations between Loew's and United Artists Theatres Corp., whereby the former was to take over the United Artists theatres here and in Detroit have terminated. A new booking arrangement for the playing of M-G-M product in these houses replaces the original deal. Under the plans discussed, Loew's was to have taken the two units next year, thereby marking its entry into the downtown areas of both cities for the first time.

George Trendle, who operates the United Artists in Detroit, and B. & K., which has the local United Artists, are understood to have made deals whereby they will play an unlimited amount of the better M-G-M films. Heretofore, both theatres have been playing a limited number of the distributor's pictures.

United Artists, which has no interest in United Artists Theatres Corp., has supplied a minimum of 26 a year to the two theatres. The arrangement is said to have expired when "Dodsworth" completed a two-week engagement at the local United Artists. "Come and Get It" has been booked into the Roosevelt this week and "The Garden of Allah" next week opens at the Chicago.

"Born to Dance," "Love on the Run" and "Old Hutch" have been dated into the United Artists here by B. & K. as the first move under the new deal, it is said.

Local M-G-M officials would not

(*Continued on page* 12)

No Action Taken on Ford-M-G-M Tieup

No action has yet been taken on the M-G-M deal with Ford Motor Co. for lining up the producer's stars exclusively on a one-hour Sunday night program every week, an executive of the company said yesterday. The intimation is that the deal will not go through.

Adverse Ohio Ruling To Bring an Appeal

COLUMBUS, Nov. 19.—Major distributors will appeal to the U. S. Supreme Court in their attack on Ohio's anti-designated play date law if a decision upholding the law is returned by the special three-judge court which

(*Continued from page* 12)

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Goldstein Will Act As Republic Liaison

The institution of a liaison arrangement between the production forces on the coast and the home office distribution activity in the east for Republic will take effect with the arrival in Hollywood late next week of E. H. Goldstein, vice-president of Republic Pictures, who will leave here on the Century on Monday.

It is anticipated that Goldstein, who was handsomely dined by his company associates at the Warwick on Wednesday night, probably will make periodic visits to the coast in the future, to maintain a consolidation of activity looking to maximum efficiency in operation. His immediate visit is expected to be for three months. M. J. Siegel, vice-president of Republic Prod., on the coast, who has been here for some time, will return west with Goldstein.

Kent, Schenck at Studio

HOLLYWOOD, Nov. 19.—Sidney R. Kent arrived here today simultaneously with the return of Joseph M. Schenck from Palm Springs.

Insiders' Outlook

By RED KANN

IT will be taken in its stride. As these matters are very apt to go, little attention has been paid to what this fount of dubious wisdom views as a matter of some import. A few days ago, the British Board of Censors, dropping its ingrained island conservatism, approved "Green Pastures." It was a victory for Warners, of course, but actually more. It was an evidence that liberal viewpoints continue to prevail even if circumstance and fact so often indicate they do not. On that basis, therefore, what happened in London is of direct interest to the business at large. . . .

▼

This is so because, in a measure, it unfetters Hollywood which has been hamstrung here and abroad on too numerous counts to go into now and here. It emphasizes, in a degree which we would wish were much more clearly marked and defined, that coast effort along new and unfrequented tracks may not forever more be penalized by slavish kowtowing to tradition surrounded by the mists of the past and moss covered by virtue of venerable age. For, aside from the difficulties which by now are routine in Hollywood, no more completely discouraging note has or can be struck than the hurdles placed in the path of distinguished enterprise braving it out along little known byways. . . .

▼

"Green Pastures" is such an effort and, while many who saw the play thought the picture was decidedly inferior, we were among those who viewed the film as one perched safely on a plane far above the Hollywood normal and, so, one worthy of commercial success and critical acclamation. Yet, in England where representations of the Diety on both stage and screen have been ruled off chiefly because it has always been so, bets were available on all sides as far back as July that "Green Pastures" would never get by censorial glares. The forecasts were correct until a few days ago. . . .

▼

What led to the reversal of opinion is something with which we are not familiar. Information is lacking, also, on how sharp the scissors may have been applied. We are hoping hard that the shearing was merely once over lightly or not at all for the new precedental value it thereby establishes and for the encouragement it furnishes the makers of pictures. And since we are on it, there can be no wrong in wishing a wish that seems beyond grasping that other limitations dropping from other faucets might go by the wayside as well and that Hollywood might be permitted to take a whack at many properties suitable for filming which international politics, more politely described as diplomacy, currently rules off. For instance, "The Forty Days of Musa Dagh" which makes monkeys out of the Turks. Or "Paths of Glory" which centers the bitter spotlight on French militarism at its worst and thereby hurls a devastating and unmasking white light into the militarism of all nations that practice it. . . .

▼ ▼

Press agentry may be day dreaming again, but from over the Hollywood hills to New York reach reports to indicate Mary Astor, apparently well contented with her literary endeavors, a la Samuel Pepys, will try her hand at the great American novel. Quotes credited to her are pretty good. Thus:

"There isn't any short cut to good writing. It is hard work—and plenty of it. But if I ever achieve success in writing, it is going to be because of what I write—not because it has my name on it. . . .

"Why should I write under another name? I write because I like to write. I've always wanted to—it is not a new urge in my life."

Neither was the urge which reputed accuracies from her diary told about a few months back. . . .

▼ ▼

Bette Davis, in Chicago and between trains, added to the peace of the nation by declaring she will return as "a good little girl" to the Warner studio. That must be the same "jail" she referred to in London, the one that pays her $3,000 a week to emote. . . .

▼ ▼

Ed Sullivan, night prowler and columnist for the *New York Daily News*, reports Buddy Rogers will head United Artists after he marries Mary Pickford. Imagine the picture: "Doc" Giannini at the violin, Charlie Chaplin at the tuba, Doug Fairbanks at the tympani, Alex Korda at the English hunting horn, Sam Goldwyn beating the bass drum and Buddy at the saxophone. George Schaefer, we suppose, will sing German lieder. . . .

Pettijohn Unchanged

Bulletins at an early hour this morning from Mt. Sinai Hospital stated that the condition of C. C. Pettijohn, general counsel of M.P.P.D.A., is "fairly good but practically unchanged."

Cohns' Year Salary Aggregated $286,300

Harry Cohn, president of Columbia, received $182,040 in salary during the fiscal year ended June 27 last, according to a statement filed yesterday with the N. Y. Stock Exchange. Jack Cohn, vice-president, received $104,260; Ronald Colman, $162,500, and Frank Capra, director, $208,000. A total of 42 employes were paid $2,156,165.85, according to the report.

It was revealed that Harry Cohn is voting trustee for 70,591 common shares, owns 1,602 common shares, and holds series A purchase warrants for voting trust certificates of 23,986 common shares. Jack Cohn is voting trustee for 26,578 shares of common, owns 505 common shares and holds purchase warrants for 11,993 voting trust certificates.

Would Amend Listing

WASHINGTON, Nov. 19.—The Securities and Exchange Commission revealed here today that the Los Angeles Stock Exchange has amended its application for unlisted trading in the no par value common stock of Columbia Pictures, to provide for unlisted trading in the voting trust certificates as well as the common.

Bazett Title Is Treasurer

HOLLYWOOD, Nov. 19.—Sidney Bazett's title at the Columbia studios will be that of treasurer, it was stated today by Harry Cohn. The statement corrects the erroneous report that Bazett had been made financial director. The new post will become effective Nov. 23.

Record Net Expected For Maxwell's Firm

LONDON, Nov. 10.—In well-informed quarters it is anticipated that the John Maxwell company, Associated British Pictures, will show a record profit at the end of the current financial year. An expert estimate is that the available gross will amount to 60 per cent against the 40 recorded last year and that the last dividend of 12½ per cent on the ordinary shares will either be substantially increased, on the present issue, or practically maintained even if allowance is made for the full new issue of ordinaries as part of the purchase of the Ostrer interests in Metropolis and Bradford, controlling Gaumont British. It has been announced that 300,000 of these 5s shares are being issued to the Ostrers and that the unissued balance of 1,500,000 is being held for further use in connection with the Gaumont British deal.

Bonuses Predicted For Film Employes

Year-end bonuses or wage increases are reported to be under consideration by Paramount and Twentieth Century-Fox. Definite confirmation could not be obtained in either instance, however.

The generally improved financial position of most companies, however, together with the operation of new Federal taxes on undistributed profits suggest the likelihood that a number of film companies may take action of the kind reported coincident with the voting of dividends to stockholders.

THE ELEMENTAL FORCE THAT HAS KEPT "TOBACCO ROAD" ON BROADWAY FOR THREE YEARS...NOW SWEEPS LIKE THE MIGHTY MISSISSIPPI INTO YOUR OWN THEATRE!



BANJO

A DRAMA




Yknee
WITH MUSIC

A GREAT DRAMA WITH MUSIC!

AND WHEN 20TH SAYS A PICTURE IS GREAT EXPERIENCE PROVES IT'S SENSATIONAL!



BANJO on my knee

Timed to catch the big Fall season at its peak!

PRINTED IN U.S.A.

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

General Mills Air Deal Reported Off

HOLLYWOOD, Nov. 19.—The deal of General Mills, flour manufacturers, for daily radio broadcasts from the studio sound stages is said to have fallen through. The studio's refusal to grant exclusive rights to the company is reported to have caused the failure of the negotiations. Broadcasts had tentatively been scheduled to start Thursday.

Meetings between representatives of the local Hays office and executives of General Mills and the company's agents resulted in an impasse. It is said that the various discussions concerning the deal assumed such complicated proportions that a settlement was finally admitted to be an impossibility.

Says Warners Barred Her

CHICAGO, Nov. 19.—Bette Davis, en route west after a trip to London, said here that she has unwillingly missed several chances for radio appearances since she returned to the United States. The Warner studio to which she is under contract, refused to give their consent to broadcasts, she said. One radio appearance was to have been with Eddie Cantor and another on the Sears-Roebuck "Then and Now" program, which emanates from here. Picture assignments prompted the refusal, according to Warner executives, Miss Davis reported.

Lawton Campbell on Coast

HOLLYWOOD, Nov. 19. — Lawton Campbell, vice-president of General Foods and in charge of the Jack Benny-NBC show as well as the Stoopnagle and Budd's program, is here for conferences on the Benny show.

He will headquarter at the Young and Rubicam offices.

Borekman to Join Network

HOLLYWOOD, Nov. 19.—David Borekman, conductor of three sponsored coast broadcasts, will switch to a national hookup next month. Borekman is now doing the California Hour, Mobile Magazine and Tomorrow's Football.

Drop Cobb Guest Stars

HOLLYWOOD, Nov. 19.—The Irvin Cobb show, "Paducah Plantation," on NBC, will have no more guest stars, it has been decided by the sponsors. Cobb and his troupe are scheduled to arrive here Saturday from New York to resume broadcasts.

Jean Armand Joins KFWB

HOLLYWOOD, Nov. 19.—Jean Armand, former trade paper and theatre exploitation man, has been signed as director of exploitation and publicity for KFWB, the Warner broadcasting station here.

Film Broadcast Shifted

PHILADELPHIA, Nov. 19. — Jean Rogers and her "Hollywood Gossip" column of the air, heretofore a sustaining feature on KYW, goes into the Abbott's (Milk Co.) Radio Revue beginning this week.

Kennett Is Promoted

CINCINNATI, Nov. 19.—Robert Kennett, production manager of WLW and WSAI, local Crosley stations, has been promoted to program director, succeeding Don Becker, resigned.

Quaker State, New Network; 16 Stations in Pennsylvania

Latest radio network to be formed is the Quaker State combine, headed by WFIL, Philadelphia, and presided over by Donald Withycomb, general manager of the latter station. Sixteen stations comprise the circuit which promises to completely blanket the rural and urban markets of Pennsylvania.

The network stations are WFIL, Philadelphia; WCBA, Allentown; WRAW, Reading; WEST, Easton; WGBI, Scranton; WBRE, Wilkes Barre; WAZL, Hazleton; WGAL, Lancaster; WFBG, Altoona; WJAC, Johnstown; WWSW, Pittsburgh; WLEU, Erie; WTBO, Cumberland, Maryland; WKBO, Harrisburg; WKOK, Sunbury; WRAK, Williamsport; and WORK, York.

The network will be available to advertisters in three different groups, comprising eastern, western and central divisions. The rates for the entire network will range from $535 for a daytime quarter hour to $828 for the same amount of time at night. Negotiations, it is understood, are now underway to add a New York outlet to the chain.

The new chain will operate on a mutual basis. Roger W. Clipp, formerly commercial engineer with NBC, will serve as co-ordinator.

Agency Claims Powell

Arthur A. Bailey, account executive with F. Wallis Armstrong, advertising agency which conceived and for more than three years maintained on the air the "Hollywood Hotel" program, yesterday denied that Dick Powell, "Hollywood Hotel" star since the program's inception, would leave the show on Dec. 1, as is claimed by Warners.

Speaking to MOTION PICTURE DAILY by phone from his Philadelphia office, Bailey stated that, insofar as he knew, Powell would remain on the program for some time to come. He refused, however, to reveal the terms of Powell's contract and would not comment on the claims made by Warners.

Buick to Air Big Fight

When and if Jim Braddock and Joe Louis clash for the heavyweight championship of the world, Buick will broadcast a description of the struggle, it was ascertained yesterday. Buick already has an air option on the fight and has signed Clem McCarthy for the job. The program probably will be carried over the NBC-Blue network.

Buick has sponsored two major fight broadcasts in the past—the Baer-Louis and Louis-Schmeling clashes—and apparently is satisfied that fight broadcasts pay.

Leiber Joins Muni Show

On Monday night's Lux Radio Theatre broadcast, featuring Paul Muni in "The Story of Louis Pasteur," Fritz Leiber will play the principal supporting role of Dr. Charbonnet, the same part he played in the picture.

Rubinoff, Cantor's Guest

Dave Rubinoff, who received his first radio opportunity from Eddie Cantor, will be the comedian's guest star on Sunday's "Texaco Town" broadcast. Rubinoff will be interviewed by Cantor, but instead of answering verbally, the Russian violinist will allow his violin to "speak" for him. Rubinoff has never spoken on the air.

Vallee Stays Off Air

Because of the death of his ex-wife, Rudy Vallee was absent from last night's Variety Show. Rudy's decision was a last-moment affair and J. Walter Thompson, the program's agency, had to scratch deeply before securing the aid of Graham McNamee, who carried on in Rudy's absence.

Four More Join NBC

NBC network, now numbering 103 stations, adds four more on Dec. 29, when the McClatchy group, California, joins the web. The affiliation begins at 3 P.M., E.S.T.

The McClatchy stations are KFWB, KWG, KMJ, and KERN, all of California.

Signs Kitty Carlisle

Kitty Carlisle, currently appearing in "White Horse Inn," has been selected as Ed Wynn's Saturday night guest. Miss Carlisle will sing several solos, as well as play opposite Wynn in a comedy sketch. The comedian, who can play only in one key, will accompany Miss Carlisle on the piano.

Peter Lorre on Again

Peter Lorre, who recently was heard on the Rudy Vallee program, returns to the microphone tomorrow night at 8 P.M., when he will be interviewed by Radie Harris, conductor of WHN's Radio Movie Club.

Swarthout, Seymour, Et Al

Short Shots: Donahue and Coe, agency which signed Gladys Swarthout for a new air series, holds a party in her honor tomorrow night at the Drake Hotel, Chicago . . . Anne Seymour, star of "Grand Hotel," soon to become a radio director, as well as actress . . . Nola Luxford, coast actress now in New York for the new Cadillac-LaSalle series, yesterday signed a contract for the remainder of the series . . . Lotte Lehman signed to guest star on the Bing Crosby program next Thursday night . . . Frank Rand, publicity director of WBBM, Columbia's Chicago station, bedded with grippe . . . Robert S. Allen and Drew Pearson clicked so well in their special talk last week over the CBS network, they will be brought back for several additional programs . . . Joe Cook and Charlotte Symons will be Floyd Gibbons' "Speed-Show" guests on Nov. 28.

Discuss Inaugural Program

WASHINGTON, Nov. 19.—Representatives of NBC met with Capitol Building officials to formulate plans for broadcasting the inaugural ceremonies of President Roosevelt and Vice-President Garner.

Meeting with the broadcasters were Chesley W. Jurney, sergeant-at-arms of the Senate; Col. Edwin A. Halsey, secretary of the Senate; David Lynn, Capitol architect, and Arthur Cook, supervising engineer.

In the event that the ceremonies are held in the Senate chamber due to inclement weather, plans were made for special booths for announcers. Until the President appoints a chairman for the inauguration, full details will not be made public. However, it is understood that the parade this year will be much shorter than the one staged in 1933.

Both the Red and Blue networks will go on the air at approximately 9 A. M. Jan. 20. Some 40 engineers from New York, Chicago, Cleveland and Pittsburgh will aid the Washington technicians in blimps and airplanes; atop the Washington Monument, in the Capitol dome, along Constitution Ave., at the White House grounds, in the corridors of the Capitol, at the President's reviewing stand and on the steps of the Capitol.

Other NBC microphones will use two mobile units with micro-wave transmitters.

Wheeler, Hazeltine Testify

WILMINGTON, Nov. 19.—Harold A. Wheeler, inventor of the Wheeler automatic volume control in radio receivers, continued his testimony today in the trial of Hazeltine Corp. against RCA and RCA Victor charging infringement of the automatic volume control patent. He continued his detailed description of the set which he constructed embodying the principles which he evolved and patented.

A list of 22 patents of Wheeler, each of which was assigned to Hazeltine, was read into the record.

William A. MacDonald, vice-president and chief engineer of Hazeltine Corp., followed Wheeler on the stand and testified concerning his experience in the radio field.

Professor Allen Hazeltine of Stevens Institute of Technology was the final witness of the day. He explained various automatic volume control circuits and their application.

NBC Men to South America

WASHINGTON, Nov. 19.—Carlton Smith, NBC presidential announcer, and A. E. Johnson, NBC division engineer in Washington, left yesterday via plane for South America to broadcast the series of programs from the Pan American Peace Conference in Buenos Aires.

Smith and Johnson will precede President Roosevelt to Rio de Janiero in order to handle any broadcasts the President may make while in South America. Daily summaries of the proceedings will be broadcast to the United States.

Novelty Items over Television

LONDON, Nov. 19.—Announcement of future programs for television transmissions, issued by the British Broadcasting, show a pronounced desire for novelty items. Scheduled for Saturday is a talk on gardening with an expert giving a visual as well as verbal lesson in pruning. Miming plays by masked figures was an item shown today and on Tuesday there was a transmission of historic inn signs, from a current London exhibition.

WJAR to Get Hearing

PROVIDENCE, Nov. 19.—WJAR, the Outlet Co., has been advised that the F. C. C. has set down for hearing at a later date the station's application for a construction permit to install new equipment and increase its day power from 1,000 to 5,000 watts. Application was granted for a license to cover a construction permit authorizing moving of transmitter to East Providence for auxiliary use.

Purely Personal

BEN MIGGINS was given a luncheon yesterday at the Tavern by W. C. MICHEL, SIDNEY TOWELL, TRUMAN TALLEY, WILLIAM EADIE and ROY SIMMONDS. SIMMONDS left last night via American Airlines to spend a fortnight on the coast where he will attend the Hollywood premiere of "Lloyds of London." He is slated to sail Dec. 9 on the *Normandie*.

•

JACK ELLIS and BERNIE KRANZ have lined up DOUGLAS MONTGOMERY, ONSLOW STEVENS, PETER LORRE, SIDNEY KINGSLEY, LOUIS CALHERN, MARTHA SLEEPER, and others, for the M.P. Salesmen's Ball next Wednesday night at the Astor.

•

VERN YOUNG, MARK WOLF and AL BLOCKER of Theatrical Managers, Inc., operating theatres in Gary and Wilmington, Ind., are in town from Indianapolis on product buys and a vacation.

•

JOSEPH STEINER of American Tobis has closed deals on "Carnival in Flanders" in Detroit, Chicago, Minneapolis, St. Paul, Salt Lake City, San Francisco, Los Angeles and Seattle.

•

CHARLES KURTZMAN is president of the St. Louis *Show World*, eight-page weekly tabloid fan paper distributed in the F. & M. houses in St. Louis. Circulation has jumped to 25,000 a week.

•

EDDIE CANTOR, after his broadcast last Sunday, told the theatre audience that BOBBY BREEN's film "Rainbow on the River," produced by SOL LESSER for RKO, will play the Music Hall during Christmas Week.

•

LLOYD FRENCH, director, on another of the Joe Palooka shorts, featuring SHEMP HOWARD and ROBERT NORTON, starting at the Vitaphone Studio tomorrow.

•

EVERETT MARSHALL will appear with PAUL WHITEMAN in Philadelphia on Nov. 27-28 and in New York on Dec. 1. This will mark MARSHALL's return to the concert field.

•

ALBERT SHELBY LEVINO's football story, "Yesterday's Cheers," has been purchased by Paramount for 1937 production with LEW AYRES and MARY CARLISLE in the leads.

•

J. H. TINGLE, formerly with RCA on the coast, has joined Royal Revues, Inc., business film producers there as vice-president in charge of theatre relations.

•

MAX REINHARDT is due from the coast either Dec. 3 or Dec. 7, to begin rehearsals on "The Eternal Road," which is scheduled to open at the Manhattan Opera House on Dec. 28.

•

BETTY BALFOUR (MRS. JAMES CAMPBELL) sails for London on the *Normandie* next week. CAMPBELL is booked, but may not be able to make it.

•

GUTHRIE MCCLINTIC will begin rehearsals of MAXWELL ANDERSON's new play, "High Tor," during the week of Nov. 29. It opens at the Martin Beck early in January.

•

J. H. HOFFBERG has acquired distribution rights to "Strycek Z Ameriky ("The Uncle from America"), Czechoslovakia comedy.

•

MRS. HARRY BRANDT has entered Doctors' Hospital to recover from an illness which has been bothering her lately.

•

SIDNEY SAMUELSON has a growth on his upper lip which he blushingly labels a mustache. He says it doesn't bother him any.

•

GORDON AYRES, the original "freckles" of the "Our Gang" comedies, now visiting New York, will talk at the Hudson Guild tonight.

•

MARK HILLIARD starts rehearsals this week on "In the Bag," play by DON CARLE GILLETTE, which will open on Broadway, Dec. 14.

•

KENYON NICHOLSON and CHARLES ROBINSON, Paramount scenarists, have left the coast for a vacation in Chicago and New York.

•

DAVE PALFREYMAN, in Columbus, O., for the court hearing on the state's anti-designated play date law, is due back here tomorrow.

•

GLADYS SWARTHOUT is en route from the coast for a series of broadcasts with New York as the point of origin.

•

REG WILSON, special sales representative for G. B., is due today from Indianapolis for conferences at the New York office.

•

EDGAR ZANE is a benedict and his bride is SYLVIA WEITZ.

•

HARRY C. ARTHUR flew to St. Louis yesterday.

•

JAMES MULVEY, accompanied by MRS. MULVEY, is aboard the *Queen Mary* bound for England on a month's vacation.

•

ROSCOE KARNS, Kansas City sponsor in the Zukor Jubilee drive, leaves the coast today for the midwest city.

•

WALTER BRANSON, RKO midwest district manager, left for Chicago yesterday after a short stay.

•

LESTER KREIGER Warner theatre booker from Philadelphia, was in town yesterday.

•

HENRY POTTER is winging his way here to survey the story field for SAMUEL GOLDWYN.

•

ALAN CUMMINGS of M-G-M is in Detroit in connection with installing checkers at the exchange.

•

IRWIN ZELTNER of Loew's publicity department tomorrow will celebrate his 10th wedding anniversary.

•

HAROLD B. FRANKLIN left for Hollywood yesterday, but will be back in three weeks.

•

LOU GOLDBERG has returned from the coast. He went out on a deal for a Major Bowes amateur unit.

•

MRS. JAMES R. GRAINGER, practically just in from the coast, starts back early next month.

•

HARVEY PERGAMENT has returned on the *Coamo* from a business trip to Puerto Rico.

•

MONTE PROSER left yesterday for Chicago to open a branch of the Blackstone Co. there.

•

HERBERT WILCOX sails for London on the *Normandie* next Wednesday.

•

HELEN JEPSON flew to Chicago late last night.

•

PANDRO BERMAN plans to leave here Monday on his return to the RKO studio.

•

JAMES WINN, western sales manager for Grand National, is in New Orleans on a tour of the south.

•

FRANK MCHUGH is due from the coast for the opening of "Three Men on A Horse."

•

L. W. CONROW, general operating manager of Erpi, is on a two-week business trip in the south.

•

HARLAN DIXON, the dancer, now dance director at Warners' Vitaphone Studio, and looking like a juvenile.

•

WILLIAM GEDRIS of Ideal Seating is in town from Grand Rapids, Mich.

•

AL O. BONDY is back from a business trip to Washington.

•

LOUIS PHILLIPS returns today from Dallas.

•

A. M. BOTSFORD and family return to the coast today.

•

SPYROS SKOURAS is planning to plane to the coast on Sunday.

•

. . . Cincinnati

IKE LIBSON, executive head of RKO Midwest, home with a heavy cold.

D. R. KAUTZ has opened his new Highland, at Lynchburg, O.

•

. . . Chicago

FANNY HOGG, local WPA actress, has been given a long-term contract by M-G-M. She will use ELLEN ALDEN as her stage name.

EMMA ABPLANALP has moved her Film Board of Trade office to 624 South Michigan.

E. H. ARKEN, president of the Warner Club, announces the annual dinner dance will be held at the Knickerbocker Hotel Dec. 4.

CHARLES RYAN, Warner theatre executive, says that four theatres will be given acoustical treatment during the next few weeks. They are the Frolic, Ogden, Oakland Square and Stratford.

•

. . . Omaha

SAM and LOUIS EPSTEIN, who head the Epstein Theatre Corp., have purchased a building in South Omaha for investment purposes.

District Manager E. R. CUMMINGS has appointed BRECK FAGIN, formerly with the Plaza and Uptown in Kansas City, as assistant manager of the Paramount, replacing OSCAR PECK, who goes back to the Orpheum as assistant.

DON FULLER, formerly city manager at Hastings, Neb., has resigned from Tri-States.

L. E. DAVIDSON of the Capitol at Sioux City, C. W. PETERSON of the Princess at Sioux City and EDDIE FORRESTER of the Capitol at Grand Island, Neb., won prizes in Tri-States' latest drive.

W. W. TROXELL has resigned as Republic-Midwest salesman here.

CHARLES STEWART, owner of the Mayfair at Shenandoah, Ia., and MRS. STEWART are the parents of a daughter, CONNIE, born election day. MRS. STEWART was in a serious condition following the baby's birth, but now is reported recovering.

V. B. TRENT, M-G-M office manager here, is another proud father.

Out Hollywood Way

HOLLYWOOD, Nov. 19.—Twelve players are to be sent to various parts of the country to aid the Zukor Silver Jubilee Drive. SHIRLEY ROSS, with MYKE LEWIS, has already gone to San Francisco and will stop also at Seattle and Portland.

KENT TAYLOR signed to a new term contract at Universal and assigned to "Service De Luxe." . . . EDMUND GRAINGER gets three films assigned to VAL PAUL before he succeeded WILLIAM KOENIG as Universal studio manager. . . . DOROTHY KILGALLEN, flying reporter, has sold "Fly Away, Baby" to Warners. . . . Grand National to use shots of the San Francisco bridge opening in "Gold."

M. C. BATSEL, manager of the RCA Mfg. Co. engineering division, to leave for Camden tomorrow after 10 days here. . . . SOL LESSER signed MICHI RAYE IIDI, Japanese artist, to do series of portraits on "Rainbow on the River."

CHICO MARX has a solo role in "Second Step," M-G-M short.

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Casting—EDWIN MAXWELL in "Camille," M-G-M. . . . EDWARD BROPHY, DEWEY ROBINSON and OSCAR APFEL in "Michael Strogoff," Radio. . . . ALICE BRADY, PETER WILLIE and ELSI BUCHANAN in "Call It a Day," Warners. . . . CHARLES BUTTERWORTH, ENRIQUE DE ROSAS in "Swing High, Swing Low," Paramount. . . . CLAIRE TRAVOR's next for Twentieth Century-Fox "Time Out for Romance."

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New Titles—"Sport of Kings" is new title for Universal's "I Hate Horses."

+

Story Buys—"Take It Easy," original by FRANCIS and MARION COCKRELL, acquired by Radio. . . . "The Death Trail," original by PHILIP CONWAY, by Columbia.

+

Writers—ROBERT WYLER and LOUIS STEVENS adapting "Murder Goes to College." . . . PATTERSON MCNUTT on the screen play of "Artists and Models." . . . BETTY HILL working on an untitled story for KING VIDOR, Paramount.

+

Options—FRANK MACDONALD, director, held by Warners.

Variety Club

Cincinnati

CINCINNATI, Nov. 19.—JOHN BOLES, while at the RKO Shubert, a frequent visitor at the local tent.

HARRY HARTMAN, candidate for canvasman, has bedecked the tent's quarters with unique campaign signs, replete with humor.

JOHN SCHWALM, non-resident member from Hamilton, one of the recent visitors at local headquarters.

Omaha

OMAHA, Nov. 19.—Local Variety clubbers had a special car on the football special to Lincoln for the Pittsburgh-Nebraska game. About 40 members and their wives made the trip.

The club will hold a party Nov. 22 at the clubrooms. Reservations already have been made for 100 members and their wives.

President Endorses Variety Club Party

WASHINGTON, Nov. 19.—President Roosevelt has endorsed the forthcoming Variety Club dinner-dance for its altruistic purposes in building up the club's funds for charitable uses. At the last luncheon, General Chairman Carter T. Barron announced the President's message:

"To the Barkers of the Variety Club:

"Any undertaking which has for its object the alleviation of human suffering, especially among children, is entitled to our heartiest support. I send to Variety Club No. 11 my heartiest felicitations and warmest personal greetings and trust that their annual Frolic will be the success which the noble cause they are serving deserves.

"FRANKLIN D. ROOSEVELT."

The following new members have been admitted: ASHLEY ABENDSCHEIN and PHIL HAYDEN, as resident members; ADLAI MANN and MAURICE WEINBERG, as affiliate members.

Tent No. 11 met for the first semi-monthly luncheon in a number of weeks, with nearly 50 barkers and guests present. King-for-a-Day was HARRY P. SOMERVILLE.

D. J. KAUFFMAN gave a brief pep talk on the Community Chest Drive and BARRON of the dinner-dance committee reported on the activities of various sub-committees.

For an entertainment novelty, SOMERVILLE presented the A. A. A. safety reel, "A Challenge to Chance."

Tent No. 11 will hold open house on Thanksgiving Day.

Form New Legion Post

CLEVELAND, Nov. 19.—Col. Harry E. Long, Loew division manager, has been named commander of the newly organized Variety Post No. 313, the first American Legion post composed of men in the theatrical and allied fields to be formed. Other officers are: First vice-commander, Harry Goldstein, Paramount; second vice-commander, Holbrook C. Bissell, Columbia; post adjutant, David Lederman, attorney; post finance officer, Abe Schwartz; historian, Jim Lavery; chaplin, Warren Briggs; sergeants-at-arms, Howard Roth, Paramount, and John Himmelein, Paramount.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Lady from Nowhere"

(Columbia)

SAN DIEGO, Nov. 19.—Replete with action and comedy, this production starring Mary Astor has plenty of exploitation angles and looks suitable for all types of audiences. The wise exhibitors will make the most of Miss Astor, who turns in a splendid bit of acting as the ambitious manicurist who unwittingly becomes involved in a gangster feud.

Called to the hotel room of Lustig, the killer, played creditably by Norman Willis, Miss Astor witnesses a gang murder. She flees and is given a ride into Clearview by George Quigley, a small town reporter who helps her get a job as a waitress. Meanwhile Willis traces the manicurist and sends his lieutenant, Gene Morgan, to bring her back. Miss Astor is rushed to his grandfather's farm by Quigley as a hideout. She fakes a story that she is the Barnes heiress who is threatening to marry a count against her father's wish.

Spencer Charters, who gets the most laughs as the grandfather, conspires with Victor Kilian, the hired man, to tip off Barnes to win the reward. The climax is reached when Willis comes to Clearview and is taken to Miss Astor by the reporter, who mistakes him for the count in the Barnes case. Barnes arrives to find his daughter fleeing with the gangster. An exciting chase is halted by the Clearview minute men, summoned by Kilian. Just as Willis is about to escape after having shown the militiamen that all is a mistake, Quigley arrives and forces the gangster to admit his identity. Willis is captured, Charters wins $5,000 reward and the two lovers are reunited.

Gordon Wiles directed. The story is by Ben Kohn and the screen play by Fred Niblo, Jr., Arthur Stawn and Joseph Krumgold. Rita Leroy, Claudia Coleman, Matty Fain and John Tyrell give creditable performances.

Production Code Seal No. 2,534. Running time, 60 minutes. "G."

"Smart Blonde"

(First National)

HOLLYWOOD, Nov. 19.—Announced as the first of a series featuring "Torchy" Blane, a newspaper woman, and Steve McBride, a police lieutenant. Warners must improve on the next to hope for success in a market already glutted with this type of product.

Glenda Farrell and Barton MacLane are teamed in the top roles and give good performances, but the story and the production do not compare favorably with other offerings of the same type. The adventures here depicted concern the running down of the murderer of Joseph Crehan and Max Warner, a pair of underworld characters. Involved in the killings are Winifred Shaw, Addison Richards, Charlotte Winters and David Carlyle. As the plot unfolds everyone save MacLane and Miss Farrell fall under suspicion but the audience has little difficulty in identifying the culprits.

Frank McDonald's direction allows several good comedy sequences to score, but is routine in its handling for the most part. The screen play is by Don Ryan and Kenneth Gamet from the story by Frederick Nobel and was produced by Bryan Foy.

Exhibitors featuring detective entertainment will find this just one more series from which to choose.

British Silent on Thalberg Stock Buy

LONDON, Nov. 10.—No confirmation is obtainable here of rumors that the purchase of 35,000 of the late Irving Thalberg's shares in Loew's for "British interests" was connected with old or new British-American trade affiliations. A member of Hirsch, Lillienthal & Co., brokers, mentioned in New York cables, confirms that the firm was acting for a British client, but said the name could not be disclosed at the present time.

Sam Eckman, Jr., managing director of M-G-M here, had no information, but discredited suggestions that the deal had any connection with the finance of impending British production by M-G-M.

G. N. Closes 3,000 Non-Circuit Deals

In addition to a number of important major circuit deals, Grand National has closed more than 3,000 accounts, the company states. "In His Steps," first release, will play RKO and Loew theatres starting Dec. 1.

Scripts for five productions to be put in work next month have been approved by Edward L. Alperson, president, who is due to arrive Monday with Sidney M. Biddell, story head.

"Theodora" Gets $76,000

"Theodora Goes Wild" ended its week run at the Music Hall with a gross of $76,000.

Short Subjects

"Modern Home"

(Educational)

Tim lays out the money and Irene with her Wacky family start a model housing community. The couple move in and Tim is made the butt of Irene's father's screwy inventions which covers slapstick and dumb cracks from one extreme to the other. The climax arrives when a crowd of insane asylum inmates visit the house while Tim is trying to settle his income tax. The keeper takes him along. Production Code Seal No. 01,315. Running time, 16 mins. "G."

"Robin Hood in an Arrow Escape"

(Terrry Toons-Educational)

There is humor and clever invention in this cartoon. In its entertaining manner it presents a version of a Robin Hood romance with a princess whose father forbids the match. There follows a jousting contest and in the ensuing chase the hero cleverly eliminates his pursuers. It is all done in comic opera style. Production Code Seal No. 01,313. Running time, 6 mins. "G."

FHA Will Continue Moves for Bookings

Efforts to get playing time on the screens of major national circuits for a series of reels depicting the work and objectives of the Social Security Board are continuing despite the views of circuit officials on the entertainment merit of the subjects, a representative of the Federal board said yesterday.

"Because of the public interest in the aims of the board and the social values involved," the spokesman said, "it is our opinion that the reels should not be judged entirely on their entertainment content. The subject of social security is of national public interest and we believe that the great mass of the nation's theatre-goers not only would not object to being shown these reels but keenly appreciate the informative aspects depicted on a subject which directly concerns so many of them and about which they know so little."

The board representative stated that 160 new bookings had been obtained for the reels in New York state this week, bringing the total to approximately 700 theatres.

Schine Takes Ky. Houses

LEXINGTON, Ky., Nov. 19.—The Schine Lexington Corp., recently formed as a subsidiary of Schine Enterprises, Inc., has taken over the Phoenix Amusement Co. units consisting of the Ben Ali, Strand, State and Kentucky here, the Madison and Strand at Richmond, and the Bourbon at Paris, Ky. Other houses are expected to be acquired soon.

Ettelson Leases Two

Richard Ettelson, brother-in-law of Si Fabian, has leased the new theatres now being built at Teaneck and Clifton, N. J. Ettelson now operates in Westfield and Garfield, N. J. Fabian yesterday denied he had any interest in the new houses.

Expect RKO's Plan Will Be Filed Monday

(Continued from page 1)

zation of RKO which would have to be faced if all creditor interests were to be negotiated with at this time. The plan, therefore, probably will be filed without definitive agreements affecting such interests being included. The need for reorganization of the company probably will be urged upon the court and, according to indications, the court will be asked to determine the rights of claimants' or creditors' groups after the usual hearings. The decisions of the court then might be added to the plan as they were received.

The present probability is that the plan will be filed with Federal Judge William Bondy when attorneys for Atlas Corp. appear in his court on Monday morning to ask a postponement of a petition by the RKO trustee to retire the last $750,000 of RKO gold notes outstanding. The postponement will be asked on the grounds that the plan will provide for treatment of these notes and a granting of the trustee's petition at this time would result in further delays in filing the plan.

Intervention Granted

William V. Hodges and John Moroney, as an independent committee of unsecured RKO creditors, were granted leave to intervene in the company's reorganization proceedings by Federal Judge William Bondy yesterday. Their committee represents in excess of $1,000,000 of claims against RKO, the largest of which are those of the Karl Hoblitzelle interests.

Hodges is a director of the U. S. National Bank of Denver and Moroney is secretary and general counsel of the Hoblitzelle Corp.

Members Vote Ampa New Lease on Life

(Continued from page 1)

will make a strenuous effort to collect some $770 in back dues; (2) Committees are on the verge of functioning—after they are appointed—to determine Ampa procedure and policy; (3) A complete new board of directors must be appointed to fill the vacancies caused by the resignation en bloc of the old board.

The Ampa has for months been in a lethargic state, due for the most part to the difference of opinion as to the exact nature and purpose of the organization. Some had been holding out for purely social weekly luncheons, with song and dance and such; others were more bent on a serious-minded policy—serious discussions of serious problems. Still a third group, apparently more liberal, were thinking along lines of a "craft" organization. Immediately, cries of "union" were raised—and that ended that.

Then came the resolution last Thursday to give Ampa a painless death on the spot, which was held in abeyance until yesterday's session, when Ampa, by virtue of 41 lively votes, was given a new lease on life.

Bob Meets Boa Constrictor, Chimp Pulls Light, AND—

If Bob Harrison of *Teatro al Dia* is pale today, it won't be from the usual cause. He had to step over a nine-foot boa constrictor to get into A-Mike Vogel's office yesterday, and the boa stuck out his forked tongue and winked.

The winking was all right, but that knowing look—just as though the reptile recognized an old friend—was too much. Bob called up the Tavern immediately and asked if they were sure it was Seagram's in that Old Fashioned.

He didn't hear the reply. A chimpanzee pulled out the lights, and nobody—not even Gertrude Merriam—knew where the snake was headed. The business of getting out the Managers' Round Table halted abruptly.

When Capt. Rodney Pfeiffer got the lights turned on the chimpanzee had one arm around Miss Merriam's neck and wasn't feeling affectionate.

Mike chuckled in a mild way and thought it was a good exploitation stunt. Harrison broke the running broad jump record and headed for W.C.T.U. headquarters.

Halsey Raines phoned the W.C.T.U. that Harrison didn't mean it. Then he explained that Billy Ferguson was responsible for the idea. They're touring the country with the chimp and the boa as a stunt for "Tarzan Escapes."

Orpheum Groups Get Kresel on RKO Plan

(Continued from page 1)

of halting court approval of the RKO plan until the issues raised had been settled.

Orpheum stockholders have at various times in the past three years threatened litigation to set aside the absorption of Orpheum assets by Stadium Theatres, an RKO subsidiary formed in 1933. An Orpheum indebtedness of approximately $3,000,000 to RKO and Keith-Albee-Orpheum was compromised through the formation of Stadium, which assumed the obligation and, in return, took over various Orpheum properties. Stockholders of the latter company have contended that the transaction violated the New York corporation laws and benefited K-A-O and RKO at the expense of Orpheum.

Kressel was attorney for Fox Theatres Corp. when that company sponsored the reorganization of Fox Metropolitan Playhouses, under which Joseph M. Schenck's United Artists Theatres Corp. and K-A-O acquired the metropolitan circuit.

Delay Dillingham Sale

The sale of various theatrical, picture and television rights of the Charles Dillingham estate, scheduled for public auction yesterday, has been postponed to Dec. 8. The sale is being conducted by Irving Trust, as trustee in bankruptcy, under the jurisdiction of Federal Referee John Joyce.

Farnol, Bush on Coast

HOLLYWOOD, Nov. 19.—Lynn Farnol and Rodney Bush arrived here today.

His Way or None

Baton Rouge, Nov. 19.—When a March of Time crew went to the Capitol to get a few microphonic words from Gov. and Mrs. Leche for the sequence on the St. Lawrence waterways, Mayor Robert Maestri was ready for his turn. But he discovered *that* what he was to say was already prepared—and not by him. He balked, and the March of Time sequence will struggle along without the mayor's words.

Adverse Ohio Ruling To Bring an Appeal

(Continued from page 1)

will hear the case today, it was stated here.

RKO is the sole distributor plaintff in the case, but its attorneys, Paxton & Seasongood of Cincinnati, are aided by the organized industry. The action is in the form of a restrainer against John Bricker, attorney general of Ohio, to prohibit the state from applying the law on the grounds of unconstitutionality. Bricker, who submitted an opinion that the law was unconstitutional prior to its enactment, is represented by Schwartz & Rocker. The Cleveland Independent Exhibitors Ass'n and Abram F. Myers, general counsel of Allied States Ass'n are cooperating in the defense of the law. The state will contend that the law comes under the public welfare clause of the Constitution and is similar to the authority under which state and municipal film censor boards are set up.

Indications are that depositions taken earlier and documentary evidence will be sumbitted to the court and that no witnesses will be called. The court is expected to reserve decision.

Cocalis to Open House

Sam Cocalis will open the Crest, Ogden Ave., Bronx, on Dec. 15. Gulkis and Rosenzweig will open the new Craft, 232nd St. and Broadway, Dec. 25. Both theatres are being equipped by Joe Hornstein, Inc., which also is reseating the 77th St., Castle Hill, Beverly and Manhattan Opera House.

Mrs. Earl Carroll Dies

Mrs. Marcelle Montabat Carroll, wife of Earl Carroll, died Wednesday night at the Park East Hospital. Carroll flew from the coast yesterday.

Mrs. Carroll had appeared in a number of silent films and on the stage.

Milwaukee Union Raised

MILWAUKEE, Nov. 19.—Milwaukee County exhibitors have agreed to a 2½ per cent wage hike for projectionists in an agreement reached with Local 164. The agreement applies to all class houses and expires Nov. 1, 1937.

Loew Deal for U.A. Theatres Is Called Off

(Continued from page 1)

comment on the new tieup, but the company is understood to have been assured a steady outlet for its product at the U.A.

Bids for the McVickers, under control of the Chicago Board of Education, will be opened shortly. B. & K. and Jones, Linick and Schaefer are after the largest house in the Loop. What either will do with it, if successful, is problematical at this time. Should B. & K. get it, the circuit will have all the first runs in the Loop with the exception of the Palace, RKO operated. B. & K. recently bought the State-Lake building and will take over the State-Lake on May 1.

Penn to Get Big Films

PITTSBURGH, Nov. 19.—Loew's Penn will play all outstanding attractions of M-G-M and Warners under terms of the pooling deal with Warners and Stanley. The Stanley will feature stage shows and films. When stage shows are absent, the Stanley also will play some of the big films. Warners will double feature product not played in the other two houses.

Jackter on Coast

LOS ANGELES, Nov. 19.—Rube Jackter arrived today from New York to attend the two-day Columbia midseason sales session which gets under way in San Francisco on Saturday.

Through Artisti Associati

ROME, Nov. 19.—"Cavalry," produced by ICI and reviewed in MOTION PICTURE DAILY on Nov. 5, is being distributed here through Artisti Associati.

Wall Street

Paramount 1st Pfd. Drops 7 Points

	High	Low	Close	Net Change
Columbia	37	36½	36½	— ⅜
Consolidated	5	4¾	5	+ ¼
Consolidated. pfd.	17⅜	17⅛	17¼	— ¼
Eastman	181¾	181⅛	181⅛	+ ⅛
Gen. T. Equip.	29¾	29	29	— ¾
Loew's. Inc.	63¾	63	63	—1
Paramount	21⅜	20⅜	20½	—1
Paramount 1 pfd.	157	150⅛	150⅛	—7¾
Paramount 2 pfd.	19⅜	18⅜	18⅜	— ¾
Pathe Film	9⅛	8⅞	9	.....
RKO	10⅜	9⅝	9¾	— ⅜
20th Century-Fox.	38⅛	37	37⅛	— ⅞
20th Century. pfd.	47	46½	46½	— ½
Warner Bros.	17⅜	16⅝	16⅞	— ⅜

Curb Up Slightly

	High	Low	Close	Net Change
Grand National	3¼	3¼	3¼	.....
Sentry Safety	⅞	⅞	⅞	.....
Sonotone	2⅛	2¼	2¼	+ ⅛
Technicolor	24¼	24	24	+ ¼
Trans-Lux	5	4⅞	4⅞	— ⅛
Universal Pict.	16	16	16	.....

Little Bond Movement

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	101⅛	101	101	.....
Paramount B'way 3s '55	70	70	70	.....
Paramount Pict. 6s '55	100¾	100⅜	100¾	+ ¼
RKO 6s '41 pp	100½	99⅞	100¼	+ ¼
Warner Bros. 6s '39 wd	98¼	98	98¼	— ⅛

(Quotations at close of Nov. 19)

Warners' Campaign Named "Sears Drive"

(Continued from page 1)

was named coordinator for the drive, the name of which was adopted unanimously over the objection of Sears. Major Albert Warner, vice-president, suggested the Sears designation, and paid tribute to the sales executive.

Sears said today that Warner sales are $4,000,000 above the corresponding period last year.

James E. Coston stated that Warners have suffered no losses since the institution of duals in the territory. He predicted that the double featuring idea will be abandoned within 90 days.

The current meeting will be held over for another day as a result of the arrival in Chicago of the company's "Gold Diggers" plane. Festivities in honor of the air visitors included the bestowal of the key to the city by the mayor, a parade along Michigan Boulevard and a broadcast over CBS.

"Diggers" in Detroit Today

The "Gold Diggers" plane will arrive in Detroit for its seventh stop today, having come on from Chicago. A series of assorted welcomes there will feature the day, and tomorrow the plane will reach Cleveland. The group will remain there over the weekend, leaving on Monday for Pittsburgh.

Warner Kid Party Set

The local Warner Club will hold its annual Christmas Kiddie Party on Dec. 19, to which all child relatives of members will be invited. Gifts, refreshments and entertainment will feature the affair.

Para. Denies Early Will Join Company

Paramount officials yesterday denied Washington reports that Stephen Early, assistant secretary to President Roosevelt, would become associated with the company on Jan. 1, or later.

Local associates of Early quoted him as saying recently that he had received several "tempting offers" from business organizations, none of which was identified with the film industry, however.

No Resignation Confirmation

WASHINGTON, Nov. 19.—Reports that Stephen Early, assistant secretary to the President, will resign his White House post to join Paramount on Jan. 1 could not be confirmed here today, but observers expressed no surprise at the rumor, which has been circulated from time to time in the past.

The inauguration of President Roosevelt for his second term is expected to be followed by changes in his official family, several of them arising from the desire of officials to return to private life. It would not be surprising if Early is among this group, but it has not been believed generally that he would leave until after the inauguration.

Toeplitz After Ellison

HOLLYWOOD, Nov. 19.—Harry Sherman has received an offer from Toeplitz of London for the services of Jimmy Ellison in "She Takes the Low Road." The picture will be made in Rome.

War Play Theme in Clear, But Its Handling Is Not

(Continued from page 1)

larded with unimportant and undistinguished music by Kurt Weill.

"Johnny Johnson," the program advises, is a legend. It is also balderdash and a considerable expenditure of energy thrown into the pot with merely vapor and an occasional savory odor for the trouble. Satirically and in comedy, it tells of a small town tombstone cutter who stays out of the war and enlists only when spurred by Woodrow Wilson's proclamation that this is a war to end wars. He makes a bad and troublesome soldier, conceives the brotherhood of man idea and, as a solo gargantuan, tries to sell the scheme to the American soldiery while a German sniper whose life he had saved, does likewise on the other side of no man's land. But Johnny gets shot in gluteals when he becomes careless. Escaping from his hospital bed, he sprinkles the Allied high command with laughing gas and extracts an order calling off all shots. As the effects wear off, so is the order rescinded. Johnson is sent home, confined to an insane asylum where he organizes a League for World Republics and 10 years later, is set free. In the meantime, he has lost his girl, of course, but that fails to prevent his final song spouting of faith in man and happier days to come. For a guy who got such a pediculous break, Johnny proves quite a man and the Group Theatre a bunch of incurable optimists.

Good Points Too Few

It is true there are flashes of excellent stage technique, embellished by fine lighting and effects. Also are there spasms of laughter, overtoned by the grim and tragic drama which should stalk through all lost causes. The good points are woefully sparse, however, and never begin to make amends for the large patches of meaningless mish-mosh which clutters the stage throughout most of the evening. Russell Collins did cut a woebegone figure in the asylum scene, but for performance this reviewer will take Morris Carnovsky's fine and comic interpretation of the asylum's psychiatrist.

John Hay Whitney is reported to have backed "Johnny Johnson." At least, in part. For a horse breeder of parts and an expert of last summer's season at Saratoga, he should have known better.

Prelates End Meet; No Film Statements

WASHINGTON, Nov. 19.—The annual meeting of the Archbishops and Bishops of the Catholic Church was concluded today and the administrative board of the Catholic Welfare Council began its sessions which will carry over through tomorrow.

It could not be learned whether or not films were discussed by the hierarchy, but it was indicated that if anything is to be made public it will be handled by the administrative board.

G. B. Gets "Millionaire"

G. B. will release "Weekend Millionaire," an Alliance Film. George Weeks closed the deal.

Censors Cautious

Chicago, Nov. 19. — "Reunion," the new Twentieth Century-Fox effort with the Dionne Quintuplets, has been given a pink ticket—adults only—by the censor board.

It is reported the censors thought youngsters shouldn't hear certain references of an obstetrical nature.

After all, that Callander roof was a small landing area for five storks!

Phil Goldstone Sues EKC on 16 mm. Films

LOS ANGELES, Nov. 19.—Phil Goldstone and Phil Goldstone Prod. today filed suit in Superior Court against Eastman Kodak Co., Eastman Kodak Stores and Kodascope Library of Los Angeles, seeking an injunction restraining the further use of two 16 mm. films to which Goldstone claims exclusive rights. An accounting of profits is also asked as well as an additional $50,000 damages.

Goldstone claims ownership rights to films titled "Hearts of Humanity" and "Phantom Express" which were designed for home entertainment. He charges that the defendants for four years copied these films on 16 mm. gauge and used them commercially.

Sam Wolf represented Goldstone.

Tax Appeal Off to Jan.

The hearing of arguments on appeals involving application of the municipal sales tax to film rentals, scheduled for Dec. 3 before the Court of Appeals at Albany, has been put over to the January term of the court. Frederick H. Wood, attorney for major distributors in the appeal, asked for the adjournment when he found he could not be ready with his argument by the originally scheduled hearing time.

Delay Consolidated Plan

Consolidated Film Industries, Inc., has delayed putting into effect the stock changes voted at the recent meeting because of an injunction in the Keller vs Wilson & Co. case. Attorneys have advised the company not to file a certificate of amendment or to consummate the recapitilization. The $1 dividend will be held up for this reason.

Denies Dictograph Plea

Federal Judge Julian W. Mack yesterday denied the motion of Dictograph Products, Inc., for an injunction to restrain the Securities and Exchange Commission's investigation of transactions in the stock and other activities which the company charges amount to persecution.

Republic in Cairo Spot

CAIRO, Nov. 3.—Joseph V. Messeri, director of Josy Films, has returned from the continent, where he booked Republic product for the Cosmo here.



Whoopee! Rah! Rah!

. . . . . FOR A GRAND NEW TEAM OF HOT-STEPPING COMICS!



That grand old "Mike and Ike" combination that never fails, in a new pair of youngsters who are fresh, full of pep, sparkling with youth, clever dancers, and smart comedians.

There's nothing bashful about the way audiences are howling at their **"BASHFUL BUDDIES."** And it will sound like a mass cheering squad when you play their latest . . . . . .

PAT **ROONEY** JR.

HERMAN **TIMBERG** JR.

IN

RAH, RAH! RHYTHM

Another pair of names for your marquee. Add Timberg and Rooney to Buster West and Tom Patricola, Tim and Irene, Jefferson Machamer and his "Gags and Gals", Buster Keaton, Bert Lahr, Niela Goodelle, The Cabin Kids, Kiko the Kangaroo in Terry-Toons. The finest list of stars in the greatest line of short subjects in years.

Presented by E.W. HAMMONS

Educational Pictures
"THE SPICE OF THE PROGRAM"

Distributed in U.S.A. by 20th Century-Fox Film Corporation

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

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Minneapolis New Theatre Ban Up Again

Introduced in the Form Of Traffic Ordinance

MINNEAPOLIS, Nov. 20.—The second attempt within a month to restrict the number of film theatres in the city through municipal ordinance was before the City Council yesterday, disguised as a traffic safety measure.

The first attempt was defeated when the city attorney's office ruled the proposed ordinance invalid. The new measure is ostensibly directed at improvement of traffic facilities about theatres, but it likewise proposes to limit the number of showhouses.

Provisions call for: Granting of no licenses within 600 feet of church or school; reference of license applications received after May 3, 1937, to the Planning Commission and the Police Department for a survey of the traffic problems that would be created by the proposed theatre and for a recommendation as to what parking space the theatre management would have to make available.

Church officials and some theatre men were said to be behind the ordinance. Alderman Edwin I. Hudson, who introduced the proposed ordinance

(*Continued on page 4*)

Wilcox to Set Deal For Sale of 12 Here

Herbert Wilcox plans to complete a deal within the next week for the American distribution of 12 features he has scheduled for production in England, he said yesterday. He is dickering with several companies, he said, and hasn't decided which offer to take.

The new company under which he plans to produce the dozen films has not yet been formed. An American company, Herbert Wilcox Prod., was recently formed in Albany by William Fitelson, his attorney here.

Wilcox may sail on the *Normandie* next Wednesday, he said, contingent on the outcome of negotiations now in progress.

"Come and Get It" $31,000 at Rivoli

"Come and Get It" garnered approximately $31,000 at the Rivoli for the first week and indications are it will get around $25,000 for the second. It will be held a third.

The Music Hall opened big with

(*Continued on page 4*)

Loew's? No! 'Twas Asthma Brought Beaverbrook Here

His Lordship was out of the hotel. But Lord Beaverbrook's secretary was not. It was he, who, in response to a question, put a dent in, if he did not puncture, those persistent reports current in London that the British newspaper owner, once the dominant factor in Provincial Cinematograph Theatres with Will Evans, was toying with the idea of returning to the film industry in a large way. "His Lordship's interest in the cinema has been declining and he is now pretty well out of it," the secretary stated to MOTION PICTURE DAILY.

Making no compliment to Nicholas M. Schenck and his organization, the secretary added he had heard nothing of the report, milling around in some New York financial circuits, that it was Beaverbrook who headed the group which had purchased the 35,000 shares of Loew's held by the estate of Irving Thalberg. The one-man secretariat inquired who Loew's was.

Lord Beaverbrook, furthermore, is not going to Hollywood, as pre-arrival reports insisted. As a matter of fact, he returned to London last night after reaching New York the same morning. It seems His Lordship suffers from asthma and turned to a sea voyage for relief.

He got it.

MPPDA Gets Bid to Berry Industry Meet

A communication asking that an accredited industry representative be designated to attend the Dec. 10 and 11 meetings of the Council for Industrial Progress at Washington was received here yesterday by the M.P.P.D.A. The meetings have been called to further plans for wage and hour and trade practice agreements for industries.

Indications are that the communication will be forwarded to Will H. Hays in Europe without action by the M.P.P.D.A. in advance of the receipt of instructions from Hays. It is believed likely, however, that the industry will have a representative

(*Continued on page 4*)

K.C. Showmen Do Not Want NRA's Return

KANSAS CITY, Nov. 20.—Kansas City exhibitors do not want a return of the NRA.

Queried on the subject, eight exhibitors and one exchangeman expressed the belief that the NRA had benefited them but little, if any, and they questioned whether its return, even in a revised form, would be any better.

Exhibitors feel that the general type of regulation imposed by the NRA would be particularly valueless, if not harmful, to the independent exhibitor. Among those questioned there was not a single deviation from a general opposition to NRA's return for the film

(*Continued on page 4*)

New Play Is Film Material, But Sags Badly in 3rd Act

The soil, that inescapable fundamental, and the errors committed by government and man in its name wove its way all through the pattern of "200 Were Chosen" at the 48th St. Theatre last night.

While you did not see it, you heard about causes that traced back to the Middle West, depression, drought, mortgages and, finally, relief and led to the Government's transplanting of farmers and their families to the rigors of Alaska on the promise of a new and waiting existence. The 200 that were chosen were made glowing promises, this interesting and frequently sardonic and biting drama by E. P. Conkle goes on to say. They were promised houses, electric washers, running water and the proprietary rights to the land which they were prepared to cultivate. But they got in place of all that petty bureaucracy under army ministration that drove them first to stubborn resistance and ultimately to

(*Continued on page 2*)

RKO Again to Share Control Of Music Hall

Back in Center Also in Claim Settlement

RKO will again participate in the operation of the Music Hall and Center under the settlement terms of Rockefeller Center's $9,100,000 claim against RKO, which was finally resolved yesterday for inclusion in the completed RKO plan of reorganization. The treatment of this largest of the unsecured claims against RKO has stood for months as the principal bar to completion of the plan.

The amount at which the huge claim was finally compromised will depend to a significant extent upon the market values of the new RKO securities which will be issued in payment. Indications are that the value of the securities which Rockefeller Center will receive may vary from a minimum of $4,500,000 to a maximum of $6,000,000. The type of securities to be paid was not disclosed but it is believed that new RKO debentures will comprise a large proportion of the payment.

RKO has not operated the Radio City theatres since 1933. It will not immediately resume operation on its own for some time to come, probably until Rockefeller Center's interests in the situation have been completely liquidated. Both will have a voice in operation under the claim settlement provisions and RKO will participate

(*Continued on page 4*)

Court Orders Briefs Filed in Ohio Case

COLUMBUS, Nov. 20.—Attorneys for the distributor plaintiff and for Attorney General John Bricker of Ohio were heard today in the playdate case by a special three-judge Federal statutory court, who ordered that the depositions of the plaintiff be filed by Jan. 30, and that briefs be filed within 15 days thereafter.

With RKO as the sole plaintiff, but with the support of all distributors, the action sought to restrain the attorney general of the state from applying the anti-designated playdate law on the grounds of unconstitutionality.

Murray Seasongood, Cincinnati attorney representing RKO, argued that the law is discriminatory, that it attempts to aid the exhibitor at the expense of the distributor, and that there is no reason for the legislation. As the distributor is the owner of the

(*Continued on page 3*)

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New Play Is Film Material, But Sags Badly in 3rd Act

(*Continued from page* 1)

revolt. Sympathy goes out to the embattled emigres and stays there most of play's length, but not all.

Led by Tom Johnson, played by Anthony Ross, the band in Matanuska Valley finds patience giving way to unbridled anger when that minor authority, as represented by Aldrich Bowker, orders their hastily constructed cabins destroyed because official specifications have been ignored. And so they decide to sit it out. Then food runs short and tempers even shorter. An attempted raid on the commissary fails and Johnson's son dies. You might argue their resistance to a very obvious cockeyed kind of law and order was more foolish than valorous, but there is a gallantry and a courage about their expressed convictions that induce admiration.

Spirits Weaken in the Third

The difficulty, dramatically, rears itself in the third act. When dozens of the camp's children face death from illness and removal to Anchorage impends, overnight and in their crisis the men build their own hospital and, significantly enough, lay the beams according to official dictum, thereby acknowledging their obeisance to the law and a recognizance of their defeat. Somehow or other, the motivation for the sharp turnabout is glossed over and never satisfactorily built up when you remember all that came before. The plot maneuvres here do harm to the play and soften immeasurably the starkness and the basic righteousness of the earlier premise.

Performances are generally good in a lengthy cast of which Johnson, Kathryn Grill, Dorothy Brackett, Charles Jordan, and Paula Bauersmith are some of the principal figures.

In "200 Were Chosen," there is a film of topical value and entertainment possibilities, despite its third act transgression and regardless of the impression walking up and down this reviewer's mind that the punches were pulled unnecessarily on the audience for the perfunctory sake of a safe and sane ending.

"If and When"

Edmund C. Grainger, associate producer at Universal, who is reported engaged to Mary Rogers, daughter of the late comedian, yesterday wired Red Kann:

"Many thanks for the front page plug. However, in the words of Mark Twain, the rumor is slightly exaggerated. Thanks for your good wishes, but I am afraid I will have to hold a rain check on them, if and when."

Columbia Sales Meet On Today in Frisco

SAN FRANCISCO, Nov. 20.—Columbia sales forces will open the first of a series of district meetings here tomorrow. Abe Montague, general sales manager, who flew to Los Angeles last week with Jack Cohn, will preside.

The local meet will be a two-day session. Among those to attend will be: Rube Jackter, assistant sales manager; Jerome Safron, western division manager, and branch managers, office managers, bookers and salesmen from Denver, Los Angeles, Portland, Salt Lake City, Seattle and this city.

Admission Taxes Hit New High $1,797,278

WASHINGTON, Nov. 20.—Admission tax collections reached a new high for the year in October at $1,797,278.84, it was reported tonight by the Bureau of Internal Revenue.

The October receipts, the Bureau disclosed were $127,000 in excess of the September collection of $1,670,044.71, and more than $308,000 above the October, 1935, revenue of $1,488,922.68.

Admission tax collections for the 10 months ended with October amounted to $14,657,223.24 compared with $12,784,047.24 in the corresponding period last year, the bureau announced.

New Taxes Seen in Mo.

KANSAS CITY, Nov. 20.—The possibility of increased special taxation against films looms in Missouri, as a result of the rebellion by merchants throughout the state against the present one per cent sales tax, and the consequent possibility that the sales tax cannot be increased by the legislature in the next session. In that case new sources of revenue would have to be sought.

Flash Previews

"Career Woman"—A rather loosely-constructed story combining the elements of small town bigotry and metropolitan legal justice with naive and sophisticated romance.

"Son of Mongolia"—In which the Soviet again goes propagandistic, this time in favor of Sovietized Mongolia as opposed to the Japanese-sponsored Manchukuo.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Balaban and Griffis En Route from Coast

Barney Balaban, Paramount president, and Stanton Griffis, chairman of the executive committee, are en route here from Hollywood following their first visit to the studio since being elected to their present executive positions in the company. Balaban may stop off in Chicago for a brief visit, arriving here early next week, while Griffis is due here today.

Prior to their departure Balaban stated that whether Cecil B. DeMille would produce two or three pictures under his new contract was still undecided.

Add 12 in Paramount Drive

Paramount will release 12 features, in addition to the original 11, during the four months of the silver jubilee drive for Adolph Zukor, according to Neil F. Agnew, vice-president and general sales manager.

Start Sussman Week

Eastern Twentieth Century-Fox exchanges tomorrow will begin Bill Sussman Week, in honor of the company's eastern division sales head.

Legion Film Pledge Renewals Up Dec. 13

CINCINNATI, Nov. 20.—Renewal of Legion of Decency pledges not to patronize undesirable films will be made on Dec. 13 in all Catholic churches in the United States. The date has been set by Archbishop John T. McNicholas, head of the Episcopal Committee on Motion Pictures.

Cardinal Praises Legion

VATICAN CITY, Nov. 20.—In a general review of his recent visit to the United States printed in the *Osservatore Romano* Cardinal Pacelli, Papal Secretary of State, praises the results of the Legion of Decency drive in America.

"Diggers" in Cleveland

Cleveland, Nov. 20.—The troupe exploiting "The Gold Diggers of 1937" by plane, will arrive here tomorrow morning to spend the weekend as guests of the city.

Purely Personal

RICK RICKETSON, scheduled to leave for Denver yesterday, has delayed his departure until Monday. The talks with SPYROS SKOURAS for taking over a number of HARRY HUFFMAN houses continue. SKOURAS will leave for Los Angeles by plane Nov. 29.

•

WILLIAM T. POWERS and PACKY JOSEPH DEE of Lawrence, Stern & Co., left for Chicago yesterday and will return Tuesday. They intend to take in the Notre Dame-Northwestern game today.

•

RUSSELL BIRDWELL, publicity head for Selznick-International, left by plane for Dallas last night. He'll remain in Dallas for a day and then head for the coast.

•

RUSSELL COHEN of Lucky games will return from Chicago tomorrow. He spent two weeks there. HOWARD PARKER, head of the company, will leave for Philadelphia today.

•

MERRITT HULBURD, associate producer for SAMUEL GOLDWYN, will sail today for Bermuda and a 10-day vacation. He's been laid up for a week while here.

•

H. C. POTTER, who directed "Beloved Enemy" for SAMUEL GOLDWYN, arrived by plane from Hollywood yesterday. He'll be here a week.

•

CONSTANCE BENNETT, KAY FRANCIS, GILBERT ROLAND and BENNY RUBIN arrived yesterday from Hollywood via American Airlines.

•

GEORGE J. SCHAEFER is due from New Orleans today. He's scheduled to attend the Yale-Harvard game in New Haven this afternoon.

•

D. C. COLLINS, Erpi comptroller, is en route to the coast to go into the accounting situation involved in Erpi's producer relations.

•

MEL HEYMANN will be back at his M-G-M desk in the publicity department on Monday, fully recovered from a recent operation.

•

ROSE DAVIES and her daughter, PATRICIA VAN CLEVE, have left the Ritz Tower for the coast.

•

MONROE GREENTHAL and JACK SCHLAIFER will visit the cleaners today if Princeton loses.

•

MRS. A. B. HILTON left last night for the coast and the Paramount studios by plane.

•

DON MERSEREAU, general manager of the *Film Daily,* is back from the coast.

•

LOU and ROSE GUIMOND left for the coast yesterday. They are driving.

•

HOWARD DIETZ is expected from Hollywood on Monday.

•

CLYDE and Mrs. BEATTY depart today on the *Saturnia.*

•

AL LICHTMAN returned yesterday from the studios.

"Broadcast" $38,500 Hit On the Loop

CHICAGO, Nov. 20. — "The Big Broadcast of 1937" was the stellar attraction in the Loop last week. Playing at the Chicago, it grossed a nice $38,500, which was $6,500 above average, and was held.

With downtown hotels packed with various convention delegates, night business was above average and all houses showed a profit. The second week of "Dodsworth" at the United Artists hit a healthy $19,000. "Dimples" at the Apollo was strong, as was "Libeled Lady" at the Garrick, getting $7,700 in its fifth loop week.

Total first run business was $139,100. Average is $115,000.

Estimated takings:

Week Ending Nov. 11:

"THE GAY DESPERADO" (U.A.)
PALACE—(2,509), 30c-40c-60c, 7 days. Stage: "Manhattan Scandals" Revue. **Gross:** $19,200. (Average, $19,000)

"THE BIG BROADCAST OF 1937" (Para.)
CHICAGO—(4,000), 35c-50c-75c, 7 days. Stage: "Impressions" Revue. **Gross:** $38,500. (Average, $32,000)

"CHARLIE CHAN AT THE RACE-TRACK" (20th-Fox)
ORIENTAL — (3,490), 25c-40c, 7 days. Stage: Leon Errol and Revue. **Gross:** $18,500. (Average, $15,000)

Week Ending Nov. 13:

"THE DEVIL IS A SISSY" (M-G-M)
ROOSEVELT—(1,591), 35c-50c-75c, 7 days. **Gross:** $11,400. (Average, $11,000)

"DODSWORTH" (U.A.)
UNITED ARTISTS—(1,700), 25c-50c-75c, 7 days, 2nd week. **Gross:** $19,000. (Average, $15,000)

"DIMPLES" (20th-Fox)
APOLLO—(1,400), 30c-40c-60c, 7 days. **Gross:** $8,000. (Average, $4,500)

"LIBELED LADY" (M-G-M)
GARRICK—(900), 30c-40c-60c, 7 days, 2nd week. **Gross:** $7,700. (Average, $5,500)

"SEVEN SINNERS" (G.B.)
STATE-LAKE — (2,776), 20c-30c-35c, 7 days. Stage: "Broadway Rhythm" Revue. **Gross:** $16,800. (Average, $13,000)

Dictograph Puts in Notice of New Issue

WASHINGTON, Nov. 20.—A registration statement preparatory to the sale of 10,000 shares of $2 par common was filed today by the Dictograph Products Co. with the Securities and Exchange Commission.

The company proposes to sell the stock at $20 per share to provide additional working capital.

Trading in Dictograph stock was suspended by the Curb Exchange Wednesday after a rapid drop in quotations.

Norman F. Storm Dead

SEATTLE, Nov. 20.—Norman F. Storm, commercial manager of station KOL (CBS) in this city, died suddenly this week following an emergency operation for a stomach ailment. He was 46 years old. His successor has not yet been selected by Archie Taft, owner of the station.

Dubinsky Recovered

KANSAS CITY, Nov. 20.—Barney Dubinsky, who manages the St. Joseph units of the Dubinsky Brothers circuit, has returned home from Menorah Hospital. He was injured seriously Sept. 23 in an automobile accident.

Waring-Ford Status Continues in Doubt

Despite the reported collapse of negotiations between Ford and M-G-M for the widely discussed program featuring the production company's stars, the Fred Waring status of his current two Ford programs remains unchanged. Competent observers feel that at best Waring has but a 50-50 chance of a renewal.

The bandleader made a hasty plane trip to Detroit on Thursday for a conference with A. R. Barbier, advertising director and W. L. Collings, sales manager of Ford, and returned to New York yesterday with the issue still in doubt. It is expected that Waring will return to Detroit for another confab today.

The drop of the Waring shows in the program popularity ratings, accepted at large by the radio industry, is understood to be the most unfavorable factor in the situation. In the last rating on his NBC program, Waring was 69th in the list, whereas in past polls he has never been lower than 15th. Similarly, in the last CBS rating, Waring's program finished in 22nd position. Previous ratings had always found him among the first 10. Ford, it is reported, is of the opinion that the two programs, costing approximately $1,322,000 per year for time and talent, rate higher in the official ratings.

In any event, an official decision will be rendered no later than Nov. 25 at which date the Waring contract either must be renewed or dropped.

CBS Makes Inaugural Plans

CBS yesterday completed plans for coverage of the inauguration Jan. 20. The plans were drawn up by Col. Edwin A. Halsey, secretary of the Senate; Chesley W. Jurney, sergeant-of-arms of the Senate; David Lynn, architect of the Capitol, in conference with Henry Grossman, operations engineer for the network, and Don Higgins, head of CBS news desk.

The corps of announcers will be headed by the CBS aces, H. V. Kaltenborn, Bob Trout.

RCA-Hazeltine Testimony Ends

WILMINGTON, Nov. 20.—Trial in the patent infringement action in which Hazeltine Corp. charges RCA and RCA-Victor with infringement of an automatic volume control patent was brought to a close in U. S. District Court here this morning. Final argument has been set for March 2. The date for the filing of Hazeltine briefs is Jan. 4, and for those of RCA, Feb. 8.

Swarthout Show Over NBC

CHICAGO, Nov. 20. — The program sponsored by ice dealers and starring Gladys Swarthout will be heard over the NBC Red network and not over CBS as rumored. Release date is still indefinite, it was stated at a party tendered the star here tonight.

WTIC-NBC Renew

WTIC, NBC affiliate in Hartford, Conn., yesterday signed a five-year renewal contract with NBC. The contract was signed in Radio City by Lenox R. Lohr, NBC president, and Daniel Reed, secretary of the Travelers Insurance Co., of Hartford, which owns the station. WTIC is a 50,000 watt station, a member of the basic Red network, and has been affiliated with NBC for the past ten years.

Network Billings Jump

October billings on the CBS and NBC networks have smashed all previous records. CBS revenue for the month totalled $2,754,808, an increase of 42.7 per cent over October, 1935. The cumulative total for the first 10 months of 1936 is $18,304,878, an increase of 30.5 percent for the same period last year.

NBC's Red network revenue for last month was $2,417,743, bigger than any total previously recorded on any one network in any single month. The Blue for the month amassed a total of $1,278,746, the largest since the network was established on a coast-to-coast basis.

Bellamy, Vincent, Et Al

Short Shots: Ralph Bellamy has been added to the Lux Radio Theatre cast for the Nov. 30 program starring Loretta Young . . . Elmer Vincent, radio's "Senator Fishface," heard Sundays at 4:30 P.M. on the NBC-Blue, yesterday became the father of a baby girl . . . Vera Van, CBS songstress and George Wood, Los Angeles business executive, will wed on Thanksgiving Day . . . Tom Fizdale, Chicago press agent, will play the role of a press agent on the "Fibber McGee and Molly" program on Monday . . . Jane Cruisenberry, author of radio's "Mary Marlin" serial, moves to Hollywood next month for a screen writing job . . . Northern Trust Co. begins sponsorship of a new series over WGN, Chicago, next Tuesday, at 9:30 P.M., C.S.T. Program will feature Isabel Ebert, Helen Brahms and Marie Truitt . . . "Paducah Plantation," starring Irvin Cobb, drops its guest star policy beginning next week . . . Regina Schubel, of the Biow ad agency, back at her desk after a month's tour across the country selling spot time announcements to stations enroute . . . Laff and Swing, a new NBC-Red show, inaugurates this Wednesday. The program will be heard Wednesdays and Mondays at 4 P.M., E.S.T.

And from Hollywood

Short Shots—Lou Frost, assistant to Don Gilman of CBS, in Hollywood from San Francisco for conferences on "Carefree Carnival," new Signal Oil program. . . . Johnny Green of the Astaire-Packard program undergoing a minor operation. . . . Jack Benny, Margaret Livingstone and Victor Young sunning themselves at Palm Springs. . . . Ben Alexander taking time out from radio work for the starring role in the I. E. Chadwick picture, "The Outer Gate," from the story by Octavus Roy Cohen. . . . Harry O'Neil of Drug Store Trade Products due on the coast. . . . Carl Brisson will appear on the "Magic Key" of RCA show singing selections from "Forbidden Melody." . . . Claudette Colbert will do "Maid of Salem" with Fred MacMurray on "Hollywood Hotel" Dec. 4.

British Protest

London, Nov. 12.—The general council of the C.E.A. is to approach newsreel producers with a protest against the use of current reels in B.B.C. television transmissions.

Court Orders Briefs Filed in Ohio Case

(*Continued from page* 1)

copyright on each film, Seasongood contended, the law interferes with the Federal law, since the contracts for exhibition are in interstate commerce and under the jurisdiction of Federal and not state law. No moral issue is involved, he said, since the censor decides on that point. Any claim of monopoly becomes a Federal issue, he declared.

Abram F. Myers, general counsel of Allied States Ass'n, assisting Benjamin H. Schwartz, representing Bricker, said the law is essentially Sunday legislation, and that the exhibitor is responsible to the community for the type of pictures shown, and is entitled to specify what the patrons should see. The exhibitor should not be compelled to show objectionable films over the protest of civic groups, the defense said.

Ohio Approves Minimum Wage

COLUMBUS, Nov. 20.—The Ohio minimum wage law today was declared constitutional in U. S. District Court here. The decision was unanimous among Judges Florence E. Allen, Robert R. Nevin and Mell G. Underwood. The law establishes a minimum wage for 42,000 women and minors in hotels, restaurants, dry cleaners and laundries.

Ora B. Chapman, state director of industrial relations, today told MOTION PICTURE DAILY that the scope of operation of the law would be broadened to include retail trade, with the film industry ultimately to be affected.

Counsel for the plaintiffs, who contested the constitutionality of the statute, indicated that the case will be carried to the Supreme Court.

Permit Mortgage Appeal

Federal Judge Knox yesterday allowed the Philadelphia Co. for Guaranteeing Mortgages to take an appeal to the U. S. Circuit Court of Appeals from a decision of the Federal Court in allowing a claim against Fox Theatres for only $48,134, instead of $389,436 asked. The suit arose out of the breaking of the lease of the Fox Theatre in Philadelphia when Fox Theatres went bankrupt. The Federal Court refused to allow future damages, which is what the plaintiff wanted.

Joyce Allowed $10,000

Federal Judge Coxe yesterday granted Special Master John E. Joyce an interim allowance of $10,000 for his services in the Paramount bankruptcy and receivership, which was from June 16, 1934, to date. An additional allowance will be granted when the Paramount case is completely closed.

Chicago Judge Hits B. N.

CHICAGO, Nov. 20. — Municipal Court Judge John H. Lyle today ruled that all Bank Nights conducted here are lotteries and illegal but added that prosecution on these grounds is a matter not in his hands.

The decision was handed down to Mrs. Catherine McDonald, who sued the operators of the 63rd Street in Englewood for $500 which she claimed the theatre owes her.

The decision is considered a blow to Bank Night here. The game offers over $100,000 weekly in prizes.

MPPDA Gets Bid to Berry Industry Meet

(*Continued from page* 1)

at the Washington sessions, if only as an observer.

The primary function of the sessions next month will be to receive reports from committees named by the Council for Industrial Progress and to act upon them. A number of these reports will suggest types of enabling legislation for the drafting and enforcement of trade agreements and any which may be adopted by the Council will be forwarded to the President and Congress for further action. Industry itself, it is felt, could do little in the way of acting upon trade practice agreements or wage and hour provisions until enabling legislation had materialized. This fact, rather than any aversion for trade agreements, continues to dampen enthusiasm within the industry for the December conferences in Washington.

The M.P.T.O.A., national exhibitor organization; the I.T.O.A., local organization, and Allied States, national exhibitor organization, all reported yesterday that no bid to the Washington meetings had been received by them. Advices from Washington earlier this week, however, were that all organized trade units would be invited to send representatives to the sessions.

Queries on Club Closing

Bert Adler, secretary of the Cinema Club, has addressed a letter to all members, seeking their views relative to moving the club from its present quarters in the Hotel Algonquin, or discontinuing the organization because of a lack of interest in it. Adler declares that the club is in good shape financially.

Minneapolis New Theatre Ban Up Again

(*Continued from page* 1)

of a month ago, was the one who placed the latest one before the council. In answer to a question as to whether the ordinance would effect existing theatres as well as new ones, Assistant City Attorney John F. Bonner said he thought the old ones probably would be the houses concerned.

W. R. Frank, exhibitor, told the Council Committee on Ordinances: "As theatre men we have large investments, and of course we are concerned about new theatres coming in. The introduction of one new theatre could quickly ruin four others. As far as theatres go, the city is overseated now."

Although Frank pointed out that an ordinance limiting the number of houses already had been passed in Brainerd, Minn., it could not be learned whether or not the measure had been approved by the courts.

Webb Services Today

SANTA MONICA, Nov. 20.—Funeral services for Fay Webb, former wife of Rudy Vallee, will be held here tomorrow at the Todd and Leslie Funeral Chapel. Miss Webb died Thursday at a hospital here of peritonitis. She was 29.

G. E. to Pay An Extra

General Electric yesterday declared a regular quarterly dividend of 25 cents and an extra disbursement of 50 cents a share on the common, payable Dec. 21, both totaling $21,634,000 to 185,000 stockholders. The extra dividend amounts to $14,400,000.

RKO Plan Out Mon.

Work on the RKO reorganization plan sponsored by Atlas Corp.-Lehman Bros. interests was completed yesterday according to schedule and will be filed with the U. S. District Court here on Monday, an authoritative factor in the reorganization insisted.

Reorganization principals declined to disclose provisions prior to its filing with the court, answering all questions on the subject with "What you are asking about will be public property on Monday."

RKO Again in M.H. By Settlement Terms

(*Continued from page* 1)

in the earnings of the theatres again for the first time since 1933.

The Rockefeller Center claim is based on a 20-year lease on the Music Hall and Center, and includes certain alleged damages resulting from RKO's default of the lease. The annual rental was fixed at $953,972. The claim, originally, was filed for more than $20,000,000, but recommended for allowance at $9,100,000 by Special Master Thacher.

Production Unit Formed

HOLLYWOOD, Nov. 20.—Edward L. Alperson of Grand National has signed Victor Schertzinger and Zion Meyers to head an independent production unit producing a minimum of six pictures annually, three to be musicals.

Breen Back on Coast

HOLLYWOOD, Nov. 20.—Joseph I. Breen returned today from New York.

K.C. Showmen Do Not Want NRA's Return

(*Continued from page* 1)

business, although they all believed there would be at least an attempt by the Government to impose some such regulation on the industry.

Ed Dubinsky of Dubinsky Brothers would not like to see the NRA come back if it is to be handled the way it was before. But he would like to see the Government step in and eliminate what he called the racketeering element from labor.

"I'm not in favor of it," commented Jay Means of the Oak Park and Bagdad.

Glen W. Dickinson doesn't think the NRA helped, or will help, the little fellow in the theatre field.

"The NRA almost ruined me," asserted J. W. Cotter, operator of the Bijou.

"The NRA didn't help me," said C. E. Esterly, "and I'd hate to see it return."

Opposed to the NRA from the beginning, E. Rolsky, operator of the National, and president of the I. T. O., still is opposed to it. He was one of the few who did not sign acceptance of the act.

Dusty Rhodes, who operates the Gillham, thought some points of the NRA were good, but he does not want it back.

E. S. Young, who runs the Central and Roanoke, is not in favor of the NRA. However, "it might be all right if it were correctly administered."

"Come and Get It" $31,000 at the Rivoli

(*Continued from page* 1)

"The Garden of Allah," tallying $13,900 on the first day with the second day's receipts up to 5 P. M. running $100 better than the opening day.

"Pigskin Parade" and a stage show at the Roxy tallied $46,300 the first week. The second week will be held to six days to permit a new show, "Reunion," and a presentation, to open Thanksgiving Day. Although the management had expected the figure to hit around $50,000, a wave of cold weather is said to have affected the take.

The Capitol wound up the last six days of a three-week run of "Libeled Lady" with about $18,000. This house also has gone to Thursday openings until after the holidays.

"Our Relations," at the Rialto, in eight days ended with $11,000, which was very good. "Here Comes Carter" and "Cain and Mabel" at the Palace took approximately $8,000.

McGuire Is Producer

HOLLYWOOD, Nov. 20.—William Anthony McGuire has been signed to a producer contract by M-G-M. His first assignment will be "The Merry Princess," an original by P. G. Wodehouse.

Briskin on Way Here

HOLLYWOOD, Nov. 20.—Samuel J. Briskin left by train today for New York.

Wall Street

Para. Off 4⅛ Pts.; Others Decline

	High	Low	Close	Net Change
Columbia	37¼	36⅝	36⅝	+ ⅛
Consolidated, pfd.	17⅞	17⅞	17⅞	— ⅛
Eastman	181½	181⅛	181⅛	.....
Gen. T. Equip.	29¼	28½	28½	— ½
Loew's, Inc.	62⅞	62	62	—1
Paramount	21	19⅞	20	— ½
Paramount 1 pfd.	152½	146	146	—4⅛
Paramount 2 pfd.	19	17⅞	17⅞	— ½
Pathe Film	8⅞	8⅝	8⅝	— ⅜
RKO	9⅞	9½	9⅝	— ⅛
20th Century-Fox.	37⅜	36¼	36¾	— ⅜
20th Century, pfd.	46	45¼	45¼	—1¼
Warner Bros.	17	16⅝	16⅝	— ¼
Warner, pfd.	64	64	64	—1⅜

Short Curb Losses

	High	Low	Close	Net Change
Grand National	3⅜	3	3⅜	+ ⅛
Sonotone	2½	2⅜	2⅜	— ⅛
Technicolor	23⅞	23	23	— ¼
Trans-Lux	5	4⅞	5	+ ⅛
Universal Pict.	15	15	15	— ½

Bonds Gain Fractionally

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	101¼	101	101	.....
Paramount B'way 3s '55	70½	70½	70½	+ ½
Paramount Pict. 6s '55	100¾	100½	100½	+ ⅛
RKO 6s '41 pp	100½	100¼	100½	+ ¼
Warner Bros. 6s '39 wd	98¾	98¼	98¾	+ ½

(Quotations at close of Nov. 20)

Out Hollywood Way

HOLLYWOOD, Nov. 20. — Today's American Airliner from the east brought LESLIE WHELAN, head of foreign publicity, and ROY SIMMONDS, London publicity representative, both of Twentieth Century-Fox. Executive conferences in the offing.

ROBERT MONTGOMERY and JOAN CRAWFORD to co-star in "The Last of Mrs. Cheney," M-G-M; RICHARD BOLESLAWSKI to direct.

PETE SMITH to conduct a contest among amateur movie makers in *Liberty* to discover new talent. . . . Warners to feature JEAN MUIR, BEVERLY ROBERTS and WARREN HULL in top roles of "Her Husband's Secretary." . . . Warners start "Robert Burns," first historical short in Technicolor. . . . Paramount Players to give wrist watches to winning salesmen in Zukor Silver Jubilee Drive.

LORENZO DEL RICCIO experimenting with two-color process for Grand National's "Snow-Covered Wagons." . . . GEORGE JESSEL assigned to produce "The Thing Is the Play," Universal. . . . Republic borrows JUNE TRAVIS from Warners for "Join the Marines."

MELVYN DOUGLAS to New York to appear in BEN HECHT's "To Quinto and Return." . . . DONALD HENDERSON CLARKE to do story for Selznick International. . . . SHIRLEY TEMPLE to Palm Springs to rest and rehearse.

✚

Casting — LEWIS STONE, JOHN WRAY, THOMAS JACKSON, VIRGINIA SALE and RICHARD CARLE in "Happiness Preferred," Major Pictures. . . . BARTON MACLANE in "The Prince and the Pauper." . . . PAT FLAHERTY in "A Star Is Born," Selznick International. . . . DOUGLAS FOWLEY in "On the Avenue," Twentieth Century-Fox. . . . FRANK CONROY and DUDLEY DIGGES in "Love Is News," same studio.

✚

Term Contract — BORAH MINNEVITCH has been signed to a long-term agreement by Twentieth Century-Fox. . . . That studio also picked up options on HARRY TUGEND, writer, and JAYNE REGAN, actress.

✚

Writers—LOLITA WESTMAN, sister of NYDIA, writing an untitled original for Republic.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 123 NEW YORK, MONDAY, NOVEMBER 23, 1936 TEN CENTS

Warners' Net For Year Is $3,177,312

Nearly 5 Times Higher Than Previous Year

Warner Bros. Pictures, Inc., and subsidiaries report a profit after all charges, including Federal income taxes, of $3,177,312.73 for the fiscal year ending Aug. 31, as forecast in Motion Picture Daily.

This compares with an operating profit of $674,158.96 for the previous year.

In a statement to stockholders accompanying the report Harry M. Warner says: "The operating profit for the year ending Aug. 29, 1936, is equivalent to 75 cents per share on the common, after deducting the shares held in the treasury and after providing for the current year's dividend on the preferred stock. Dividends on the preferred stock since March 2, 1932, are in arrears. For the year ending Aug. 31, 1935, the profit was equivalent to seven cents per share calculated on a similar basis.

"In addition to the operating profit there has been a net credit to deficit account in the amount of $1,314,849 and capital surplus has been increased by $124,013.68.

"The operation of your company for the quarter ending Nov. 28, will show a substantial improvement over the net

(Continued on page 11)

S.E.C. Reveals Chase 20th-Fox Stock Sale

Washington, Nov. 22.—Disposition by the Chase National Bank in September of 13,806 shares of Twentieth Century-Fox common and 27,612 shares of $1.50 cumulative preferred, sold under an escrow agreement, was reported yesterday by the Securities and Exchange Commission in its semi-monthly summary of stock transactions of corporation officers.

Another report on Twentieth Century-Fox disclosed that on Oct. 15 General Theatres Equipment, New

(Continued on page 11)

20th-Fox Reply Is Sent to Kuykendall

Hollywood, Nov. 22. — Twentieth Century-Fox's statement of concessions and sales policy to be established in cooperation with the M.P.T.O.A.'s 10-point trade practice program has been given final approval here by Sid-

(Continued on page 7)

Moyne Revision of Britain's Film Act Believed Completed

London, Nov. 12.—The Moyne Committee, appointed to consider the question of revision of the Films Act, is believed to have drafted its recommendations. Signatures of members are expected to be placed on the final copy this month and the report will then go to the president of the Board of Trade. Publication as a "Blue Book" is likely before the end of the present year.

Theodore H. Fligelstone, president of the C.E.A., has been appointed to the advisory committee on the act in place of the late E. E. Hewitson. He will sit as an exhibitor representative until January, 1928. The advisory committee is the body providing advice on the administration of the quota bill.

Maxwell Sets New Drive on U. S. Market

By BRUCE ALLAN

London, Nov. 22.—Extraordinary efforts by John Maxwell, head of British International Pictures and Associated British Pictures, and a controlling factor in Gaumont British, to penetrate the American market this year and in 1937 were indicated here yesterday.

Walter Charles Mycroft, B. I. P. production director, declared that eight films are now in work at the Elstree studio of B. I. P. which should be

(Continued on page 11)

Rank Reported Out Of 2 British Firms

London, Nov. 22.—J. A. Rank, one of the major interests behind British National and Pinewood, is reported withdrawing from the former company because of differences with Lady Yule on production policy. It had been rumored the split had developed over Lady Yule's insistence that Robert T. Kane be given a berth in the Pinewood studio management. At the same time Rank is believed to be

(Continued on page 11)

British Nat'l Is Formed to Produce Here

British National of America, Ltd., new American producing firm financed in part by British banking and film interests, has been formed here, with incorporation in Albany.

Elmer Pearson, former vice-president and general manager of Pathe Exchange, Inc., is vice-president in charge of distribution. Lord Ragnor, chairman of the board of British Colonial Trust, of London, is president of the new company. Harold Berg, American film and stage pro-

(Continued on page 11)

Balaban Says Dual Plans Not Changed

Chicago, Nov. 22.—John Balaban yesterday declared there has been no change in the plan to expand duals in the B. & K. circuit houses, despite intimations from sales executives that the move would be delayed until January.

The circuit's "B" houses this week will begin to use twin bills and the "C" theatres will follow after the policy has been established a week in the second grade units.

Keep RKO for Name Value In Firm's Reorganization

Radio-Keith-Orpheum is retained as the parent company under the RKO reorganization plan which was completed late last week and which in all probability will be filed with the U. S. District Court here today.

The decision not to organize a new company, as was done in the reorganization of Paramount Publix, which became Paramount Pictures, Inc., is understood to have been based upon the established name value of RKO. Indications are that a new board of directors to include representation for Atlas Corp., Lehman Bros., Rockefeller Center and other new dominant creditor interests will not be selected

(Continued on page 11)

Regulation of Broadcasting Is Under Way

Radio Committee Formed By Producer Ass'n.

Hollywood, Nov. 22.—The industry's newly established machinery for the regulation of its radio broadcasting problems affecting both production and exhibition is now functioning under the ministrations of a special radio committee set up by the Producers' Ass'n. here. Details of the industry's plan for the regulation of its participation in radio broadcasting through the cooperative efforts of both film and broadcasting interests were described in Motion Picture Daily of Nov. 12.

The Producers' Ass'n. has refused to divulge the names of members of its special radio committee for reasons unknown, but it is learned that the entire membership is composed of producers. The committee went into action for the first time late last week when it met with representatives of broadcasting and agency interests involved in the General Mills proposal to broadcast directly from sound stages here, the programs to be sponsored by the flour milling company. As a result of the meeting the negotiations were reported to have fallen through when the objections raised by the industry committee were held by the broadcasting interests to be insurmountable. It had been planned in

(Continued on page 10)

Metro Is Receptive To Programs on Air

While it is generally accepted that the Ford-M-G-M broadcasting deal has collapsed, although formal acknowledgement has not been forthcoming, Metro is understood to be receptive to a limited number of coast-to-coast hookups a year, preferably tied in with its musicals and under a different sponsorship for each program.

Hollywood reports the studio gratified as a result of the "Born to Dance" show which was broadcast on the

(Continued on page 10)

Presses Games Fight In California Town

Redwood City, Cal., Nov. 22.—Unless the City Council immediately stops Bank Night, Screeno, Ten-o-Win and similar games in the local theatres, indictment of city officials and theatre managers will be asked of

(Continued on page 10)

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Subscription rates per year $6 in the Americas, and foreign $12. Single copies: 10 cents.

Legion Approves 13 Of 14 New Pictures

Of 14 new pictures reviewed and classified by the National Legion of Decency in its list for the current week, 13 were approved and one was condemned. Of the 13, nine were classed as unobjectionable for general patronage, and four for adults. The films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Can This Be Dixie," "Conflict," "Fiat Voluntas Dei" (Italian), "Gun Ranger," "Love on the Run," "North of Nome," "The Plot Thickens," "Wanted, Jane Turner," "Wild Brian Kent." Class A-2, Unobjectionable for Adults—"Lady from Nowhere," "Love in Exile," "Reunion," "Wenn Der Hahn Kraeht" (German). Condemned—"Les Amours de Toni" (French).

Plan "Plough" Previews

HOLLYWOOD, Nov. 22.—Sam J. Briskin plans to preview unedited prints of "The Plough and the Stars" in 14 key cities. The audience in each case will be given preview cards and asked to record their reactions.

Insiders' Outlook

By RED KANN

SNEAKING up well in advance on the week's holiday, this is the first instalment of the annual nonsense column, "What They Are Thankful for on Thanksgiving."

THE AMERICAN EXHIBITOR—The M-G-M formula.
CHARLIE PETTIJOHN—No strangers in the new legislatures.
DAVE PALFREYMAN—Ed Kuykendall.
ED KUYKENDALL—Bob Cochrane.
BOB COCHRANE—The New Universal.
J. CHEEVER COWDIN—Ditto.
"DEAC" AYLESWORTH—Bisodol.
JOE SCHENCK—For picking Maine and Vermont.
CAROLE LOMBARD — That Clark isn't working all the time.
CLARK GABLE—Because he isn't.
ADOLPH ZUKOR—A place in the sun.
EUGENE ZUKOR—A place for the son.
MERIAN COOPER—Jock Whitney and Technicolor.
LEO SPITZ—John D. Hertz.
AUSTIN C. KEOUGH—A vacation prospect.
JOHN BOETTIGER—Four more years of F.D.R.

▼

E. C. MILLS — Canadian music taxes.
STANTON GRIFFIS—Floyd B. Odlum.
WILLARD MCKAY—That it's a short walk to "21."
GRAD SEARS—Carl Leserman.
CARL LESERMAN—The Warners.
EDDIE ALPERSON—Spyros.
ABRAM F. MYERS—Re-election of Nelly and Pettengill.
NED DEPINET—Astaire and Rogers.
JULES LEVY—Mickey Mouse on the horizon.
SAM SPRING—Charles R. Rogers.
BUDD ROGERS—John Maxwell.
THE OSTRERS—Repeat above.
ANDY SMITH—George J. Schaefer.
GEORGE J. SCHAEFER — "Doc" Giannini.
HOWARD CULLMAN—W. G. Van Schmus.
EDDIE CHURCHILL—Lynn Farnol.
LYNN FARNOL—Lord and Thomas.
HERMAN ROBBINS — Trailers. What do you think?
SAM DEMBOW—Magnalite.
NATIONAL SCREEN—Accessories.
HERSCHEL STUART—Lawrence Bolognino.

▼

MORT SPRING—That the horse stopped stepping—on him.
JACK SKIRBALL—The same.
WILLIAM MELNIKER — Arthur Loew.
ARTHUR LOEW—That the ex-secretary said yes.
RKO THEATRES—Warner product.
LOCAL 306—Mayor La Guardia.
DAVE LOEW—Joe E. Brown.
EDDIE CANTOR—Bobby Breen, Deanna Durbin, Joe Schenck.
ED HATRICK—"News of the Day."
IRVING LESSER—The Roxy.
SOL LESSER—Bobby Breen.
HAROLD LLOYD—His new Paramount deal.
DICK POWELL—Joan and Campbell's Soups.
JOAN BLONDELL—Just Dick.

▼

JEFF MCCARTHY—California winters.
WHITFORD DRAKE — Those new producers' licenses.
DAVE SARNOFF—The corner television is "just around."
NICK SCHENCK—Leo and the racing season.
MAURICE KAC KENZIE — Terry Ramsaye's observations on the celluloid scene.
HAL HORNE—Leo Spitz.
CHARLIE EINFELD—That baby girl.
BRUCE GALLUP—Billy Wilkerson.
ARTHUR UNGAR—*Coast Variety*.
JAMES CAGNEY—Grand National.
GRAND NATIONAL—Pathe.
PATHE—Grand National.
BETTE DAVIS—Warners and 3 G's per week.

▼

THE FLYING "GOLD DIGGERS"—Boston by Xmas. Beans are something, after all.
LAUREL AND HARDY — Domestic bliss?
SIMONE SIMON — Her Siamese name.
BILL KOENIG—Metro.
JOE BREEN—There's only one Mae West.
MANNY COHEN—???
JOHN E. OTTERSON—Paramount.
HENRY FONDA—A new house at last.
CARL LAEMMLE, JR.—Things to come.
B. P. SCHULBERG—Harry Cohn.
HARRY COHN—"Lost Horizon."
JACK COHN—3,000 miles to Hollywood.
MARION DAVIES—Double trucks.
EDWARD PESKAY, ED FINNEY, JIMMY DAVIDSON—Jack Barnstyn, Sol Edward.
SIDNEY M. BIDDELL—Eddie Alperson.
RAY JOHNSTON—Herb Yates.
HARRY H. THOMAS—James A. Fitz Patrick.
JOHN BARRYMORE—Elaine Barrie.
ELAINE BARRIE—The great American profile.
JEFF BERNERD—That contract.

▼

WILLIAM FOX—All-Continent.
WARNERS—Lord Tennyson.
MARY NOLAN, EVELYN NESBIT—Neighborhood beer gardens.
CHARLIE O'REILLY — Candy-vending machines and the Texas Centennial.
MARC LACHMANN—Judith Barrett or is it Joe Weil?
JOE MOSKOWITZ, JOE PINCUS, BOB GOLDSTEIN, WHITNEY BOLTON, DICK WATTS, ET AL—The New York stage plays.
AL LICHTMAN—Nick Schenck.
HOWARD DIETZ, ARTHUR SCHWARTZ —That Zanuck has a musical ear.
DAN FRANKEL—O. Henry Briggs.
O. HENRY BRIGGS—Pathe.
JIMMY GRAINGER — Releases on schedule, occasionally anyway.
EDMUND GRAINGER—Mary Rogers.
CLAUDETTE COLBERT—A doctor in the house.
WALTER WANGER—Mussolini's invitation.
VIC SHAPIRO—Hour glass figures.
JACK WARNER—British justice.
HOLLYWOOD HUSBANDS—The shipping strike and wives in Honolulu.

"Not Interested" in Berry Meet, Says ITO

The I.T.O.A. is "not interested" in the meetings to be held in Washington Dec. 10 and 11 to further proposals for enabling legislation on wage and hour and trade practice agreements, an official of the organization said on Saturday.

"We are not interested in this phase of the situation," it was stated. "If proper legislation does materialize later and we are satisfied that the Hays organization will not dominate whatever administrative body is set up for this industry, the chances are we would participate, but not otherwise."

The spokesman said that no bid to the Washington meetings, called by the National Council for Industrial Progress, had been received by I.T.O.A. yet. So far as could be learned neither the M.P.T.O.A. nor Allied States had received bids on Saturday, either. The M.P.P.D.A. received and acknowledged a bid to the meetings late last week. Indications are that the industry will have at least an "observer" at the sessions.

Use "Zombies" Title By Special Consent

Syndicate Exchange will distribute "Revolt of the Zombies" in the local territory under that title, according to a special arrangement between Robert Benjamin, co-assignee of Melbert Pictures, and Amusement Securities Corp., which recently obtained an injunction against use of the title.

N. Y. Supreme Court Justice Wasservogel has approved the arrangement. Phillips & Nizer and Harold Lerman acted as attorneys for Melbert Pictures, while Krellberg & Fitzmons represented Amusement Securities in procuring the court's approval. The arrangement in no way affects previous decisions handed down against Producers Laboratories, the Rialto, New York, and Academy Prod.

M. Ostrer on Normandie

Expected on the *Normandie* today are Mark and Mrs. Ostrer, Steve Pallos, Martin Beck, Herbert Marshall, Roland Young, Johnny Weismuller, Sir Cedric and Lady Hardwicke, Lady Standing and John Beattie and Lillian Kerekes, winners of the "Movie Type Contest" sponsored by *Modern Screen*, returning from tests at the G. B. studios.

M-G-M in Two Deals

CLEVELAND, Nov. 22.—Frank Drew, M-G-M branch manager here, has closed new product deals with the two largest local subsequent run circuits, Associated Theatres, headed by Myer Fine, and Community Theatres, headed by Max Lefkowich and Henry Greenberger. Thirty-one theatres are included.

Agnew, Gillham Return

Neil F. Agnew, general sales manager, and Robert Gillham, publicity and advertising head for Paramount, returned Saturday from Chicago after conferring with B. & K. officials on campaigns for the company's new product.

Century Takes Central

Century has finally taken over operation of the Central, Cedarhurst. Skouras Theatres is interested.

'Anthony'

DIDN'T DO A THING





THAT *He* CAN'T DO BETTER!

SCENE *for* SCENE





and

ENGAGEMENT *for* ENGAGEMENT

THE EVIDENCE IS IN— IN BLACK-AND-WHITE!

First Release Week's Grosses Offer Screaming Proof That

IT'S A *BIGGER* SHOW THAN 'ANTHONY ADVERSE'!

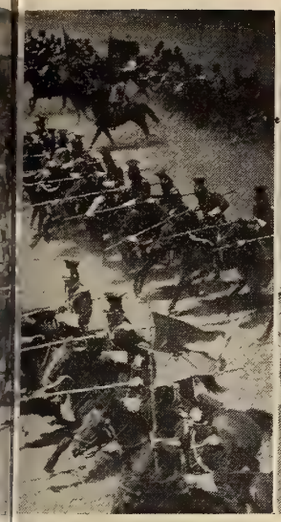
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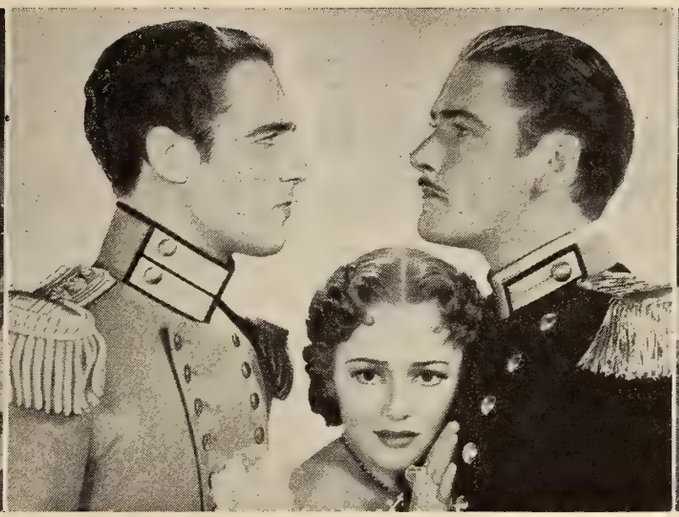
'CHARGE

PATRIC KNOWLES • HENRY ST

DONALD CRISP • DAVID N

DIRECTED BY MI







'Anthony's' Records Shattered in All These Initial Dates

NEW HAVEN • HARTFORD • WORCESTER • BRIDGEPORT • SPRINGFIELD

As Holdover Weeks Run Miles Ahead of Year's Top Figures!

NEW YORK • PHILADELPHIA • LOUISVILLE • NEWARK • FRISCO • INDIANAPOLIS

LYNN • OLIVIA DE HAVILLAND

OF THE LIGHT BRIGADE

TENSON • NIGEL BRUCE

N • ROBERT BARRAT

EL CURTIZ

Thank the great stars—thank the tremendous cast—thank the sweeping production scope—thank the mighty magazine campaign—and thank **WARNER BROS.** for packing these sensational values into one gigantic hit!

National Censorship Functions in Mexico

By JAMES LOCKHART

MEXICO CITY, Nov. 20.—(*Via Air Mail*).—The new national film censor board in Mexico has begun to function. It is composed of three men appointed by the Ministry of the Interior. The Confederation of Mexican Workers has asked the ministry to permit a representative on the censor board.

Film interests have requested President Lazaro Cardenas to take action to avoid the conflict which has arisen between the national censor board and the Mexico City censor. The film people say they have no objection to censorship, but point out the confusion which develops from the system of two boards. Both collect fees. The National board is favored. Penalties will be imposed for evasion of censorship.

* * *

The country's first cooperative society of film workers, long in formation, finally has been organized. It is known as the Cooperative Society of Mexican M. P. Workers for Film Production and Exploitation. It is receiving Government assistance from the Ministry of National Economy and plans the production of several pictures.

* * *

Producers here are discovering that increased cost of films pays. The average cost of productions has risen in recent years from approximately $18,000 to $30,000.

Censure Seattle Censors

SEATTLE, Nov. 22.—Seattle's censors were themselves roundly censured here this week by the City Council. The rebuke came in connection with the recent showing of "Ecstasy" at John Danz's Winter Garden.

A council investigation disclosed that the film was booked into the Winter Garden only after it had been given an official OK by the censor board. After a three-day run the council requested that it be discontinued because of protests. At its regular session yesterday, the council went on record as publicly censuring the board for passing the film, and advised it to be more discriminating in the future.

"Claudius" Starts Today

LONDON, Nov. 12.—Following appointment of W. Cameron Menzies as associate producer of London Films, Josef Von Sternberg has been signed to direct "I, Claudius," to which Menzies was originally assigned. The picture, with Merle Oberon and Charles Laughton, goes on the floor at Denham Nov. 23.

Ban Negro Show in Ala.

BIRMINGHAM, Ala., Nov. 22.—Presentation of an all-Negro musical show at the Alabama at midnight Saturday was banned by Commission President Jones and Commissioners Downs and Robinson, who took the action as a matter of public policy.

La Rocque to Hagen

LONDON, Nov. 22.—Rod La Rocque has been signed by Julius Hagen for the lead in "She Got What She Wanted," Albert de Courville directing. It is La Rocque's first British film.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Plainsman"

(*DeMille-Paramount*)

HOLLYWOOD, Nov. 22.—Grand entertainment for anybody, "The Plainsman" is finely done, martial, thrilling, action-loaded western drama and romance and is certain to be an impressive box-office attraction. Produced and directed by Cecil B. DeMille, the film matches some of his other great pictures that have blended historical fact with emotion-touching fiction. Effectively merging the story content with worthy characterizations and spectacular production effects, the picture balances romance with drama and comedy, and combines the whole with nerve-tingling action.

It is a blood-and-thunder saga of the west following the Civil War. The picture takes vivid chapters from the careers of "Wild Bill" Hickok, Calamity Jane, Buffalo Bill, General Custer, Indian Chiefs Yellow Hand, and Painted Horse, against backgrounds of authentic history to tell in roaring terms how a vast domain was wrested from the red men and white renegades. It also tells a poignant story of a woman's love for a man denied to her during his life and who is lost to her when a traitor's bullet mows him down.

It is meaty stuff, but not lacking in those compensating qualities that make desirable entertainment for all.

Gary Cooper, as Hickok, gives one of his more telling performances. Jean Arthur is both a man's and a woman's Calamity Jane. DeMille's technique further enables James Ellison, as Buffalo Bill; Helen Burgess, as his wife; John Miljan, as Custer; Paul Harvey, as Yellow Hand; Victor Varconi, as Painted Horse, and Frank Albertson, as a fear-crazed trooper, to check in with performances marking high spots in their careers.

It is based on data from stories by Courtney Riley Cooper and Frank Wilstach concerning Hickok's part in winning early western frontiers, with liberal license taken in bringing in other historic figures and incidents. Jeanie MacPherson compiled the material and Waldemar Young, Harold Lamb and Lynn Riggs, scenarists, turned out an intelligent continuity.

Vivid camera work has been done by Victor Milner and George Robinson. Farciot Edouart and Gordon Jennings collaborated on the spectacular production detail. It is dramatically effective. Similarly, George Antheil's original music, directed by Boris Morros, is a potent factor in intensifying the picture's moods.

A potential natural in any competition in any season, showmen need have no fears that patrons will not enthuse over this stirring, human interest entertainment.

Production Code Seal No. 2,597. Running time, 110 minutes. "G."

"The Plainsman" is tentatively scheduled to open at the Paramount on Jan. 7.

"Career Woman"

(*Wurtzel-Twentieth Century-Fox*)

HOLLYWOOD, Nov. 22.—An attempt is made here to combine tense drama with farce comedy and the result is a confused picture of doubtful entertainment value. The elements portrayed are small-town bigotry; justice as doled out by metropolitan and rural courts, and two romances, one naive and the other sophisticated.

Claire Trevor and Michael Whalen, as lawyers, dominate the cast. Whalen, supposedly a brainy trickster, resorts to theatricalism to win his verdicts. Miss Trevor, insistent on the strict ethics of the code, returns to the small town to practice. Whalen's romantic pursuit links the pair to try Miss Trevor's first case—the defense of Isabel Jewell, who is accused of murdering her father, Charles Middleton, in a misunderstanding over her romance with Eric Linden. The complications which they produce are treated first dramatically and then farcically, making the picture neither one nor the other.

Lamar Trotti's screen play, based on a story by Gene Fowler, shows only a superficial knowledge of the social problems involved, and the direction of Lewis Seiler seems unable to make the situations clear. Supporting players include Edward Brophy, Gene Lockhart, Guinn Williams and Virginia Field. Milton Feld is creditable as assistant producer.

The nature of the story indicates doubtful reception by both metropolitan and rural audiences.

Production Code Seal No. 2,802. Running time, 73 minutes. "G."

Milwaukee License Is Asked for Games

MILWAUKEE, Nov. 22.—Alderman John Schultz, chairman of the Common Council License Committee, has asked the city attorney to draft an ordinance licensing and regulating theatres and taverns which sponsor Bank Night, Hollywood and similar revenue producing schemes. The proposed annual fee is $100.

Alderman Schultz declared that permitting theatres and taverns to hold Bank Nights is granting them a special privilege for which they should be made to pay a reasonable license fee.

"Bank Nights at theatres and taverns require special police protection and in my opinion violate some of the fire ordinances," Alderman Schultz declared.

Bank Night in Omaha

OMAHA, Nov. 22.—With all five downtown and all 23 suburban houses cooperating, weekly Bank Night will be started in Omaha in the near future, it has been learned. Although several other Nebraska towns have had Bank Night for some time, this is the first time all the locals were able to get together on the plan. The initial prize will be $1,000. Car giveaways will be discarded.

Circuit Sued on Game

OKLAHOMA CITY, Nov. 22.—Affiliated Enterprises, Inc., Denver, distributor of Bank Night, has brought suit in U. S. District Court here against Standard Theatres, asking an injunction and $10,000 damages. The plaintiff alleges that Standard's Bank Deposit Award Night plan is an infringement of the Bank Night patent.

K. C. Operators Delay

KANSAS CITY, Nov. 22.—Local 71, I.A.T.S.E., will do nothing about contracts with first runs or with subsequents until these come up for renewal Aug. 31, 1937, according to Robert Dillon, business manager.

First runs have been operating on the basis of contracts that expired Aug. 31, 1933, except for minor adjustments, and the subsequents using union labor are operating on the basis of contracts that expired in 1931.

Subsequents changed the expiration date on agreements to Nov. 30 at that time, but the union will present both them and first runs contracts for renewal Aug. 31 next year.

Saenger in Union Deal

NEW ORLEANS, Nov. 22.—The Saenger Amusement Co. has reached an agreement with the stationary engineers for union men in the Saenger, Tudor and Globe. The engineers walked out of these houses some time during the past summer over a disagreement on conditions.

Minneapolis Charity Set

MINNEAPOLIS, Nov. 22.—Invitations to the Variety Club charity ball November 28 at the Hotel Radisson are out. One thousand showmen and friends are expected to attend the second annual major social event. Proceeds will go to the Glen Lake Sanitarium. W. H. Workman, chief barker, will be in charge of the program of dancing and entertainment to be climaxed with a supper at midnight.

Purely Personal

MILT KUSELL, who has first call on LYNNE OVERMAN, MARSHA HUNT, ELEANORE WHITNEY, RAY MILLAND, GAIL PATRICK and DOROTHY LAMOUR, will decide today which one will accompany him on his next tour of Paramount exchanges in connection with the Adolph Zukor Jubilee. BOB BURNS is sponsor-at-large.

•

WILLIAM E. RAYNOR, who recently resigned as manager of the Fox, St. Louis, returned to New York Saturday after a two-week stay in Detroit, where he looked over the theatre field. He may join the Hoblitzelle circuit in Dallas, or go into business on his own in Detroit.

•

SOL LESSER, who will arrive in New York a week before Christmas to visit his children attending school in the east, intends to make a trip abroad after the holidays.

•

C. W. TRAMPE, head of the Midwest circuit, has formed Imperial Pictures of Wisconsin. B. J. MILLER and M. ZAMIL are associated with TRAMPE in the new exchange.

•

LEE NEWBURY got back from Philadelphia on Saturday. He says the next Allied of New Jersey meeting will be held at the Lincoln on Dec. 1.

•

JANE JOHNSON, Australian actress recently signed by JOSEPH M. SCHENCK, is due to arrive on the *Queen Mary* on Dec. 1.

•

J. P. O'LOGHLIN, Canadian district manager for Twentieth Century-Fox, is due at the home office today for conferences with JOHN D. CLARK.

•

KAY FRANCIS is at the Ritz Towers prior to sailing on the *Normandie* Wednesday for a two-month vacation in Europe.

•

VICKI BAUM, author of "Grand Hotel," and Mrs. ARTHUR TREACHER are due tomorrow on the *Berengaria*.

•

MICHAEL BARTLETT, VILMA BANKY and Capt. PHILIP ASTLEY are aboard the eastbound *Bremen*.

•

FRANK CAHILL, Warner Theatres executive, has returned to the home office from a business visit in Washington.

•

HARRY SALPETER, Republic's story editor, has an article in the current *Esquire*.

•

AARON DINTENFASS KLEIN has written a brochure on "Psychology in Motion Picture Production."

•

MONROE GREENTHAL is plastering the town with billboards on "Come and Get It" and "Garden of Allah."

•

MARTHA RAYE is vacationing with relatives in Great Falls, Mont.

Boston Club Sets Party

BOSTON, Nov. 22.—The third annual New Years' Eve frolic of the Boston Friars' Club will be held in the ballroom of the Hotel Statler.

Out Hollywood Way

HOLLYWOOD, Nov. 22.—FRED PERRY, tennis star, signed for one Pete Smith short for Metro.

DAVID O. SELZNICK signs ELLIOTT NUGENT to direct "The World's Our Oyster." . . . DONALD HENDERSON CLARKE is writing the screenplay.

Warners lift option of GENE LEWIS, dialogue director. . . . GEORGE B. SEITZ' first assignment under his new M-G-M contract is "Under Cover of Night." . . . RICHARD LANE, New York actor, signed by Radio. . . . SAMUEL BRISKIN sends JOSEPH SANTLEY, director, and NAT PERRIN, writer, to New York in search of talent.

JOAN CRAWFORD back from Palm Springs. . . . JAMES STEWART off to Indiana to visit his family. . . . LARRY URBACH paying his first visit to New York in 10 years. . . . JOSEPH M. SCHENCK back at his desk after a rest at Palm Springs.

✚

Casting—BEN PARKER and DAISY BELMORE in "Camille," M-G-M. . . . REV. NEAL DODD, JOHN POWER and SAMUEL HINDS in "Blonde Dynamite," WALTER BYRON in "Top of the Town" and RAYMOND WALBURN and WILLIE BEST in "Sport of Kings," Universal. . . . UNA O'CONNOR in "Call It a Day," Warners.

Shift Tampa Tax Base

TAMPA, Nov. 22.—The City Council here has accepted the proposal of local theatres that they pay a stated sum to the city instead of payment based on gross receipts as provided in the emergency tax ordinance. Extra tax based on the use of games in the houses led to the proposal. The City Council amended the ordinance to conform.

Hits "Ghost" Gross

LONDON, Nov. 22.—"Rembrandt," in its first two weeks at the Leicester Square equalled the gross of "The Ghost Goes West" and "Sanders of the River," but fell short of the theatre's mark with "Henry VIII."

"Go West" Grosses $15,000 in 2 Days

"Go West Young Man" garnered approximately $15,000 for the first two days at the Paramount, now celebrating its 10th anniversary.

The Strand wound up a third week of "Charge of the Light Brigade" with about $20,000.

"Romeo and Juliet" will end its two-a-day at the Astor tomorrow night. "Lloyds of London" will open Wednesday night. The Criterion will begin showing "White Hunter" with the 7 P.M. show Wednesday night.

Issue New Guild Book

THEATRE GUILD ANTHOLOGY —Compiled by Phillip Moeller, Theresa Helburn, Lee Simonson, Lawrence Langner, Maurice Wertheim, Helen Westley and Alfred Lunt. Published by Random House.

As the name implies, here is a volume containing the "complete and unabridged" texts of 14 among the many plays produced by New York's "art theatre" from the time of its inception in 1918 up until the present day.

Molnar, Werfel, Shaw, O'Neill, Ervine, Milne, Anderson, Sherwood, Behrman, Barry, Andreyev, Rice, Howard and the Heywards are each represented by a single outstanding work, the whole being an impressive cross-section of the Guild's collective contribution to the field of drama in the City of New York.

To Reopen in Rockaway

Percy Brown shortly will reopen the Atlantic, E. Rockaway, as the Criterion. The house burned down recently and has been rebuilt.

"U" Delays "Night Key"

HOLLYWOOD, Nov. 22. — Universal has postponed "Night Key" for 30 days to allow for re-writing of the story.

Looking 'Em Over

"Son of Mongolia"

(*Amkino*)

That the Soviet state uses the screen as a medium for the dissemination of propaganda has long been obvious. However, whereas in the past the propaganda has been general, lauding the current collectivism, this film turns specific and presents a bold anti-Japanese document.

It is called the first production made in Mongolia, with a wholly native Mongolian cast and utilizing that language, but with the Russian-Japanese situation close to the boiling point, it becomes at once apparent why Russia now releases a Mongolian film. It is that section of Russia which is closest to the Japanese frontier in Manchukuo.

A poor Mongolian shepherd, in search of a hero status which will make his sweetheart look kindly on him, wanders into Manchukuo, there finds brutality, the cold-blooded overlordship of princes, of whom one portrayed might or might not be a sly and unflattering picture of Pu Yi, Manchu ruler installed by Japan. He returns happy in the freedom of Mongolia, and waves the verbal banner of defense, against a background of heavily armed forces on parade.

The average American audience could not be expected to find attraction in any so-called entertainment which is so blatantly propagandistic.

No production code seal. Running time, 83 minutes. "A."

20th-Fox Reply Is Sent to Kuykendall

(*Continued from page 1*)

ney R. Kent, president, and has been forwarded to Ed Kuykendall, M.P.T.O.A. president.

Reporting approval of the statement, Kent said that he assumed it would be made public by Kuykendall on receipt. The M.P.T.O.A. head is understood to be at his home in Columbus, Miss.

Hold Para. Drive Meet

SAN FRANCISCO, Nov. 22.—Some 40 salesmen and exchange personnel gathered here for Paramount's northern California sales meeting. Shirley Ross, sponsor here for the jubilee drive, attended, flying on to Portland for a similar meeting. She will visit all coast exchanges.

Miss Whitney in Cleveland

CLEVELAND, Nov. 22. — Eleanore Whitney, sponsor for the Ohio district in the Paramount jubilee drive, arrived in town today for two weeks. With district manager Harry Goldstein she will visit Pittsburgh, Columbus and Cincinnati.

Musicians Stage Parade

Local 802 of the A. F. M. on Saturday afternoon staged an automobile parade through the theatrical district in connection with its current picketing campaign against 26 New York houses to induce the reemployment of musicians in theatres. A number of leading orchestra leaders took part in the parade.

"Diggers" in Pittsburgh

PITTSBURGH, Nov. 22.—The "Gold Diggers" plane arrives here from Cleveland tomorrow, and will be escorted into the city by a convoy of planes. Elaborate activities during the day will be capped by a "Gold Diggers" ball at the William Penn Hotel.

Wall Street

Fractional Board Gains

	High	Low	Close	Net Change
Columbia	37¼	37¼	37¼	+ ⅜
Consolidated Film	4⅞	4¾	4⅞	+ ⅛
Consolidated, pfd.	17	17	17	— ⅛
Eastman Kodak	181	180¾	181	— ⅛
Eastman Kokad, pfd.	160	160	160	—2½
General Theatre Equipment	29½	28⅝	28⅝	+ ⅛
Loew's, Inc.	62⅞	62½	62⅝	+ ⅝
Loew's, Inc., pfd.	106	106	106	+ ½
Paramount	20⅝	20	20⅜	+ ⅜
Paramount 1 pfd.	148	148	148	+2
Paramount 2 pfd.	18⅝	18¼	18⅝	+ ¾
Pathe Film	8⅞	8⅝	8¾	+ ⅛
RKO	9⅞	9½	9¾	+ ⅛
20th Century-Fox	37⅜	36½	37⅜	+ ⅝
20th Century, pfd.	46¼	46¼	46¼	+1
Warner Bros.	16⅞	16⅝	16⅞	+ ¼

Little Curb Activity

	High	Low	Close	Net Change
Grand National	3½	3¼	3⅜	+ ¼
Technicolor	23⅜	23⅛	23⅛	.....
Trans Lux	5	4⅞	5	.....
Universal Pictures	14½	14½	14½	— ½

Slight Bond Movement

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	101	101	101	.....
Paramount Pictures 6s '55	100½	100½	100½	.....
RKO 6s '41 pp	101	100¾	101	+ ½
Warner Bros. 6s 39 wd	98¼	98¼	98¼	— ⅜

(Quotations at close of Nov. 21.)

HELD OVER

IN PHILADELPHIA
PITTSBURGH · CINCINNATI
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AND

9 OUT OF 11 ENGAGEMENTS OUTGROSS "DEEDS"! THAT'S THE TREMENDOUS BOXOFFICE RECORD OF

IRENE DUNNE

in

Theodora Goes

COLUMBIA'S TOP-MONEY


Wild
MELVYN DOUGLAS
THOMAS MITCHELL
THURSTON HALL
ROSALIND KEITH
SPRING BYINGTON
Screen Play by Sidney Buchman
Associate Producer: Everett Riskin
Directed by
Richard Boleslawski
A COLUMBIA PICTURE
SUCCESSOR TO "DEEDS"!

Regulation of Broadcasting Is Under Way

(*Continued from page* 1)

advance of the meeting to initiate the broadcasts immediately.

All future deals for broadcasting involving industry interests of the same import likewise will be submitted to the scrutiny of the Hays organization committee, it was stated officially. The regulatory system thus installed is regarded by producers and New York home offices as all that can be attempted of a practical nature to govern the problems resulting from the participation of industry talent in radio broadcasts.

Studio officials are agreed that talent cannot be kept off the air, but the programs in which film stars are to appear, by mutual cooperation of the interests involved, can be regulated so as to minimize competition with theatres, lessen the interference with production schedules caused by radio rehearsals and broadcasts of working stars, and insure against danger to the stars' reputations and popularity by proper supervision of their work on the air. These, obviously, will be the primary objectives of the producers' committee.

The formation and functions of the committee were decided following the recent conference in New York of industry and radio officials at which interlocking problems were discussed. The committee will meet with network officials, advertising and talent agents and representatives of the potential sponsor of any program which proposes the use on the air of any significant studio resources, it was said. Similar action would be taken in the east on programs of the same nature originating here.

Metro Is Receptive To Programs on Air

(*Continued from page* 1)

"Hollywood Hotel" program on behalf of Campbell's Soups and prepared to consider future shows under different auspices such as Lux and others. In the radio field, the impression is these may be held to approximately four to six a year. In New York, M-G-M is on record with the statement Saturday and Sunday broadcasts will not be considered. On the basis of 10 points per week, theatres traditionally compute weekend business at five, or 50 per cent of each seven-day gross.

Presses Games Fight In California Town

(*Continued from page* 1)

the San Mateo County Grand Jury, J. C. Chastain said yesterday.

Chastain, who is publisher of the Redwood City *Weekly Standard*, has been active in protesting slot machines and similar devices in the community. While active against the slot machines, the other newspapers of the county, some of which accept advertising on the theatre games, have not joined in Chastain's protests. The mayor has stated that he does not believe the theatre games are in violation of any local or state anti-lottery laws.

WHN-CBSL Launch Talent Deal Soon

The new WHN series featuring CBS starlets will make its debut this Thursday, Nov. 26, at 8 P. M. over the Loew-owned station. The program was devised to give air time to CBS talent who otherwise would have to remain inactive because of the crowded network schedule.

The first program will have Jay C. Flippen as master-of-ceremonies, and Jerry Cooper of CBS as guest star. Other CBS acts scheduled to be heard are the Buccaneers Octette, Frances Comstock, and Vic Laurie. Irving Aaronson and his Commanders will provide the music.

Busy WOR, Mutual Days

WOR and the Mutual network reports a heavy new business and renewal schedule.

The Taylor Provision Co., through the Monroe F. Dreher agency, begins a new series of electrically transcribed programs over WOR Nov. 24. The programs will be aired at 8:20 A. M., E. S. T., on Tuesdays, Thursdays and Saturdays.

The Anderson Co., through its agency, Schwab & Beatty, Inc., begins a new Transradio news series featuring commentator Frank Singiser on Dec. 6. The program will be heard Sundays at 11 P. M., E. S. T., over WOR.

Beginning Dec. 19, Sears-Roebuck & Co. will sponsor a new series of electrically transcribed musical programs over WOR on Tuesdays, Thursdays and Saturdays at 8:15 A. M., E. S. T.

Benton & Bowles, in the interest of Colgate Palmolive Peet, renews the electrically transcribed program known as "Dance Music," heard over WOR Mondays through Fridays, at 5:10 P. M., E. S. T.

Adolf Gobel, Inc., through Lester A. Loeb, Inc., renews "Allie Lowe Miles Club" over WOR beginning Dec. 14. The program is heard over WOR on Fridays at 10:30 P. M., with announcements on Mondays and Wednesdays at 3:30 P. M., E. S. T.

Johnson's Wax, through Needham, Louis and Brorby, Inc., renews over WOR "Tom Powers Life Studies" series effective as of Sunday, Dec. 30. The program is heard at 5 P. M., E. S. T.

Will Pick 10 Best Films

Elza Schallert, NBC motion picture critic in Hollywood, will reveal her nominations for the 10 best films of 1936 on her program next Friday, over the NBC-Red network at 10:45 P. M., E. S. T.

During the past year Mrs. Schallert has previewed more than 300 films on the air. Her selections will be based on three points: first, the contribution of each film to the highest advancement of the screen, second, the general artistic quality of the film; third, its general popular appeal.

Before revealing her nominations, Mrs. Schallert will interview Joel McCrea.

WMCA-WPA Shift Intrigues

Exactly what is behind the move is not discernible at the moment, but officials at WPA headquarters and at WMCA admit to Motion Picture Daily that both organizations were contemplating shifts in bases of operation.

WMCA, it is understood, will leave its present location at 1697 Broadway within the next few weeks for premises in the Hollywood Theatre Bldg., while WPA moves from 1991 Broadway to the present WMCA site.

More "Good-Will" Fuss

Bar associations in Chicago and in California will follow the precedent set by the Bar Ass'n of New York, which recently "indicted" the "Good-Will Court," it was learned Saturday.

Attorney Phil R. Davis, of Chicago, has submitted a resolution condemning the "court," and it is understood that the committee's report, soon to be published, will be as severe as the New York findings. The secretary of the Illinois Bar Ass'n has gone on record that he is opposed to such radio programs.

In the meanwhile, it is reported the sponsor of the "Good-Will court," upset by the unfavorable publicity the program has been receiving of late, will remove the program from the networks at the expiration of the initial 13-week contract, some five weeks hence, and will replace it with another program.

Family Joining Cantor

Eddie Cantor's wife, Ida, his daughter, Natalie, and Bobby Breen, arrive from California on Monday to join the comedian in New York.

Young Bobby will broadcast with Cantor Nov. 29, after which the entire Texaco troupe will return to Hollywood.

Kate Smith Joins Bernie

Kate Smith will make one of her infrequent guest star appearances on the Ben Bernie-American Can broadcast of Dec. 8. Herman Bernie is the agent.

Armida, Fischer, Et Al

Short Shots: Armida, Mexican song bird, will be Ted Hammerstein's principal guest on his CBS Music Hall broadcast of Dec. 1. . . . George Fischer, conductor of the "Hollywood Whispers" program on the west coast, soon may be heard on a coast-to-coast NBC network. . . . Eugene S. Thomas, WOR sales manager, slated to deliver a talk on radio to college students in the near future. . . Jimmy Farrell, CBS sustaining artist, signed for a guest appearance on Mark Warnow's program of Dec. 1. . . . Ken Murray, soon to leave the networks to make room for the new Al Jolson series, will vaudeville tour pending a new commercial. . . . Ed Wynn series to be "waxed" and disks issued to several hundred small stations scattered throughout the nation. . . . Joseph Roberts, member of the Washington State Legislature vacationing here at the home of Jean Paul King, network announcer.

Rochelle Hudson, Cortez Set

Hollywood, Nov. 22.—On the Kraft program Nov. 26 will be Rochelle Hudson, Ricardo Cortez and Lotte Lehman, operatic vocalist.

Cortez and Miss Hudson will appear in a Thanksgiving skit for NBC.

Yale Broadcasts End

New Haven, Nov. 22.—The first season of Yale Bowl broadcasts came to an end Saturday with the Yale-Harvard game on WOR, WICCX, WTHT and WATR.

K. C. STAR Station Building New Tower

Kansas City, Nov. 22.—WDAF, *Kansas City STAR* station, is erecting a 425-foot vertical tower and suburban transmitter building near 83rd St. and Mission Road, embodying the latest type of equipment, including a new Western Electric five-kilowatt transmitter. The station's present antennae are on the *STAR* Building in downtown Kansas City.

WOCL Is Reorganized

Columbus, Nov. 22.—WOCI, 100-watter operated by Wolfe Bros., has been reorganized to become part of the NBC web. Revamping of personnel makes C. Robert Thompson general manager. He previously was program director of WBNS, another Wolfe station. Others in the new executive setup are: Neal Smith, local commercial manager; Ed Bronson, production and continuity manager; Doris Herbst, traffic and program manager; Jack Kelly, national sales representative; J. H. McGillvra, station representative, and Harold Mafzger, chief engineer.

New Transmitter for WKRC

Cincinnati, Nov. 22.—A new transmitter at WKRC, local CBS outlet, increasing the station's daytime signal to 5,000 watts, will be completed Dec. 15, according to Jim Middlebrooks and Frank Moore, New York, handling the installation. The night signal remains at 1,000 watts. An addition to the studio will be ready late in January.

Charles Koch has been added to staff of WKRC as announcer. He is a recent graduate of Xavier University.

Guide and Station Tie-up

New Haven, Nov. 22.—Steadfastly refused space in local daily newspapers, along with other local stations, WELI will have a weekly page for its program in *Theatre News*, weekly film guide.

Theatre News, in turn, goes on the air over WELI, with Penetrix, commentator, and Dick Owen of the staff giving reviews. William Lyon Phelps, Yale literary critic, has promised the hour his support.

Approve Youngstown Plant

Youngstown, O., Nov. 22.—The Federal Communications Commission has approved a new $60,000 transmission building to be erected by WKBN here, according to Warren Williamson, Jr., president of the station. The new structure will be used only for transmitter and engineering equipment.

Seek Johnstown, O., Station

Johnstown, O., Nov. 22.—The Farmers Broadcasting Co., composed of C. A. Thompson and M. S. Davis, has filed application for a new station to be operated on 800 kilocycles, with 50 kilocycles limited time, the frequency of WTBO, Cumberland, Md. The petition asks that WBTO be removed.

KRNT Power Increased

Des Moines, Nov. 22.—The Federal Communications Commission has authorized KRNT to increase its power from 500 watts night and one kilowatt days to one kilowatt nights and five kilowatts days.

Maxwell Sets New Drive on U. S. Market

(*Continued from page* 1)

completed by the end of the year and that 30 are scheduled to be finished by the close of 1937. The majority of them, he said, will be for the American market, the company's production policy embodying the principle that all films will be aimed directly at the United States field except those which contain a particularly strong local British appeal, the production chief said.

Mycroft is in continuous consultation with Budd Rogers of Alliance Films, American distributor for B. I. P., relative to American reactions on stories and stars scheduled for B. I. P. productions.

It is understood that Maxwell's policy will be to use the G. B. distribution setup in the United States for the total increased output of G. B., B. I. P. and independents, with a rejection option attaching to the arrangement in New York. It is estimated that the films designed to reach the American market will range between a minimum of 30 and a maximum of 50 each year, assuming that G. B. has 16 to 20 and the independents six to 12, in addition to the B. I. P. output.

It has been ascertained definitely that Maxwell's policy includes the retention of the G. B. American distribution organization, increasing rather than lessening its activities.

Form British Nat'l Here for Production

(*Continued from page* 1)

ducer, recently returned from England, where he was associated with Universal, has been named general manager and vice-president in charge of production, and Joseph R. Fliesler is secretary in charge of publicity and advertising.

Major national distribution is planned for the Class A product intended by the company, with a budget of more than $1,000,000. Negotiations are now under way for stories, talent and a technical staff. The home office is in the RKO Building. Preferred bookings in England are said to be assured the company's product through British National Pictures.

British National Pictures, headed by Lord Ragnor, was originally capitalized at more than $12,000,000. Its entry into the American field is said by the company to be on the basis of a "hands-off" policy with regard to production and distribution.

Rank Reported Out Of 2 British Firms

(*Continued from page* 1)

preparing to invest more deeply in the latter proposition.

Rank, with Lord Portal and C. M. Woolf, is also interested in General Film Distributors, Ltd., which, as reported, is developing a chain of from 400 to 500 theatres in a move designed to offset John Maxwell's combined exhibition power represented by Associated British Theatres and Gaumont British.

RKO As Name To Continue In New Setup

(*Continued from page* 1)

at once, but, of course, will be designated in advance of the time for court approval of the reorganization plan.

According to present indications the plan should not meet with any serious opposition and may have the court's approval by March 1. The agreement on the $9,100,000 Rockefeller Center claim which was reached last week eliminates the most serious potential opposition to a plan. It is the dominant item in the unsecured creditors classification and should go far toward obtaining the approval of that group for the plan. The secured creditors and stockholders, dominated by Atlas, Lehman Bros. and RCA interests, are assumed to be in accord. The situation leaves only sundry independent creditors' groups, representing minority interests in every instance, as the potential sources of opposition. Among these are the Orpheum Circuit preferred stockholders, who recently retained Isidor J. Kresel, prominent attorney, to represent their interests, a move which, to those close to the reorganization, possesses great significance in the event the views of the Orpheum shareholders are not ameliorated. Independent stockholders' committees and the independent unsecured creditors' committee of which the Karl Hoblitzelle and U. S. Bank of Denver interests are the moving factors, are also seen as potential opposition.

Joint Advisory Board Planned

Indications on Saturday were that the plan would go to Federal Judge William Bondy today providing corrected copies of the document were received from the printers in time.

Although RKO will again participate in the operation of the Music Hall and Center under the provisions for treatment of the Rockefeller Center claim, W. G. Van Schmus is regarded as certain to continue as managing director of the Music Hall. There will be set up, however, an advisory operating board comprised of both RKO and Rockefeller Center appointees which will furnish RKO with an important voice in picture policies for the Music Hall. RKO's participation in profits of the theatres is also placed upon a promising basis, particularly in the event that earnings improve to any significant extent. Fixed charges of the theatres, including rent payable to Rockefeller Center, may be shaved considerably under the new arrangements, according to report.

Indications are that preferred and common stock, rather than debentures as at first reported, will be issued to Rockefeller Center in payment of its claim. The market value of the securities to be thus issued is variously estimated at from $4,500,000 to $6,000,000.

Orpheum Holders Plan Fight

Preferred stockholders of Orpheum Circuit have subscribed $40,000 to finance litigation against RKO and K-A-O designed to set aside the 1933 transaction by which Orpheum assets were absorbed by Stadium Theatres for obligations amounting to approximately $3,000,000. The development is the first result of the retention by the Orpheum stockholders of Isidor J. Kresel, prominent attorney, to represent their interests.

Whether or not the litigation can be brought is still problematical, however, due to the fact that Marcus Heiman, Orpheum trustee, was directed some time ago by Referee Oscar Ehrhorn to bring similar action against RKO and K-A-O. Heiman was prevented by lack of funds from carrying out the order and the $40,000 litigation fund subscribed by the shareholders will be used only on the condition that they be permitted to control the litigation. With Referee Ehrhorn's order still in existence no means have been devised yet of taking control of the litigation away from the trustee and giving it to the shareholders.

The moves being undertaken by the Orpheum shareholders result from the failure of the RKO reorganization plan to make provision for their claims against RKO.

Mexican Holiday

Mexico City, Nov. 22.—Exhibitors in Mexico lost several thousand dollars as theatres were forced to close during the matinee Friday, the anniversary of the start of the 1910 social revolution. The labor unions forced the closing. It is the first time in years the anniversary has hit theatres, since they usually enjoy holiday business.

Warners' Net For Year Is $3,177,312

(*Continued from page* 1)

operating profit of $1,031,315.96 reported for the corresponding quarter last year."

Total assets are listed as $173,009,011.39.

The deficit is reduced from $14,961,309.96 to $10,469,148.15. Good will is carried at $8,239,981.09.

S.E.C. Reveals Chase 20th-Fox Stock Sale

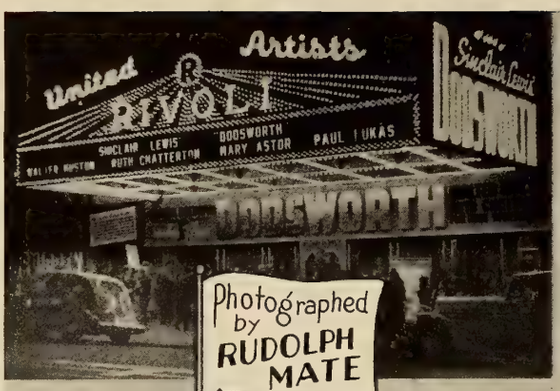
(*Continued from page* 1)

York, was the beneficial owner of 185,563 shares of common stock.

A July report for Charles L. Stillman, of Time, Inc., held for correction, disclosed the acquisition in that month by the Stillman Corp., through the acquisition of rights, of 6,667 shares of Grand National Films common, bringing its holdings to 10,000 shares. The report also showed that on July 6 the Stillman Corp. acquired 3,333 common rights and on July 27 disposed of them by exchange.

A July report for Jack Cohn of Columbia showed the acquisition of 12 shares of Columbia Pictures common, the disposition of 3,779 common voting trust certificates and the acquisition by adjustment of 291 purchase warrants for voting trust certificates.

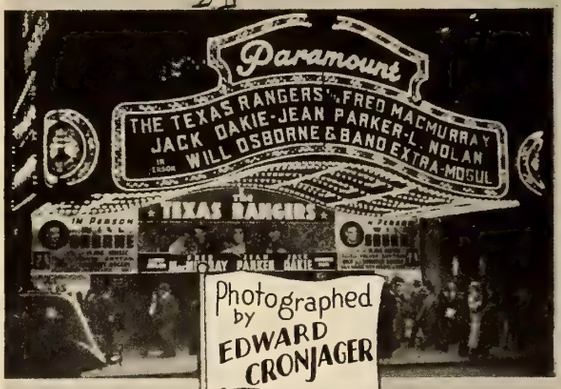




Photographed by RUDOLPH MATE

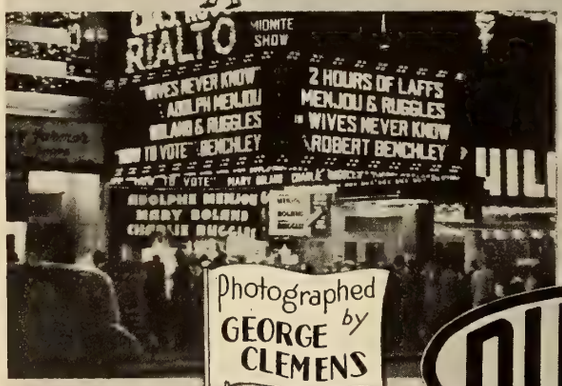


Photographed by THEODOR SPARKUHL



Photographed by EDWARD CRONJAGER

A PARADE OF HITS ON DU PONT NEGATIVE



Photographed by GEORGE CLEMENS



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The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 124 NEW YORK, TUESDAY, NOVEMBER 24, 1936 TEN CENTS

RKO Reorganization Plan Presented; Hearing Dec. 23

Loew's Net of $11,076,822 Six Year High

Year's Profit Equal to $6.79 on Common

Loew's, Inc., and subsidiaries yesterday reported net income of 11,076,822.81 after all charges, for the fiscal year ended Aug. 31, 1936, the highest net figure attained by the company for six years, or since 1930, when the net income after all charges was $14,942,017.21.

The 1936 net is equal to $81.02 per share on the preferred stock, and $6.79 per share on the common stock, which compares with $55.44 per share on the preferred and $4.53 per share on the common in the previous year. The net income for 1936 compares with a net of $7,579,744 for the year ended Aug. 31, 1935; $7,479,897 for 1934, and $4,034,289 for the year ended Aug. 31, 1933.

The Loew's 1936 net was after the deduction of minority interests' share of $600,851.44, and Federal income taxes of $1,656,859.72. The net before taxes and minority interests' share was $13,334,533.97.

The financial report revealed total operating revenues of $108,780,542.13, including theatre receipts, rentals and sales of films and accessories, grouped as totaling $105,390,621.80; rent income of $2,597,841.38, and miscellaneous of $792,078.95.

The revenues total for 1936 com-

(*Continued on page 9*)

Ostrers Intend to Retain G. B. Control, Says Isidore

By BILL ORNSTEIN

"The Ostrers intend to maintain control of G. B. and no one else will have it," Isidore Ostrer, president of the company, emphatically declared upon his arrival yesterday on the *Normandie* for conferences with Joseph M. Schenck and Sidney R. Kent. A. C. Blumenthal, who has been playing an active part in the stock negotiations of G. B., was a passenger on the boat, but would not respond to questions, referring them all to Ostrer.

"We don't intend to sell control," the latter added. "The Ostrers are in the film business to stay. I don't think, personally, that we will sell our 'A' shares in Metropolis & Bradford Trust, the holding company for G. B."

Placing an interpretation on Maxwell's sphere of influence in G. B. which runs completely contrary to lengthy cabled accounts from London, Ostrer minimized the former's importance in the company's affairs with this statement:

"He is a minority stockholder like anyone else. He has 240,000 of the 1,000,000 outstanding "B" shares; doesn't have a single vote and is not a director in either M. & B. or G. B."

Scotching reports current for some time, Ostrer said Maxwell positively does not hold an option on the 5,100 "A" shares in M. & B. That such a deal was part of the sale of the "B"

(*Continued on page 18*)

No; a Film Man

As he passed through the customs yesterday, Isidore Ostrer attracted the attention of one of the guards because of his bristle-like hair.

"Is that guy a violin player?" he asked one of the reporters.

Proposed Capitalization $33,000,000; Allowed Claims Met in Full

A reorganization plan for RKO was presented yesterday to U. S. District Judge William Bondy and a first hearing for creditors was set for Dec. 23.

The plan proposes an exchange of new securities for allowed creditors' claims on what appears to be a virtual dollar-for-dollar basis.

The proposed new capitilization is $33,000,000, comprised of an authorized $18,000,000 issue of 5½ per cent sinking fund convertible debentures, of which $12,718,500 is to be outstanding on consummation of the plan; an $11,000,000 issue of six per cent cumulative convertible preferred stock of $100 par value, of which an estimated $6,000,000 will be outstanding, and 4,000,000 shares of no par value common stock, of which a minimum of 2,163,148 shares would be outstanding on the consummation of the plan.

The plan offers to holders of old RKO debentures $100 in principal amount of new debentures plus two shares of new common stock for each $100 principal amount of old debentures including unpaid interest coupons amounting to $24.57. The principal amount of such debentures outstanding is $12,718,500.

RKO's secured gold notes presently

(*Continued on page 8*)

RKO to Simplify Corporate Setup

Simplification of the corporate structure of RKO is to be undertaken in advance of the consummation of the company's reorganization, with present plans calling for the merging of seven production and distribution subsidiaries with RKO Radio Pictures, Inc., the principal subsidiary.

RKO Distributing Corp. is the largest company to be merged. Ned E.

(*Continued on page 8*)

Expect Paramount's Statement This Week

Paramount's favorable and long anticipated third quarter report may be issued late this week, it was stated yesterday following the return from the coast of Barney Balaban, president, and Stanton Griffis, chairman of the executive committee. Both executives expressed enthusiasm over the functioning of the Paramount studio under the direction of Adolph Zukor and William Le Baron.

No meeting of the Paramount board will be held this week, the November regular meeting having been postponed to Dec. 3.

Rowland to Make 8 For Grand National

Richard A. Rowland will make eight under his Grand National contract, four of them this season.

The deal with Victor Schertzinger and Zion Meyers, reported in MOTION

(*Continued on page 9*)

London Films Plans 12 for $7,500,000

London Films will produce 12 "big films" at a cost of $7,500,000 next season, Etienne Pallos, general sales manager, stated upon his arrival yesterday on the *Normandie*. This is an increase of two pictures and $2,000,000 over the current season's program.

Pallos intends to spend about three months in the United States, particularly to sign writers and directors, he said. He will remain in New York until the next board meeting of United

(*Continued on page 18*)

Everett Promoted in Changes by Republic

H. H. Everett has been named district sales manager for Republic by J. J. Milstein, vice-president in charge of sales, as the first of four similar appointments. Everett moves up to his new post from that of manager of the Charlotte branch, to which Cy Dillon, Charlotte salesman, succeeds him.

Everett will have his headquarters in Charlotte and handle Atlanta, Memphis, Tampa, New Orleans, Dallas, Oklahoma City and Little Rock.

Broadway Gross Up, Tax Figures Reveal

WASHINGTON, Nov. 23.—A sharp upturn in Broadway grosses was revealed today with the publication by the Bureau of Internal Revenue of figures on October admission tax collections in the Third New York district, which jumped to $578,974 from $517,180 in September.

October collections on box-office admissions, the bureau revealed, were $537,411 compared with $489,456 in September. Other collections included $2,005 on free or reduced rate admissions, against $1,714; $4,167 on tickets sold by brokers, against $1,699; $30

(*Continued on page 9*)

"U" Elects Normanly For Vice-Presidency

HOLLYWOOD, Nov. 23.—J. P. Normanly today was named vice-president of Universal. The post automatically gives him a place on the board of directors.

Normanly was elevated a short time ago to general managership in charge of studio finances. This position he retains.

No Paper Thursday

***Motion Picture Daily* will not publish on Thursday, Nov. 26, which is Thanksgiving Day.**

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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Set Zukor Party Dec. 3

HOLLYWOOD, Nov. 23.—A dinner dance will be given in honor of Adolph Zukor's 25th anniversary at the Trocadero here on Dec. 3. Darryl Zanuck will be chairman, and George Jessel toastmaster. Sponsors include Frank Capra, Claudette Colbert, Louis B. Mayer, Jesse L. Lasky, Mary Pickford and Cecil B. DeMille.

Cowdin, Dulin on Coast

HOLLYWOOD, Nov. 23.—J. Cheever Cowdin, chairman of the Universal board, and Garretson Dulin, Universal director and head of Dulin & Co., financial house, are here for conferences with Charles R. Rogers. Cowdin expects to return to New York on Thursday.

Pettijohn Gaining

C. C. Pettijohn, general counsel of M.P.P.D.A., issued to MOTION PICTURE DAILY his own bulletin from Mt. Sinai Hospital last night, saying that his condition improved over the weekend but that a number of additional days of hospital care are still in prospect.



KEY TO PITTSBURGH GOES TO WARNER BROS. on air-arrival 'Gold Diggers of 1937' flying troupe while Ben Bernie and lads, 65 fife-and-drummers and airplane convoy turn out in city holiday greeting. WASHINGTON, D. C. NEXT! (Advt.)

Purely Personal

MARC LACHMANN of Universal left for Hollywood yesterday and BILL DOVER of 20th Century-Fox goes in a day or two. JOE MOSKOWITZ, BOB GOLDSTEIN and some others entertained them at lunch at "21" yesterday.

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GLADYS SWARTHOUT arrived in New York yesterday for a rest before starting on a concert tour of 15 cities after Jan. 1. She was accompanied by her husband, FRANK CHAPMAN.

•

EDWARD SCHNITZER, Republic district manager, got back yesterday from a two-week tour of branches under his supervision.

•

HERMAN RIFKIN, Republic franchise holder in Boston, was in town yesterday.

•

RICK RICKETSON left for Denver last night. SPYROS SKOURAS will fly to the coast Sunday.

•

DAVE EPSTEIN and the missus here from the coast for a two-week stay.

•

ELLA UNGAR, wife of ARTHUR, editor of *Coast Variety,* in from California.

•

JACK NELSON, Washington distributor for Bank Night, is in town.

•

PANDRO S. BERMAN left by train last night for the coast.

•

HOWARD DIETZ is expected from the coast the early part of next week.

•

CLAUDE EZELL will leave for Chicago, Minneapolis and Dallas today.

•

FRANK ALBERTSON, ROWLAND BROWN and LEE MARCUS are stopping at the Warwick.

•

ANDRE KOSTELANETZ will leave Saturday for the coast via American Airlines.

HARRY SHAW, New England district manager for Loew's, arrived yesterday from New Haven to arrange for a luncheon next week at the Taft Hotel for ELEANOR POWELL. He will leave for home today.

•

LEON LEE, advertising director of Imperial, left yesterday for Washington to set the opening of "Broken Blossoms" at the Belasco Thanksgiving Eve.

•

SAM BRISKIN arrived from Hollywood yesterday morning for conferences with LEO SPITZ. He plans to leave for the coast toward the end of the week.

•

W. RAY JOHNSTON has purchased "Tintype of a Lady," by KATHLEEN SHEPARD, for production on the initial Sterling Pictures program.

•

HARRY ROSS, head of Ross Federal Service, will return today or tomorrow from meetings with managers in Chicago and Detroit.

•

HERMAN ROBBINS will take a plane to Los Angeles tomorrow.

•

NEIL F. AGNEW, J. J. UNGER and BOB GILLHAM flew to Boston yesterday.

•

DOROTHEA CLEVELAND, press agent, has taken on Robert's, in the Greenwich Village sector, where film gourmets congregate.

•

MRS. ARA GERSHWIN has arrived from Beverly Hills and is at the Lombardy.

•

. . . *Denver*

DEWITT WEBBER, owner of the Webber building which is now leased to Fox, is touring England, Ireland, Scotland and the continent.

WILLIAM ROSENFELDT is back in Denver for a few weeks, after several months in Chicago. He formerly owned the Amity exchange here.

HARRY NOLAN, pioneer film and theatre supply man, is putting sound into his Colonial in Pueblo, Col. The house is also being overhauled.

RICHARD DEKKER of the Jewel, was held up in his office as he was checking up late at night.

•

. . . *London*

MERLE OBERON, BRIAN AHERNE, DOUGLAS and MRS. FAIRBANKS in on *Queen Mary.*

DAGMAR WOLFSKI, once talent scout for Universal and now free-lancing in Paris, here arranging to handle book and play deals for British studios.

JOHN MAXWELL donated £5,000 to Guarantee Fund of the Scottish Empire Exhibition, to be held in Glasgow in 1938.

ALISTAIR COOKE guest speaker at Luncheon Club.

SIR SAMUEL HOARE, First Lord of the Admiralty; MAJOR G. C. TRYON, Postmaster-General; CAPT. HUDSON, Parliamentary Secretary to Ministry of Transport; SIR COOPER RAWSON and HERBERT MORRISON, leader of the LC. C. Labor Party, among members of Parliament to attend London C. E. A. dinner Dec. 8.

•

. . . *Omaha*

RAY BROWN will open his new de luxe house at Harlan, Iowa, about Jan. 1 with his son-in-law managing it and the Harlan, Brown's present theatre there.

IRVIN SCHLANK, formerly of Omaha, paused here while en route to Chicago to visit his brother, JAKE, Universal salesman.

A. W. SCHWALBERG of New York, supervisor of Warners' exchanges; LEO BLANK of Chicago, district manager; A. M. ANDERSON, recently named Des Moines manager, and C. K. OLSON, Omaha manager, conferred here.

•

. . . *Pittsburgh*

MRS. HARRY KALMINE and her two daughters have returned home after two weeks in Atlantic City.

JOE FELDMAN'S son, WALLY, celebrated his sixth birthday a couple of days ago.

NED DOBSON, Republic talent scout, spent several days in town last week inspecting the little theatre rolls.

JACKIE HELLER is here spending some time with his family before sailing for England.

DeMille Starts Tour

HOLLYWOOD, Nov. 23.—Cecil DeMille left for Dallas today by plane on the first leg of the exhibition tour of "The Plainsman" which will take him also to New Orleans, New York, Boston, Denver and Omaha to study audience reactions prior to release.

Bill Pine accompanied DeMille.

Raise Lincoln Scales

LINCOLN, NEB., Nov. 23.—The price scale at the Varsity here has been increased 10 cents, to 35 cents for orchestra seats in the evening. The move is being watched with interest by other operators here.

Republic Names Manheim

HOLLYWOOD, Nov. 23.—H. Manheim was today named Publicity Director at Republic. Jack Hardy remains with the company as Manheim's assistant.

IT'S 20th's BIG, NEW S·R·O· SHOW!

DRAMA OF THE PRIMITIVE RIVER FOLK . . . LAUGHING, FIGHTING, DANCING WITH UNTAMED ABANDON!

THE ELEMENTAL FORCE OF 'TOBACCO ROAD'! *(now in its 3rd Broadway year!)*

THE MELLOW FLAVOR OF 'STEAMBOAT 'ROUND THE BEND'

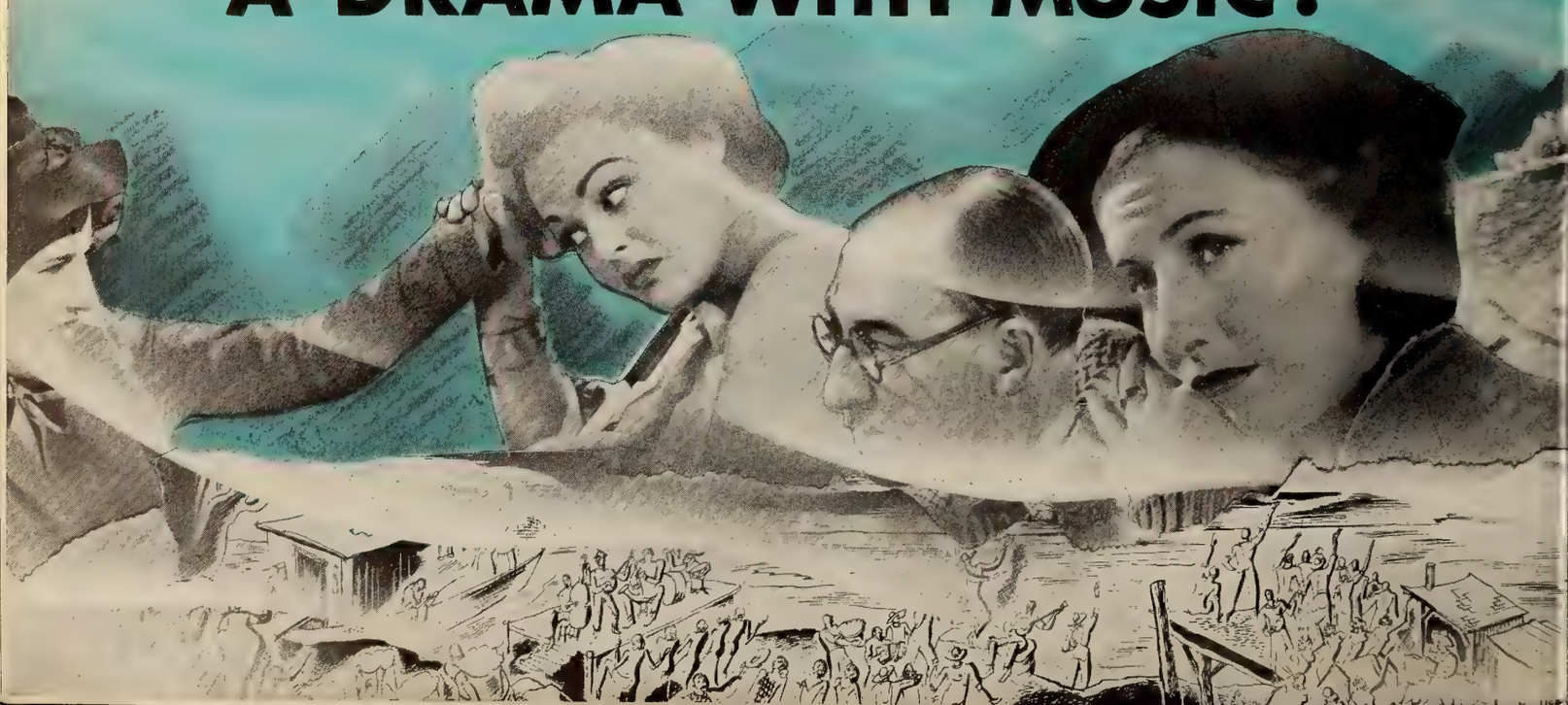
HEART-FLOODING SONGS THROBBING WITH THE MISSISSIPPI'S RHYTHM!

LOVE . . . AS WILD AND FREE AS THE RIVER'S RESISTLESS SURGE!



BANJO on my

A DRAMA WITH MUSIC!





PRINTED IN U.S.A.

SHREWD SHOWMANSHIP *demands* YOUR MOST IMPORTANT DATES!

20th Century-Fox . . . hit-maker extraordinary . . . comes through again with one of its most powerful attractions at the time when it brings *you* the most revenue! Date it smartly . . . push it strongly . . . profit mightily!
P. S.— Be sure to allow for a hold-over!

BARBARA STANWYCK *and* **JOEL McCREA**
in

BANJO on my knee



with **HELEN WESTLEY • BUDDY EBSEN**
WALTER BRENNAN • WALTER CATLETT
ANTHONY MARTIN • KATHERINE DE MILLE
THE HALL JOHNSON CHOIR

Directed by John Cromwell

Associate Producer and Screen Play Nunnally Johnson. Based on a novel by Harry Hamilton. Music and Lyrics by Jimmy McHugh and Harold Anderson.

Darryl F. Zanuck
in Charge of Production

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Giveaways Increase In K. C's Theatres

KANSAS CITY, Nov. 22.—Twenty-five Kansas City subsequent runs, or 68 per cent of the total, are giving away some form of premium one or more nights a week. This is said to be a new high, both in number of theatres and frequency of use.

The past year has seen a shift in extra theatrical promotion from money giveaways to dishes, glassware and the like. Only about seven now have money draws, of which two or three are Bank Night. Representatives of premium companies here report both their volume and the number of theatres up over a year ago.

Most premiums are given away with a double feature program, inasmuch as the dualling policy is practically universal for most nights in the week here.

In Kansas City, Kan., neither the double bill nor the giveaway practice has much of a foothold. Only the Fox Granada is doubling on an all-week basis. Independents are dualling very little, or not at all.

Sued Over Football

CHICAGO, Nov. 23.—Edward Herman, for WIND, has filed suit in the U. S. district court against the Chicago Cardinals Professional Football Team, the Chicago Bears, the Standard Oil of Indiana, and WGN of Chicago.

The action alleges that last June WIND purchased the exclusive broadcasting rights for the home games to be played this season by the Chicago Cardinals; that subsequently, WGN, Standard Oil and the Bears advertised that they were going to broadcast part of the Cardinals' schedule. The suit asks specific performance of the contract made between the Cardinals and WIND, and that the Bears, Standard Oil and WGN be enjoined from broadcasting any of such home games.

The suit specifically requests that the Cardinals be restrained from playing their scheduled home games with the Bears at Wrigley Field on Nov. 29, if they are unable to deliver the exclusive broadcasting rights allegedly sold for this event.

Infringement Case Reopened

WILMINGTON, Nov. 23.—A motion to strike out a certain portion of the defendant's answer was held before Judge John P. Nields in U. S. District Court here today in the patent infringement suit filed by RCA and A. T. & T.

The DeForest patent, which was adjudicated as valid in the suit some time ago and on which General Electric Co. had secured preliminary injunction, against the same defendant, is the patent which the Collins Radio Co. is charged with infringing.

The argument today was on a special supplementary bill in which Collins is alleged to have manufactured sets and infringed on the patent after previous preliminary injunction had been handed down against the company involving the same patent.

Ates on Auto Show Program

PORTLAND, ORE., Nov. 23.—Roscoe Ates and 16 girls from Paramount, headed by Belle Richards, are broadcasting their personal appearances at the Northwest Automobile Show here, over KGW, under the supervision of Leroy Prinz.

Radio Sponsors Flood Air With Prizes and Giveaways

While theatre owners have run afoul of various municipal and state laws in their attempts to give audiences something for nothing via Bank Nights, Screeno contests and similar games, radio sponsors are giving away prizes ranging from a ton of coal to $1,000 in cash, without meeting objections from any source, including the strict Federal Communications Commission.

The plan employed by air sponsors is simple. By merely inducing their listeners to expend a bit of effort in order to make them eligible to win a prize, games of chance are automatically converted into games of skill. There is no law which can halt, or interfere with, a game of skill.

At the moment, at least 20 sponsors are conducting contests on the networks and there is little doubt in radio circles but that the list will double itself before Christmas.

Sundays, over NBC, the Hudson Coal Co. is giving away free coal to listeners writing letters about the product; the International Silver Co. is offering sets of silverware for descriptions of incidents deemed suitable for dramatization on the program and the Fitch Co. is awarding wrist watches for jingles subsequently offered on the program.

Mondays, Wednesdays and Fridays, over NBC, the "Voice of Experience" in the interest of Wasey drug products, is offering cash prizes of $500 each for best letters on the subjects discussed on the program. Mondays through Fridays, over NBC, the "Mary Marlin" program for Kleenex, is offering prizes totaling $10,000 in U. S. bonds for letters on baby uses of product, in addition to 3,000 merchandise prizes. Also on NBC, Mondays through Fridays, Procter and Gamble's "Pepper Young" program is offering a grand prize of $1,000 a year for life or $12,000 cash for best compositions on product. There are also 201 additional cash prizes in each of five prize zones.

Over CBS, on Tuesdays, Thursdays and Saturdays, Ted Husing, for the Atlantic Refining Oil Co., is giving away an automobile and cash prizes each week for guesses on football scores.

There are many others, including the "Hit Parade" program, the football roundups with Eddie Dolley and Red Grange and the General Shoe "Portraits in Harmony" program offering automobiles as prizes for the best ending given to sentence read on the program, but the list already offered herein is sufficiently well documented to show that radio sponsors are succeeding where some theatre owners have failed.

Now an All-Colored Bill

In the sole expectation of ultimately selling the unit as a stage show, NBC's artists' bureau has completed arrangements to place on the air radio's only all-colored program. The program, to be known as "Good Time Society," begins Friday, Dec. 4, from 10:30 to 11 P. M., E.S.T., over the NBC-Red network.

The show will feature Chick Webb's orchestra, Ella Fitzgerald and Charles Lynton, the Four Ink Spots, and the Juanita Hall choir. Juano Hernandez, negro writer and actor, is writing the script and will portray the chief role in the weekly episodes.

Rubinoff, Inventor

It's here at last—a collapsible or folding violin that really works. The inventor is none other than Rubinoff, and he played his brainchild at the "Patented Dinner" in Washington last night, which commemorated the centennial of the American patent system.

It should be a hit in vaudeville, but the next step should be a collapsible bass fiddle.

WSPD Goes to NBC

Station WSPD, Toledo, will join NBC's basic Blue network on or about May 1, 1937, it was ascertained by MOTION PICTURE DAILY yesterday. A formal announcement will probably be forthcoming soon.

The addition of WSPD, owned by the Toledo Broadcasting Co., will bring the total of NBC outlets to 109 stations, 90 more than when the company was founded in 1926.

WSPD operates with 5,000 watts power in the daytime and 1,000 at night. At present it is a CBS affiliate. The addition of this unit is one of a number of NBC acquisitions in the recent past. Stations which will join the NBC network on Jan. 1 are WEAN, Providence; WICC, Bridgeport; KFBK, Sacramento; KWG, Stockton; KMJ, Fresno, and KERN, Bakersfield, Cal. The four latter are owned by the McClatchy newspapers. On March 1, WFEA, Manchester, N. H., becomes an NBC affiliate, and WOWO, Fort Wayne, Ind., joins up on May 1.

Swing to Minstrel Show

After seven years of the same routine, Amos 'n' Andy, radio's black-face team, will change their Friday night broadcast into a minstrel show, beginning Friday, Dec. 4. In addition, a prominent guest star will be presented each week.

The change will affect only the Friday night routine; throughout the week the comics will offer their standard act. The first guest artist will probably be Frank Parker.

Announcement of the change in policy will be made on this Friday's broadcast.

"Salem" Broadcast Dec. 4

The postponed "Maid of Salem" reenactment on the "Hollywood Hotel" program, will be offered a week from Friday, Dec. 4. Claudette Colbert and Fred MacMurray will portray the parts they play in the picture.

Muni Cast Hits Peak

Last night's Lux Radio Theatre offering, "The Story of Louis Pasteur," with Paul Muni in the lead role, featured the largest cast ever assembled for any one radio program—76 actors. All told, there were 23 speaking parts.

Braddock Takes Air

James J. Braddock, world's heavyweight champion, has been engaged for a new script series beginning Dec. 1, 7:15 to 7:30 P. M., E.S.T., over either the Red or Blue NBC network.

The new program will offer a dramatization of Braddock's personal career, tracing his rise from a WPA dock laborer to the world's heavyweight champion. The program will be sponsored by Tastyeast candy, and will be heard on Tuesdays, Wednesdays and Thursdays. J. P. Muller & Co. is the agency.

Lederer, Fay to Vallee

Francis Lederer, and Frances Fay, both on vacation from the studios, have been signed for the Thanksgiving night broadcast of the Vallee Variety Hour. Lederer will be cast in a dramatic sketch, while Miss Fay will sing. Tom Howard and George Shelton, heard frequently on the Vallee program, will offer a comedy routine.

Strouse, Chapman, Et Al

Short Shots: Four new members have been added to NBC's publicity staff. . . . Irving Strouse, of the J. P. Muller ad agency, detailed to handle exclusively the new Jimmy Braddock series. . . . Frank Chapman, husband of Gladys Swarthout, will be heard on his wife's new ice series. . . . The Beaux Arts ball will be broadcast over WMCA and the Inter-City network from 12 midnight on Dec. 4. . . . Cheerio, NBC program feature, has completed the autobiography of his life, which will be published. . . . After a showdown with his sponsor and Young & Rubicam agency, Ed Wynn has been granted permission to write his own script without interference. . . . Frank Healy, NBC press, temporarily transferred to conduct NBC-RCA contest.

Azinsky Goes to KDKA

PITTSBURGH, Nov. 23.—For the last nine years concert master of the Stanley orchestra and assistant concert master of the Pittsburgh Symphony, Harry Azinsky has quit to become the concert master of station KDKA's staff orchestra. Charlie Riley has been named to succeed him at the downtown house and Frank Apter, former concert master at the Penn, will take over Azinsky's violin duties in Dave Broudy's Stanley outfit.

Azinsky will join the KDKA staff Monday.

Seattle Bank in Broadcast

SEATTLE, Nov. 23. — The Seattle Trust and Savings Bank has joined the nationwide group of banking institutions sponsoring the weekly broadcasts of the Philadelphia Symphony Orchestra by CBS.

Cebert Baillargeon, president of the bank, is conducting a personal publicity campaign by mail and newspapers calling attention to the broadcasts, released locally by KOL.

Take Control of WIRE

INDIANAPOLIS, Nov. 23.—Control of WIRE will be taken over by Eugene Pulliam of Lebanon, Ind., and Central Newspapers, Inc., a chain of small city dailies, if an application filed with the F.C.C. is approved. At present the station is operated by Indianapolis Broadcasting Co. under the management of P. E. Kendrick.

RKO Plan Is Presented to Judge Bondy

(Continued from page 1)

outstanding in the amount of $750,000 and held by Bank of America National Ass'n will be paid off in cash which the plan proposes to raise by the sale of a sufficient amount of new common shares to provide $1,600,000 for this and other financing needs.

Unsecured general creditors, other than Rockefeller Center, are offered three-quarters of a share of $100 par preferred stock and one and one-half shares of common stock for each $100 of claims. The plan estimates that claims in this classification will not exceed $8,000,000 when finally determined.

Provision for Present Holders

Holders of common stock outstanding in the amount of 2,577,554¾ shares are offered one-half share of new common for each share of old.

The part-paid RKO certificates, which represent a subscription to a "package" of old debentures and common stock are entitled to receive such proportion of the new securities which subscribers would have been entitled to receive if their certificates had been fully paid as their payments made bear to their full subscriptions. Subscribers, hovewer, may complete the full payments required under the "package" agreement, provided they do so within 20 days after confirmation of the plan. As of Sept. 26 last, approximately $249,079 remained to be paid by subscribers to complete full payments on the debentures and stock included in the subscriptions.

The plan estimates that allowed claims affected by the plan will not aggregate more than $30,000,000 and states that the plan is not to be made operative in the event that claims, exclusive of the Rockefeller Center claim and others for contingent or indeterminate amounts, exceed $22,000,000. This is taken as evidence that the reorganizers estimate that the settlement of the $9,100,000 Rockefeller Center claim represents in amount approximately $6,000,000.

Center Claim Separated

The Rockefeller Center claim, based on breach of the 20-year RKO leases on the Music Hall and Center plus certain alleged damages involving the costs of construction of the two theatres, is treated apart from other unsecured creditors' claims. The settlement provides for a new 12-year agreement with Rockefeller Center on the Music Hall and Center and office space in the RKO Bldg. at reduced rentals and for the issuance to Rockefeller Center of 500,000 shares of new RKO common stock, no par value.

Office Rental Reduced

In return, the $9,150,000 claim is canceled and RKO again participates in the operation and profits of the two Radio City theatres. RKO is to have three representatives on a committee of seven which will have the operating direction of the theatres for the 12-year period. Rockefeller Center will name the other four. The rental rate for office space is $2 per square foot, representing a reduction from the original rate of $2.75 per sq. foot. RKO will receive a $25,000 annual fee for consultant and advisory services in connection with operation of the two theatres and will participate in the earnings under certain conditions.

Rockefeller Center is to receive the first $700,000 of surplus earnings of the Music Hall and three-quarters of the next $100,000, with RKO receiving the other quarter. The remaining surplus earnings are to be divided equally between the two. If surplus earnings of the Hall are less than $700,000 in any year, the deficiency is to be made up to Rockefeller Center out of any surplus earnings in excess of $60,000 of the Center Theatre for that year. The first $60,000 of annual surplus earnings of the Center go to the Rockefeller Company and the next $100,000 is divided three-quarters to Rockefeller Center and one-quarter to RKO. Any remainder is divided equally, and, in the event the initial $60,000 surplus is not realized, the defiency is to be made up out of any surplus in excess of $700,000 earned by the Music Hall. If the Center is operated on a picture or combination policy, however, RKO may take over the theatre in whole or in part, but if RKO does not do so earnings after the first $60,000 surplus are to be divided equally.

Stipulation on Surplus Earnings

An interesting clause in the agreement provides that RKO is to receive all surplus earnings of the two theatres in excess of $91,000 for the year 1937 in the event that the average market price of the new RKO common equals or exceeds $18.30 a share for any 10-day period between the time of the confirmation of the reorganization plan and Jan. 1, 1938.

RKO assumes no obligation in respect to the operating costs of the houses or their losses. The agreements may be terminated in the event of an RKO or RKO Radio Pictures bankruptcy or a receivership extending for more than 30 days, or in the event RKO earnings for three successive years are insufficient to pay the company's interest requirements on its outstanding obligations.

The plan was filed by Hamilton C. Rickaby of the firm of Simpson, Thacher & Bartlett, attorneys for Atlas Corp.

Atlas an RKO Board Factor

The new board of directors of RKO will consist of a minimum of nine members, who will be named later subject to the approval of the U. S. District Court here, the company's reorganization plan states. The first board will hold office for two years.

The Atlas Corp. looms as the dominating factor on the board. It will receive an estimated 75,000 shares of common stock in connection with the exchange provided for holders of old RKO debentures, probably a like amount in exchange for its holdings of old common, will receive a large block for its services as reorganization manager, will underwrite a $1,600,000 sale of additional new common and undoubtedly will receive an appreciable number of option warrants. In addition, Atlas, with Lehman Bros., holds an option to acquire the approximately $5,000,000 balance of RCA's holdings in RKO. Lehman participated with Atlas in the purchase of the first half of the RCA holdings and in consequence is also an important factor in the new RKO. RCA's interest will be a vital one until and if the option on its holdings is exercised.

Rockefeller Center, which receives 500,000 shares of the new common in the settlement of its RKO claim, will also be a factor on the board for the time being. Indications are, however, that this company's holdings will be liquidated at the first favorable market opportunity.

Delay Hearing to Dec. 22

Hearing on the RKO trustee's motion to pay off an outstanding $725,000 of the company's secured gold notes, held by Bank of America National Ass'n, was postponed by Federal Judge William Bondy yesterday to Dec. 23 on the petition of Atlas Corp. The company's reorganization plan provides for the payment of the notes out of new capital to be raised by the sale of RKO stock, rather than out of cash on hand, as proposed by the trustees.

Judge Bondy also granted leave to an independent unsecured RKO creditors' committee, representing about $1,500,000 in claims, to intervene in the reorganization proceedings. The committee is represented by Carlos Israels of the law firm of White & Case.

Plan No Theatre Leases

No issues are to be made by RKO on the Music Hall and Center under the company's reorganization plan. RKO's participation in the operation and earnings of the theatres is to be based upon a 12-year agreement which relieves RKO of all liability for operating costs and possible losses.

Almost Four Years

It is four years, less two months and a couple of days, since RKO consented to a receivership in equity in the Federal Court for the Southern District of New York.

The company's application was filed on Jan. 27, 1933, but was preceded by three steps leading to the major move. On Jan. 23 of that year, Alfred West, presumably acting on his own, but subsequently established to be an employe of Bancamerica-Blair Corp. by *Motion Picture Daily*, filed for a receivership in the Federal Court for the Southern District. The following day, stockholders sought similar action in Baltimore and in Newark. Three days later, the parent company filed its voluntary petition.

At no time, were subsidiary corporations, such as RKO Radio Pictures, RKO Export, RKO Distributing and RKO Studios affected.

Following the passage of Section 77B as an amendment to the Federal bankruptcy law the receivership was changed to a trusteeship to permit reorganization under the terms of the amendment.

$1,446,922 Net

Consolidated net earnings of RKO for the first 39 weeks of this year, ending Sept. 26, last, were $1,446,922, it is stated in the company's plan of reorganization.

The figure is after payment of interest on the secured notes and old debentures and after normal taxes, but without provision for possible surplus tax on undistributed profits. Net earnings of RKO for the entire year of 1935, after interest on the old debentures, was $684,732.

RKO to Simplify Corporate Setup

(Continued from page 1)

Depinet is president of this subsidiary and indications are he will become a vice-president of the parent company under the new arrangement. All of the RKO Pathe subsidiaries, acquired in the 1931 purchase by RKO of Pathe assets for approximately $5,000,000, are also slated to go out of existence through the merger route. These companies include RKO Pathe Pictures, Inc., RKO Pathe Distributing Corp., RKO Pathe Export Corp., and RKO Pathe Studios Corp., Ltd. Also to be merged are RKO Studios, Inc., and RKO Export Corp.

Although the plan does not propose the formation of a new parent company it makes provision for such an eventuality should it be decided later to organize a new company. It states that "the Debtor (RKO) may be merged in or consolidated with a new company to be organized under the laws of Delaware." It is assumed, however, that should such a new company be organized the RKO name would be retained.

Bids Total $21,235 For Empire Assets

Assets of Empire Laboratories, sold by auction in West New York, N. J., brought a total of $21,235.05. The sale, by lots, followed the refusal by the sellers of an $11,000 bid for the entire offering in bulk at the opening of the sale.

Principal buyers, most of whom purchased picture negatives, were: E. H. Goldstein of Republic, Jack Goldberg, Phil Lewis, Harry Kosch, Guaranteed Pictures, Samuel Cummings, Joe Seiden, Robert Block, Batti Stoni and Adolph Friedman, auctioneer of Newark.

175 Theatres

RKO theatre expansion reached its peak in 1930 when 175 theatres were controlled and operated directly by its subsidiaries, the company's reorganization plan sets forth. At present its theatre interests have been reduced to approximately 100 houses.

RKO to Have Cash on Hand Of 7 Million

RKO will have estimated cash on hand of $7,358,276 on the consummation of its reorganization, a pro forma consolidated balance sheet based on financial statements as of Sept. 26, last, giving effect to the plan, sets forth. Cash on Sept. 26 amounted to $6,558,276.

The increase of $800,000 indicated is from the sale of a sufficient amount of new RKO common stock to provide $1,600,000 cash, $800,000 of which is to be used to retire the outstanding secured gold notes of the company, according to the provisions of the plan. The cash increase will give the reorganized company total assets of $66,852,329. Current and working assets are listed at $16,630,982, including picture inventories, less amortization of films released, amounting to $7,920,222. Capital assets, including land, buildings and leaseholds are carried at $44,129,781. Investments in affiliated and other companies are listed at $4,014,050.

Sinking Fund Planned

Current liabilities are listed at $4,243,151. There will be outstanding $12,718,500 of 5½ per cent sinking fund convertible debentures of an $18,000,000 authorized issue. With the retirement of the RKO gold notes which are secured by all of the working assets of the company including the studio, RKO would again regain this property. The new debentures are not a secured issue but provision is to be made for a sinking fund for their gradual retirement by applying annually 10 per cent of the net earnings after payment of interest on the debentures. They will mature 10 years after the first of the month following the confirmation of the plan. They are to be redeemable at any time at principal amount and accrued interest plus a premium scaled from five per cent in the first five years to one per cent thereafter. They are convertible at any time into five shares of new common.

Mergers Provided For

Provision is made in the plan for the exchange of the new RKO securities for the securities of any company with which RKO might be "merged or consolidated" at some future date. The reference is reminiscent of reports current at the time Atlas Corp. and Lehman Bros. first acquired their RKO holdings from RCA that the two financial companies planned an eventual merger of RKO and Paramount. They are both heavily interested in the latter company, as well. The reports have been denied a number of times by officials of both financial companies in hearings before the Securities Exchange Commission.

The new preferred stock is convertible into three and one-third shares of new common and, likewise, is callable at any time at $100 plus accrued unpaid dividends.

Of the authorized 4,000,000 shares of new common, 2,163,148 shares will be issued to creditors. Of this amount holders of old RKO stock will receive 1,288,778; 500,000 shares will go to Rockefeller Center, 254,370 shares to holders of old debentures, and 120,000 shares to holders of general claims. A sufficient number of shares to raise $1,600,000 will be underwritten by Atlas Corp., which will also accept common stock in payment for its reorganization services, which included the drafting of the plan. While the common is carried on the pro forma books at $1 per share its market value is unknown at this time and will, of course, be determined only by the company's earnings after reorganization. An indication of the present value placed upon the new shares by the reorganizers is given in a statement in the plan which provides for the issuance of option warrants to executives and employes of RKO to purchase the stock at $10 per share even prior to consummation of the plan. The option price, ordinarily, is figured at less than the anticipated market price.

One share of the new common will be issued for two shares of the old common, which closed at $9 on the N. Y. Stock Exchange yesterday, a loss of three-quarters of a point. The old RKO debentures closed at 102½, a gain of one and one-half.

Out Hollywood Way

HOLLYWOOD, Nov. 23.—EDWARD ALPERSON and SIDNEY BIDDELL left by plane today for New York. They stated that they have closed for Grand National product with 3,000 accounts apart from the contracts with such major circuits as Loew, Fox, Butterfield, Central States, Dickinson, Fabian, Dent, Hines, Comerford, Great States, Warner, Publix, RKO, Skouras, Thalheimer, West Virginia Randforce, Schine, Wometco and Midwest.

B. F. ZEIDMAN has decided to change the title of "St. Elmo," because so much new material has been inserted that little is left of the AUGUSTA EVANS WILSON novel. The new name has not been picked.

HARRY SHERMAN to start "Bring Me His Ears" Nov. 30 at Kernville. . . . Radio to start "Robber Barons" with CARY GRANT, EDWARD ARNOLD, JACK OAKIE and FRANCES FARMER, Dec. 1. . . . BEULAH BONDI given term pact by Paramount. . . . Now working in "Souls at Sea" . . . Universal borrows HENRY C. POTTER, director, from SAMUEL GOLDWYN. . . . Assignment to be made soon. . . . Universal to start "The Road Back" Dec. 7. . . . EDMUND GRAINGER associate producer and JAMES WHALE director.

GEORGE JESSEL paid line charges so Whittier-Redlands game could be broadcast by KNX. . . . GEORGE was in bed with the flu. . . . PAUL MALVERN scouting for "Short Haul" location, TREM CARR'S next with JOHN WAYNE.

NED DOBSON, Republic talent scout, resigns. . . . PAUL MUNI borrowed from Warners by Radio to co-star with MIRIAM HOPKINS in "Escadrille."

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Casting—MARGARET LINDSAY gets feminine lead in "Slim"; BERYL MERCER added to "Call It a Day," Warners. . . . WARD BOND and TED OLIVER in "When's Your Birthday," DAVID LOEW. . . . EDWIN MORDAUNT in "A Doctor's Diary," B. P. SCHULBERG. . . . MURRAY KINNELL in "Captains Courageous," FRANK REICHER and SARA HADEN in "Under Cover of Night," LUMSDEN HARE in "Parnell," all at M-G-M. . . . VICTOR MCLAGLEN, SIR GUY STANDING, WALTER CONNOLLY, JUNE LANG and ROBERT KENT in "Nancy Steele Is Missing," Twentieth Century-Fox.

BARTON MACLANE in "The Prince and the Pauper," Warners. . . . GUY KIBBEE, UNA MERKEL, LYNN OVERMAN and THURSTON HALL in "Once Over Lightly," Radio. . . .

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Story Buys—WALTER HACKETT'S, "The Fugitives," a play, acquired by Twentieth Century-Fox; "Good Morning Philipesque," an original by DR. ROBERT A. BERMANN and LIN S. ROOT, by Radio. . . . JESSE L. LASKY to produce.

+

Title Change—"The Mysterious Crossing" is new title for "Murder on the Mississippi," Universal.

Urges Bank Night Study

JACKSON, Miss., Nov. 23. — sweeping grand jury investigation of Bank Night as used by local theatres was foreshadowed here in the charge to the new Hinds County Grand Jur by Circuit Judge Julian Alexandria. The judge urged study of all violations of state laws against liquor selling, gambling and lotteries. Althoug he did not mention Bank Night specifically, the implication was unmistakable.

Broadway Gross Up Tax Figures Reveal

(*Continued from page* 1)

on permanent use or lease of boxes and seats, against nothing; and $35,360 on admissions to roof gardens and cabarets, against $24,312.

The October collections in the Broadway district represented a gain of $215,613 from the season's low of $363,362, recorded in August, bureau records show.

Rowland to Make 8 For Grand National

(*Continued from page* 1)

PICTURE DAILY on Saturday, calls for six. Schertzinger will do three, all musicals, and will direct them. Meyers will make a trio of dramatic subjects and may direct one of the productions.

Grand National in Deal

Grand National has closed a deal for product in 16 towns in Iowa and eight in Nebraska with Central States Theatres Corp. Lou Levy, Des Moines branch manager, handled negotiations.

Hamilton Prizes Gain

HAMILTON, O., Nov. 23.—The Palace and Rialto, Southio units, both playing double features, have inaugurated a Bank Night on Tuesday of each week. The Palace operates a Country Store on Thursday nights. The Paramount, parent unit of the chain, has been operating Sweepstakes for several months in addition to Encore Nights each week, and an occasional stage show engagement.

Loew's Net of $11,076,822 Six Year High

(*Continued from page* 1)

pared with a total for the previous year of $100,611,243. Operating and general expense for the 1936 fiscal year amounted to $25,924,443.90, depreciation, real estate and other taxes and rent on leased property totaled $15,841,947.69, and other income, including miscellaneous dividends, interest and the like, was $16,486,682.48. Other deductions amounted to $3,152,148.51.

The earned surplus account showed a total figure of $52,165,102.16, including the Loew's, Inc., share of the 1936 net and the balance of Sept. 1, 1935, of $41,088,279.35. Less dividends, undistributed income and the like of $7,810,722.99, the balance as of Aug. 31, 1936, was $44,354,379.17.

More Tax Liens Filed

LOS ANGELES, Nov. 23.—Approximately $75,000 in tax liens were filed in Federal Court here against film executives and players today by Ned Rogan, collector of internal revenue. Rogan claims the sums are due for 1935.

The heaviest liens are against Miriam Hopkins for $55,758; Bette Davis, $1,399, and Alexander Hall, $845.

Dictograph Loses Move

U. S. District Judge Julian W. Mack yesterday dismissed a cross bill filed against the Securities and Exchange Commission by Archie M. Andrews who sought an injunction to restrain the commission from continuing its investigation of Dictograph Products Co. stock sales.

A temporary injunction was denied last week.

Authorizes Stipulation

ST. LOUIS, Nov. 23.—Federal Judge George H. Moore has authorized Edmond Koeln and James T. Blair, trustees for the Theatre Realty Co., owners of the Fox Theatre property, to enter into a stipulation with Milton C. Weisman, Fox Theatres receiver, under which the trustees will be allowed $773,300 on their claim of $1,074,028 for rent on the theatre.

Three Theatres Sold

The Majestic, Royale Golden and Masque, legitimate houses located on West 45th St., were sold at auction yesterday to the Magoro Corp., through its attorney, William Klein. The sale was the result of a foreclosure action brought by the Continental Bank & Trust Co. against the Theatre Zone Realty Co., Inc.

Burlesque Hits Films

WATERBURY, Conn., Nov. 23.—Not only are Waterbury exhibitors complaining of the competition of burlesque, but even Bridgeport and New Haven have consistently lost a good part of their theatregoers to the attraction. Loew's Lyric, Bridgeport, has also been linked with a possible burlesque venture.

Held over 2nd Hit Week as CRITICS HAN

"'The Garden of Allah' is a sure delight for the matinee trade and the business which means 'box-office'...a handsome color movie, quite the handsomest yet made." — N. Y. Daily Mirror

"A screen work of surpassing visual beauty... acted sensitively, brilliantly by Marlene Dietrich, Charles Boyer and an able supporting company ...a moving tapestry of varied and spectacular sequences...Far superior to any color motion picture yet made...The screen drama is singularly fortunate in its stars...They bring an acting intensity to the big moments of the romance." — N. Y. Herald-Tribune

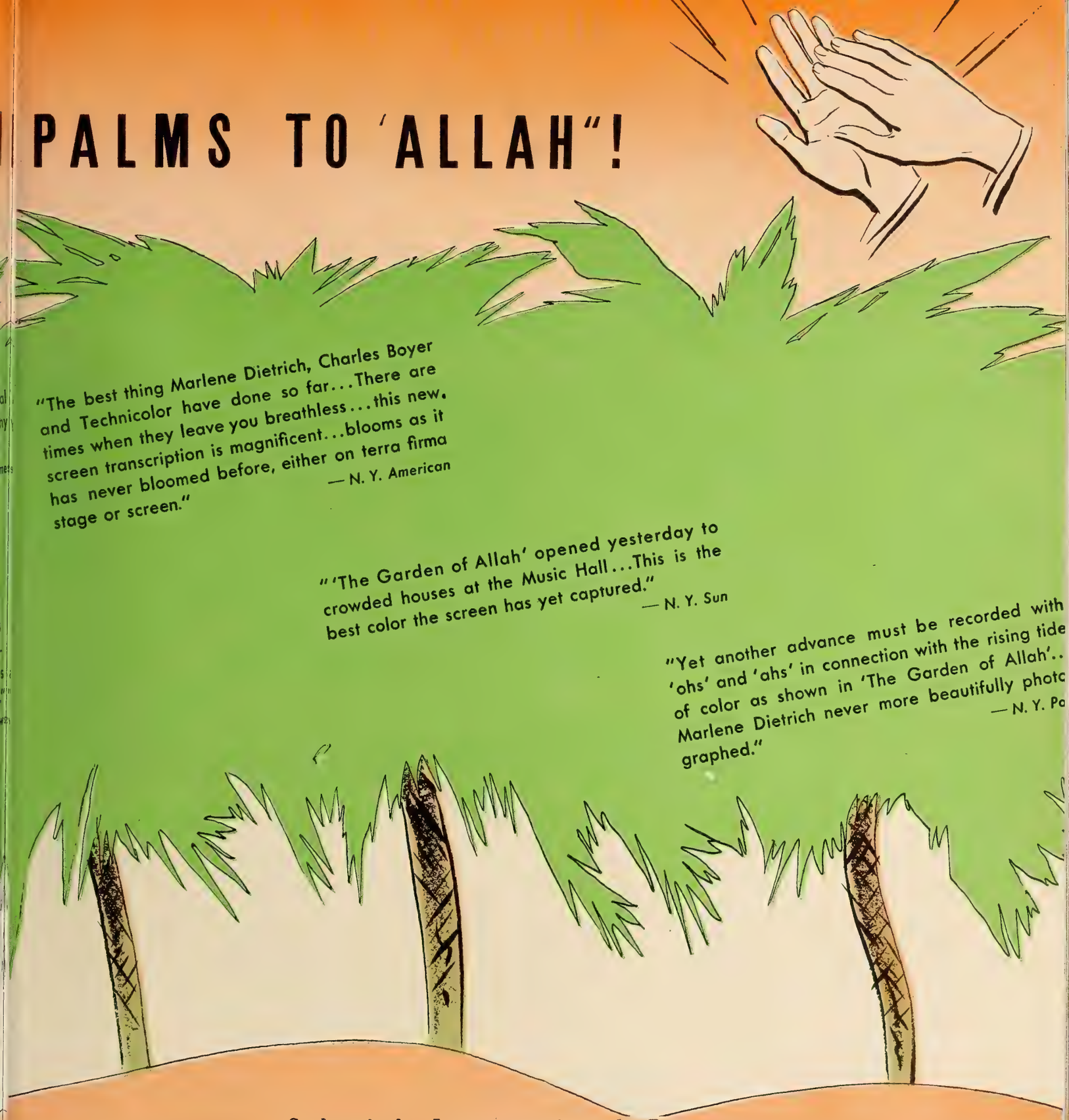
"A distinguished motion picture, rich in pictorial splendor...engrossingly enacted by a noteworthy cast...at the top of the Technicolor field." — N.Y. Times

"Blazes a lovely trail of color across the Music Hall screen...No actress has ever been treated so beautifully and alluringly by the artful Technicolor cameras as Marlene Dietrich...She makes a series of stunning and breath-taking pictures." — N. Y. Daily News



Radio City Music Hall crowds send "Allah" to sensational holdover

PALMS TO 'ALLAH"!



"The best thing Marlene Dietrich, Charles Boyer and Technicolor have done so far...There are times when they leave you breathless...this new screen transcription is magnificent...blooms as it has never bloomed before, either on terra firma stage or screen."
— N. Y. American

"'The Garden of Allah' opened yesterday to crowded houses at the Music Hall...This is the best color the screen has yet captured."
— N. Y. Sun

"Yet another advance must be recorded with 'ohs' and 'ahs' in connection with the rising tide of color as shown in 'The Garden of Allah'.. Marlene Dietrich never more beautifully photo graphed."
— N. Y. Po

Selznick International Presents

Marlene DIETRICH *Charles* BOYER

in The Garden of Allah

IN TECHNICOLOR

Produced by DAVID O. SELZNICK From the book by ROBERT HICHENS

Directed by RICHARD BOLESLAWSKI • Released thru UNITED ARTISTS

N. E. Wage Increase Will Affect 110,000

BOSTON, Nov. 23.—Industrial leaders in New England, particularly those of the textile fields, announced at a Chamber of Commerce meeting a 10 per cent pay raise that will affect some 110,000 cotton textile workers. This increase will mean approximately $8,900,000 annually added to the present payrolls and will affect the workers before the end of this month.

The executives meeting under auspices of the National Ass'n. of Cotton Growers and Cotton Textile Institute expressed the hope that the pay increase would spread to the entire industry, which employs 434,000.

Upturn Notable in South

BIRMINGHAM, Ala., Nov. 23.—Theatre managers in the south are getting their share of the new prosperity resulting from a 12,000,000-bale cotton crop, at good prices, and the expenditure here of $29,000,000 on new plants by U. S. Steel. Admission prices are expected to rise in consequence.

Columbia Schedules Next Meet at N. O.

SAN FRANCISCO, Nov. 23.—Columbia's next mid-season sales meet will be held in New Orleans about Dec. 1, it was made known here over the weekend following the adjournment late Saturday of the two-day session here.

"We're going to lay in your lap this year a minimum of 15 great hits, of which six are now in production," declared Harry Cohn.

"Among these are: 'Interlude,' which is the working title for the Grace Moore picture; 'Lost Horizon,' featuring Ronald Colman and directed by Frank Capra, and 'Life of Chopin,' now being cast."

Cohn also mentioned "Theodora Goes Wild" and "Legion of Terror." He said the shorts would total 104, including 36 comedies and an increased number of "Screen Snapshots."

The New Orleans meeting will be followed by one in Chicago and one in New York.

St. Louis MPTO to Meet on December 11

ST. LOUIS, Nov. 23.—The M.P.T.O. of St Louis, Eastern Missouri and Southern Illinois will hold its 15th annual meeting in the Hotel Coronado on Dec. 11, according to Fred Wehrenberg, president. Ed Kuykendall, president of the M.P.T.O.A., will be the chief speaker. Charles C. Pettijohn, general counsel of the M.P.P.-D.A., has been invited to attend.

It is expected that Kuykendall will outline the position of the national exhibitor organization relative to regulatory legislation for the industry which is expected to be introduced into Congress.

Conn. Allied Meets Today

NEW HAVEN, Nov. 23.—Allied Theatres of Connecticut will meet tomorrow, with Harry Lavietes presiding, for discussion on the Neely-Pettengill Bill; effect of the recent election on the independent and possibility of a new NRA; analysis of Universal's concessions to M.P.T.O.A. demands; the RKO test case in Ohio on designated playdates, and other matters.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Lloyds of London"

(*Twentieth Century-Fox*)

HOLLYWOOD, Nov. 23.—From out of a boyhood vow, Twentieth Century-Fox has built a stirring story of two of England's greatest institutions, the renowned insurance firm, Lloyds of London, and the British navy. There is quality entertainment in every segment that presages wide, popular appeal and unusual commercial draw. It is a romantic drama of human beings and the forces that preserved the integrity of British financial and naval power.

As it concentrates on depicting events and incidents that established Lloyds as a great world force and adjunct, just as important as the army or navy in extending the British domains, it also tells an emotion-stirring and romantic drama of a man and woman whose lives were wrapped up in the thrilling chain of history-making episodes.

In the beginning, Freddie Bartholomew and Douglas Scott make a pact to always stand together. Years later, after his apprenticeship to Sir Guy Standing, the creator of Lloyds, the boy, now Tyrone Power, is an important factor in the company and John Burton, Douglas grown up, is the famous Lord Nelson. Power's great contribution to the institution is a quick, new semaphore transmitting system. As he becomes head of his own syndicate, Power falls in love with Madeleine Carroll, the wife of George Sanders, a wastrel nobleman. With the dramatic and romantic conflict involving this trio rivaling that of historical incident, Lloyds suffers its first great blow as the French Fleet sinks scores of English merchant vessels, insured by the company.

With the organization driven to panic, bankruptcy demands that the Admiralty split Nelson's fleet to provide merchant ship convoys or increase the insurance rates. Holding out for the old basis and still sticking to their childhood pact of helping the other, Power insists that the old rates be maintained and to allay national fear, spreads the false report that Nelson has defeated the French navy. Sanders, to revenge himself on the man who has won his wife's affection, demands that Standing reveal the ruse. But in the darkest hour for both Lloyds and British naval might, Nelson is victorious at Trafalgar to insure the freedom of the seas for English commerce. Power's next meeting with Burton is when the funeral procession bearing the sea hero's bier passes below his window.

As the romance of history and business is treated with warmth and intelligence, the personal romance-drama is a human interest story of absorbing quality. It serves to give Power an auspicious opportunity to click in his first feature role. Likewise do Miss Carroll, Standing, Sanders, Virginia Field and C. Aubrey Smith contribute potent support. The large supporting cast is of a high calibre, functioning in atmospheric and character parts.

Based on a story by Curtis Kenyon with the screen play by Ernest Pascal and Walter Ferris, "Lloyds of London" is quality merchandise that should meet with no difficulty in engaging the attention of class and mass audiences. A big picture that will thrill big theatre operators, it is also one that has every chance of doing superior business all the way down the line. In handling the story content, the talents of the cast and the production values, Henry King's direction is pointed to blend the human-interest drama and romance of men and women and institutions in a believable, understandable way. William Darling's skillful, dramatic photography and Louis Silver's musical direction are responsible in no little way for the film's power.

Production Code Seal No. 2,724. Running time, 115 minutes. "G."

(Additional Reviews on Page 20)

Columbia Names Three

SALT LAKE CITY, Nov. 23.—Walter Sterzer has been named Columbia booker here, Harold Green has joined the company as Utah representative, and Kenneth Lloyd is a new Columbia salesman in Montana.

Cooper to Do Several

HOLLYWOOD, Nov. 23.—Merian C. Cooper, vice-president of Selznick International, will be in charge of several productions on the company's program of 10 to 12 for 1937.

Refuse Permit Again

CHICAGO, Nov. 23.—A second attempt to have the film, "I Was a Prisoner in Nazi Germany," passed by the local censor failed. It is thought that Al Mannon, who brought the film here, may take the matter to court.

To Install Post Heads

BOSTON, Nov. 23.—Officers of the local Theatrical Post of the American Legion will be installed with elaborate ceremonies tomorrow night at the Copley Plaza.

Short Subjects

"Robinson Crusoe"

(*Columbia*)

The familiar Defoe tale is told by Uncle Don and is revealed by flashback. The piece is strictly for children's shows where it will be welcomed. The photography is perfect, having been done on an island in the Caribbean Sea. Reviewed without production code seal. Running time, 32 mins. "G."

"Kiko in a Battle Royal"

(*Terry Toons-Educational*)

The mortgagee forecloses and Kiko must fight an invincible champion who is touring with a carnival. There is $100 in it that would save the day for his friend. The kangaroo's agility soon vanquishes the opposition and the happy ending ensues. Moderately amusing material. Production Code Seal No. 01,261. Running time, 6 mins. "G."

"Two Lazy Crows"

(*Mintz-Columbia*)

In this case it is a pair of birds who play the fable, the one where he who does no work gets nothing, etc. Beautifully done in color, the cartoon has amusing moments. Production Code Seal No. 2,655. Running time, 7 mins. "G."

Marion Howard Killed

ATLANTA, Nov. 23.—Marion C. Howard, 67, former film executive, was killed here yesterday by an automobile. The body was lying in a local hospital for several hours before it was identified by Howard's son, Lane. Howard was at one time comptroller for Selznick Pictures in New York.

He will be buried Tuesday.

Mrs. Morris' Father Dies

LOS ANGELES, Nov. 23.—Benjamin Nathan, father of Mrs. Edwin H. Morris, whose husband is vice-president and general manager of Music Publishers' Holding Corp., died here today.

C. J. Briant Laid Up

NEW ORLEANS, Nov. 23.—C. J. Briant, M-G-M branch manager, is suffering from nervous exhaustion.

June Lang Engaged

HOLLYWOOD, Nov. 23.—June Lang has announced her engagement to Victor Orsatti, agent.

"Juliet" Ends at $7,500

"Romeo and Juliet" tallied $7,500 in its 14th week at the Astor. It bows out tonight to make way for "Lloyds of London" Wednesday night.

"Get It" Breaks Record

CHICAGO, Nov. 23.—"Come and Get It" broke a weekend record at the Roosevelt where it tallied $8,200 for Saturday and Sunday.

Raises Federation Quota

The Radio, Music and Refrigeration Division of the annual fund-raising drive of the Federation for the Support of Jewish Philanthropic Societies of New York has achieved its quota of $61,000, according to Henry Benjamin, heading the division, at the Sunday night dinner.

IN THIS AMAZING YEAR OF GREAT PRODUCTIONS RKO GIVES YOU THE MASTERPIECE OF THEM ALL



Maxwell

SENSATIONAL NEW

WINTE

THE BEST PLAY OF THE

WHO MADE IT GREAT.

Anderson's

YORK STAGE SUCCESS

RSET

YEAR . . . AND THE STARS

. . NOW ON THE SCREEN

BURGESS MEREDITH

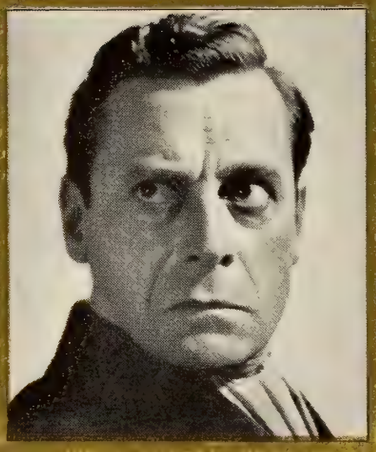
brilliant young actor . . . inseparable from "Winterset" . . . as "Mio" sworn to avenge his martyred father.





MARGO

sensation of Broadway . . . as "Mirianne", the girl who fled to "Mio's" arms from a world of hate and danger.



EDUARDO CIANNELLI

unforgettably a part of the play . . . as the assassin whom "Mio" hunted down . . . Cold, savage, sinister, he could not kill young love.

Maxwell Anderson's

WINTERSET

JOHN CARRADINE EDWARD ELLIS

RKO Radio Pictures

DIRECTED BY ALFRED SANTELL PANDRO S. BERMAN PRODUCTION

"Hideaway," Show Top in Coast Slump

Los Angeles, Nov. 23.—"Hideaway Girl," with Martha Raye and Borrah Minnevitch on the stage at the Paramount, pulled the big money of the week, $25,000. This was $10,000 over par.

"Come and Get It" and "The Captain's Kid," dualled at Warners Hollywood and Downtown, took $15,500, over the line by $1,500 at the former, and $12,600, up by $600, at the latter.

Business elsewhere was off, as the weather was unusually hot.

Total first run business was $100,500. Average is $107,950.

Estimated takings for the week ending Nov. 18:

"ROMEO AND JULIET" (M-G-M)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 7th week. **Gross:** $6,500. (Average, $17,000)

"PIGSKIN PARADE" (20th-Fox)
"MAD HOLIDAY" (M-G-M)
CHINESE—(2,500), 30c-55c, 7 days. **Gross:** $11,000. (Average, $12,500)

"UNDER YOUR SPELL" (20th-Fox)
4 STAR—(900), 30c-55c, 7 days, 2nd week. **Gross:** $2,400. (Average, $3,250)

"CLOISTERED" (Best Films)
GRAND INTERNAT'L—(750), 35c-40c, 7 days, 2nd week. **Gross:** $2,500. (Average, $1,200)

"SMARTEST GIRL IN TOWN" (Radio)
"LOVE LETTERS OF A STAR" (Univ.)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $6,000. (Average, $8,000)

"PIGSKIN PARADE" (20th-Fox)
"MAD HOLIDAY" (M-G-M)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $13,000. (Average, $14,000)

"SMARTEST GIRL IN TOWN" (Radio)
"LOVE LETTERS OF A STAR" (Univ.)
PANTAGES — (3,000), 30c-65c, 7 days. **Gross:** $6,000. (Average, $8,000)

"HIDEAWAY GIRL" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: Martha Raye, Borrah Minnevitch, Adler and Bradford. **Gross:** $25,000. (Average, $18,000)

"COME AND GET IT" (U.A.)
"THE CAPTAIN'S KID" (F.N.)
WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 7 days. **Gross:** $15,500. (Average, $14,000)

"COME AND GET IT" (U.A.)
"THE CAPTAIN'S KID" (F.N.)
WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 7 days. **Gross:** $12,600. (Average, $12,000)

"Ladies in Love," Show Tops Buffalo

Buffalo, Nov. 23.—"Ladies in Love," boosted by Ted Lewis and his band on the stage, smashed all records at the Buffalo with $24,006, breaking par by $12,000.

"Cain and Mabel," showing at the Great Lakes, pulled a neat $11,006, above the usual take by $3,706.

Total first run business was $56,712. Average is $38,400.

Estimated takings for the week ending Nov. 14:

"LADIES IN LOVE" (20th-Fox)
BUFFALO—(3,000), 30c-50c, 7 days. **Gross:** $24,006. (Average, $12,600)

"GAY DESPERADO" (U.A.)
"OUR RELATIONS" (M-G-M)
HIPPODROME—(2,500), 25c-40c, 7 days. **Gross:** $8,700. (Average, $7,300)

"CAIN AND MABEL" (W.B.)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $11,006. (Average, $7,300)

"SWORN ENEMY" (M-G-M)
"HOT MONEY" (W.B.)
CENTURY—(3,000), 25c, 7 days. **Gross:** $7,500. (Average, $5,800)

"LEGION OF TERROR" (Col.)
"TUGBOAT PRINCESS" (Col.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $6,500. (Average, $6,000)

"Tarzan" and Show $23,400 Detroit Lead

Detroit, Nov. 23.—"Tarzan Escapes," with a stage show, was the big noise of the week downtown. The take at the Michigan ran up to $23,400, over par by $3,400.

"Under Your Spell," also with a stage show, was over the line by $2,500 on a gross of $22,500 at the Fox. The only other gross to make an impression was the $11,600 on "Libeled Lady" at the United Artists in its third week.

Total first run business was $84,800. Average is $80,000.

Estimated takings for the week ending Nov. 19:

"MAN WHO LIVED AGAIN" (Col.)
"COME CLOSER, FOLKS" (Col.)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $4,000. (Average, $5,000)

"UNDER YOUR SPELL" (20th-Fox)
FOX—(5,100), 15c-75c, 7 days. Stage: "Hollywood Hotel" Revue, with Sybil Bowman and Al Norman. **Gross:** $22,500. (Average, $20,000)

"TARZAN ESCAPES" (M-G-M)
MICHIGAN—(4,100), 15c-75c, 7 days. Stage: "Hollywood Models of 1937" with Leon Errol and Sunnie O'Dea. **Gross:** $23,400. (Average, $20,000)

"GRAND JURY" (Radio)
"SECOND WIFE" (Radio)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $3,300. (Average, $5,000)

"LIBELED LADY" (M-G-M)
UNITED ARTISTS—(2,070), 15c-65c, 7 days, 3rd week. **Gross:** $11,600. (Average, $10,000)

"DODSWORTH" (U. A.)
MADISON—(2,000), 15c-65c, 7 days, 2nd week. **Gross:** $12,200. (Average, $12,500)

"COUNTRY GENTLEMEN" (Republic)
"ALIBI FOR MURDER" (Col.)
DOWNTOWN—(2,950), 10c-40c, 7 days. Stage: Three Cheers; Perry Twins, Roy, Rita & Roula, Elmer Cleve, Rector & Doreen. **Gross:** $7,800. (Average, $7,500)

"Cain," Dual Gets $9,000, Portland

Portland, Nov. 23.—In its first week at the Paramount, "Cain and Mabel," with "Rose Bowl," grossed $9,000, over average by $4,000.

In its second week at the United Artists, "Come and Get It" took $7,800, or $2,800 to the good. "Libeled Lady" and "The Case of the Black Cat" were held for a third good week at the Broadway, annexing $6,000, over par by $1,000.

Total first run business was $35,300. Average is $24,700.

Estimated takings for the week ending Nov. 14:

"LIBELED LADY" (M-G-M)
"CASE OF THE BLACK CAT" (F.N.)
BROADWAY — (1,912), 30c-35c-40c, 3rd week. **Gross:** $6,000. (Average, $5,000)

"LADIES IN LOVE" (20th-Fox)
"THREE MARRIED MEN" (Para.)
BLUE MOUSE—(1,700), 30c-35c-40c, 7 days, 2nd downtown week. **Gross:** $2,500. (Average, $1,700)

"THE GREAT ZIEGFELD" (M-G-M)
MAYFAIR—(1,700), 30c-35c-40c, 7 days. **Gross:** $4,000. (Average, $3,000)

"WEDDING PRESENT" (Para.)
"EAST MEETS WEST" (G.B.)
ORPHEUM—(1,700), 30c-35c-40c, 7 days. **Gross:** $6,000. (Average, $5,000)

"CAIN & MABEL" (W.B.)
"ROSE BOWL" (Para.)
PARAMOUNT — (3,008), 30c-35c-40c, 7 days. **Gross:** $9,000. (Average, $5,000)

"COME AND GET IT" (U.A.)
UNITED ARTISTS—(945), 30c-35c-40c, 7 days, 2nd week. **Gross:** $7,800. (Average, $5,000)

To Defend Baldness

Racine, Wis., Nov. 23.—Owen McKivett, manager of Warners' Venetian here and president of the local chapter of the Bald Headed Men's Club of the World, will go to bat for the organization when he speaks from the NBC studios in New York on Nov. 29 over Phillips H. Lord's broadcast. McKivett, who was active in organizing the charter club here, will be accompanied to New York by Tex Reynolds, columnist for the Racine *Journal-Times*.

"Dodsworth" Holdover Hit On the Loop

Chicago, Nov. 23.—"Dodsworth" went out front in a big way in a dull week here by grabbing $10,200 at the Apollo, more than doubling par for the the house, after having previously played two weeks at the United Artists.

"Everything Is Thunder," with a stage show, was strong at the State-Lake, the $15,700 take being up by $2,700.

There were three other holdovers, "The Big Broadcast of 1937" at the Chicago, "The Devil Is a Sissy" at the Roosevelt and "Libeled Lady" at the Garrick.

Convention crowds helped.

Total first run business was $116,700. Average is $115,000.

Estimated takings:

Week Ending Nov. 18:

"A WOMAN REBELS" (Radio)
PALACE—(2,509), 30c-40c-60c, 7 days. Stage: "Cuban Revels" Revue. **Gross:** $17,300. (Average, $19,000)

"THE BIG BROADCAST OF 1937" (Para.)
CHICAGO—(4,000), 35c-50c-75c, 7 days, 2nd week. Stage: "Impressions" Revue. **Gross:** $27,500. (Average, $32,000)

"SWORN ENEMY" (M-G-M)
ORIENTAL—(3,490), 25c-40c, 7 days. Stage: Sinclair Minstrels Radio Revue. **Gross:** $18,800. (Average, $15,000)

Week Ending Nov. 20:

"THE DEVIL IS A SISSY" (M-G-M)
ROOSEVELT—(1,591), 35c-50c-75c, 2nd week. **Gross:** $8,200. (Average, $11,000)

"OLD HUTCH" (M-G-M)
UNITED ARTISTS—(1,700), 25c-50c-75c, 7 days. **Gross:** $15,000. (Average, $15,000)

"DODSWORTH" (U. A.)
APOLLO—(1,400), 30c-40c-60c, 7 days, extended run from United Artists. **Gross:** $10,200. (Average, $4,500)

"LIBELED LADY" (M-G-M)
GARRICK—(900), 30c-40c-60c, 5 days, 3rd week. **Gross:** $4,000. (Average, $5,500)

"EVERYTHING IS THUNDER" (G.B.)
STATE-LAKE—(2,776), 20c-30c-35c, 7 days. Stage: Vaudeville Revue. **Gross:** $15,700. (Average, $13,000)

Amalgamated to Open

London, Nov. 17.—Amalgamated Studios, new eight-floor plant at Elstree, is planned to open early in January, probably with a Paul Soskin production.

"U" Scout Appointed

London, Nov. 17.—Baroness Else von Koczian, with her headquarters at M. P. Export Co. (Universal) here, will act as story and talent scout for "U" in Europe.

"Libeled" Is Seattle Best With $10,300

Seattle, Nov. 23.—"Libeled Lady" hit the high spots all week and rolled up a take of $10,300 at the Fifth Avenue. This was $3,300 over normal. The film was held.

In its second week at the Liberty "Come and Get It" took a strong $7,100. "The Big Broadcast of 1937" and "Sworn Enemy" ran up to $4,100 in the fourth week at the Blue Mouse and the dual was held for a fourth week.

The weather was warm.

Total first run business was $46,350. Average is $11,500.

Estimated takings for the week ending Nov. 16:

"BIG BROADCAST OF 1937" (Para.)
"SWORN ENEMY" (M-G-M)
BLUE MOUSE—(950), 25c-40c-55c, 7 days, 3rd week, extended run from Paramount. **Gross:** $4,100. (Average, $4,000)

"LIBELED LADY" (M-G-M)
FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days. **Gross:** $10,300. (Average, $7,000)

"COME AND GET IT" (U.A.)
LIBERTY—(1,800), 15c-25c-30c-40c, 7 days, 2nd week. **Gross:** $7,100. (Average, $5,000)

"THE GREAT ZIEGFELD" (M-G-M)
MUSIC BOX—(950), 25c-40c-55c, 7 days, 4th week, extended run from Fifth Avenue. **Gross:** $3,600. (Average, $4,000)

"SEVEN SINNERS" (G.B.)
"KING OF THE ROYAL MOUNTED" (20th-Fox)
MUSIC HALL—(2,275), 25c-35c, 7 days. Stage: Vaudeville headed by The Blenders. **Gross:** $5,100. (Average, $5,000)

"PIGSKIN PARADE" (20th-Fox)
"DON'T TURN 'EM LOOSE" (Radio)
ORPHEUM—(2,450), 25c-30c-40c, 7 days. **Gross:** $6,400. (Average, $6,000)

"THE MAGNIFICENT BRUTE" (Univ.)
"15 MAIDEN LANE" (20th-Fox)
PARAMOUNT — (3,050), 25c-30c-40c, 7 days. **Gross:** $5,150. (Average, $6,000)

"HEARTS IN BONDAGE" (Republic)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Vaudeville and band. **Gross:** $4,600. (Average, $4,500)

"Rose Bowl," Show Milwaukee Winner

Milwaukee, Nov. 23. — "Rose Bowl" and "Folies Parisienne" at Fox's Palace took the high take of the week, $12,000, at a 75-cent top. This is $7,000 above average.

Second high honors went to "The Charge of the Light Brigade," which grossed $7,000 at the Warner. This was $2,000 above average. The "Neptune Follies" and "End of the Trail" were good for $5,500, or $500 above average.

Total first run business was $32,100. Average is $24,500.

Estimated takings:

Week Ending Nov. 18:

"CHARGE OF THE LIGHT BRIGADE" (W.B.)
WARNER—(2,400), 25c-35c-50c, 7 days. **Gross:** $7,000. (Average, $5,000)

Week Ending Nov. 19:

"ROSE BOWL" (Para.)
PALACE—(2,400), 35c-50c-75c, 7 days. Stage: "Follies Parisienne." **Gross:** $12,000. (Average, $5,000)

"END OF THE TRAIL" (Col.)
RIVERSIDE—(2,300), 20c-25c-30c, 7 days. Stage: "Neptune Follies." **Gross:** $5,500. (Average, $5,000)

"PIGSKIN PARADE" (20th-Fox)
"THE MAN WHO LIVED AGAIN" (G.B.)
STRAND—(1,400), 25c-35c-50c, 6 days. **Gross:** $1,100. (Average, $1,500)

"TARZAN ESCAPES" (M-G-M)
"MAD HOLIDAY" (M-G-M)
WISCONSIN—(3,200), 25c-35c-50c, 6 days. **Gross:** $6,500. (Average, $8,000)

London Films Plan 12 For $7,500,000

(Continued from page 1)

Artists which he intends attending on the coast.

Some of the attractions on the current program are "Knight Without Armor," with Marlene Dietrich and Robert Donat and "I, Claudius," with Charles Laughton and Merle Oberon with Joseph von Sternberg directing. "Lawrence of Arabia" in Technicolor will be the big picture on the season's lineup. Zolton Korda, brother of Alexander, will direct.

London's schedule this season has been held up, Pallos said, because the new Denham studio will not be fully completed before next March. Erich Pommer will produce two; Victor Saville, three; and M. Pressburger, two, as associate producers. Walter Reich, director, has just completed "Men Are Not Gods," and will go to Hollywood, after which London hopes to sign him again.

On the same boat were Roland Young, Cedric Hardwicke, Herbert Marshall, Frank Lawton, Martin Beck and Johnny Weismuller.

Young said he had just completed a role in "King Solomon's Mines" for G.B. He will leave for the coast today to report at the Warner studio for "Call It a Day," which Archie Mayo will direct. He also appeared in "Gypsy" for Warners in England. Later Young will return to New York where he will appear in a show for Max Gordon.

Marshall Finishing Vacation

Hardwicke, who also appeared in "King Solomon's Mines," is here to appear in "Promise," stage play which Gilbert Miller will produce. He has no picture commitments. Marshall said his four-week trip to London was a vacation and that he expected to confer with Samuel J. Briskin here before returning to the RKO studio where he has a three-year contract. He is also under contract with Columbia for two years.

Lawton is here for a role in "Promise," following which he will go to the coast. Evalyn Laye, his wife, is due next week on the *Queen Mary*. She may do a play here.

Beck stated he saw six plays in three days in London. He also spent three days in Paris and will produce one of the six plays he saw there with Gutherie McClintic on Broadway.

Weismuller spent his six weeks' vacation visiting his wife, Lupe Velez, who is making a picture in England. He plans to leave today for the M-G-M studios where he has a two-year pact.

Ask "Scarface" Permit

CHICAGO, Nov. 23.—Attempts to secure a permit for "Scarface," the Howard Hughes picture which was never allowed to be exhibited in Chicago, will be made shortly, it is learned. The film has been exhibited in outlying towns the past few months through the Ben Judell exchange.

Del Ruth Busy

HOLLYWOOD, Nov. 23.—Roy Del Ruth, with the cutting of "Born to Dance" virtually a matter of hours behind him, immediately stepped into direction of "On the Avenue," Irving Berlin story, at 20th Century-Fox. Dick Powell and Madeline Carroll are co-featured.

Ostrers Intend to Retain G.B. Control, Says Isidore

(Continued from page 1)

stock also was emphatically denied by Ostrer.

Asked whether his trip to Palm Springs in the next few days was for the purpose of conferring with Schenck and Kent on a possible sale of the Ostrer "A" holdings to Twentieth Century-Fox, which for some years has had the remaining 4,900, Ostrer said this was not the case.

"The trip really is for the purpose of getting the complete views of Schenck and Kent, purely a vis-a-vis on the Twentieth Century-Fox association with G. B.

"I'm satisfied Twentieth Century-Fox is going to hold its stock in our company and that it has no intention whatsoever of selling," he declared.

"Are you going to Palm Springs to ask Kent to either approve the sale of your 'A' shares to Maxwell, or sell your interest to Twentieth Century-Fox?"

Silent on Deal Status

"I wouldn't dream of asking Mr. Schenck or Mr. Kent to do anything of the kind!"

"What is the status of the deal made with Twentieth Century-Fox and M-G-M before you left for London?"

"I cannot answer that question until I return from my talks with Messrs. Schenck and Kent."

"The story has been credited that the Twentieth Century-Fox and M-G-M deal will be modified. Is this true?"

"Our position is so complicated, I cannot answer this truthfully."

"Is it complicated because of Maxwell?"

"No, generally."

"Was it that way before the Maxwell purchase of the 'B' stock."

"Yes."

"Isn't your trip to the coast to sell Twentieth Century-Fox your 'A' holdings in M. & B.?"

"Not necessarily. I personally have a great belief in close cooperation with Mr. Schenck. Cooperation is of great value to everybody. I am going to see Mr. Schenck in an effort to work out our problem."

Seeks "Cooperation"

"Is the sale of the 240,000 'B' shares in M. & B. any indication of a merger with Associated British Pictures?"

"There will be no merger."

Ostrer said he had not heard that Michael Balcon, G. B. production head, was dickering with M-G-M to become top man in the English production unit planned by the latter company. He added Balcon's contract has another year to run.

G. B. has not given thought to establishing its own exchange system here, he said in answer to a question, and it is unlikely that the G. B. and B. I. P. exchanges in England will be combined. The Ostrers hold about 300,000 shares in A. B. P., Maxwell's company. This was part of the deal whereby the Ostrers disposed of the 240,000 "B" shares in M. & B., Ostrer explained.

"Is it likely that Twentieth Century-Fox and M-G-M, or either company, may take over G. B.'s exchanges, or theatres in Great Britain.

"No."

"Will you confer with Nicholas M. Schenck while you are here?"

"I don't know. At present I have no such plans."

"Is it possible Maxwell will buy your 'A' shares, despite the fact you say he has no option?"

"It is most unlikely Maxwell will ever control G. B. I can't conceive of him getting control of the company. We will not sell our stock to anyone."

"What particularly do you intend to bring up with Schenck and Kent? Isn't it a fact you are going to discuss the previous deal with the possibility of modifying it?"

"As far as I'm concerned we are always interested in anything that is commercially sensible and sound. Anything can happen. Nothing is impossible."

"Why did G. B. pass the dividend recently?"

"We have not taken in any revenue from the American market. This is responsible for passing the dividend."

"When is the next board of directors meeting at which the dividend will come up?"

"Next September or October."

International Viewpoint Maintained

There is no intention of discontinuing the international perspective in G. B. pictures, Ostrer replied in answer to reports that such a plan was discussed at the recent stockholders' meeting in London.

When Ostrer and his wife leave for Palm Springs in two days, Blumenthal will accompany them. Ostrer was asked about Blumenthal's commission. He passed it off with a smile.

Blumenthal would not answer questions about the Twentieth Century-Fox and M-G-M deal, giving as his reason the fact that he was "blamed" for certain stories leaking out during the negotiations.

While not officially expressing his opinion, he is understood to have told some of the trans-Atlantic passengers that the original deal will go through, possibly with changes.

Schenck Expected to Buy

From reliable sources at M-G-M, it was learned that Schenck will go through with the transaction to purchase half of the Twentieth Century-Fox interest in M. & B. This is scheduled to take place this week as top executives are understood to figure the stock deal a good buy.

This angle, however, does not bear on the conferences Ostrer will have with Joseph M. Schenck and Kent. The deal is between Twentieth Century-Fox and M-G-M. While no appointment has been set, it is likely that Ostrer will convene with Nicholas M. Schenck on his return from the coast. Ostrer does not plan to be away more than a fortnight.

G. B., which last week took over the American distribution of "Weekend Millionaire," has closed for a second B. I. P. picture. It will be announced in a few days. Arthur Lee yesterday stated that these pictures will not increase the announced schedule of 24; that they are replacing a group of other English pictures contracted for and not delivered.

Collected $5,000,000 Here

While Isidore Ostrer yesterday declared G. B. had passed its dividend because "we have not taken in any revenue from the American market," Mark Ostrer declared at stockholders' meeting in London on Nov. 2 that G. B. had grossed $5,000,000 in the domestic field.

If Isidore Ostrer's statement of yesterday that G. B. had no intention of discontinuing the international slant in future product is construable as a conclusive statement, it indicates that a definite decision on this point must have been reached following the same meeting. Mark Ostrer then had stated it was impossible to recover from the home market alone the full cost of quality product.

"We are, therefore, faced with the choice of abandoning our efforts in the American market in favor of a program of cheaper films for the home market only, or abandoning film production altogether," he had stated. "Either of the two latter alternatives would greatly assist our financial position but, on the other hand, it would mean giving up a great potential source of income. It would, at the same time, however, make dividends assured. This problem is now receiving the careful consideration of your directors."

Waynesboro Houses To Open on Sunday

WAYNESBORO, Va., Nov. 23.—J. Ellison Loth, an official of the Waynesboro Theatres Corp., states that Waynesboro will have Sunday shows beginning Nov. 29. Two showings will be given in the afternoon and one at night, he says.

A recent survey, according to Loth, disclosed that 25 cities in this state now have Sunday shows including Norfolk, Roanoke, Richmond, Lynchburg, South Boston, Charlottesville, Portsmouth, Suffolk, Berkley, Clarksville, Colonial Beach, Hopewell, Ocean View, Quantico, Virginia Beach, Bluefield, Brookneal, Hillsville, Stuart, Falls Church, Big Stone Gap, Appalachia, Gate City, Grundy and Norton.

Union Dispute Settled

ST. LOUIS, Nov. 23.—The judisdictional dispute here between the Electrical Workers Union and the I.A.-T.S.E. has been settled out of court, and the injunction action filed by the management of the St. Louis and Missouri will be dismissed when it comes up Dec. 10.

Everett Is Promoted

CHARLOTTE, N. C., Nov. 23.—H. H. Everett, Charlotte branch manager for Republic, has been promoted to southern division manager and is establishing headquarters here, from which he will supervise distribution in 11 southern states.

Republic Film in B. A.

Republic has sent a print of "The President's Mystery Story," the idea for which was suggested by President Roosevelt, to Buenos Aires, where it will open at the Gran Teatro Opera Dec. 4.



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"Diggers" Due Today At Washington, D. C.

WASHINGTON, Nov. 23.—Warners' "Gold Diggers" plane is scheduled to arrive here at 11 o'clock this morning from Pittsburgh. It will land at Bolling Field.

The 12 girls and three principals, Jeanne Madden, Rosalind Marquis and Fred Lawrence, will be entertained at lunch at the District Bldg. and will make two appearances at the Earle. They will leave for Philadelphia tomorrow.

The troupe was met at Pittsburgh yesterday by a fleet of planes, a bugle and drum corps, the Junior Birdmen, the Hawkins Kids' Club, Boy Scouts and Ben Bernie and his band. A reception and broadcast over KDKA took place at the City Hall. They made an appearance at the Stanley and in the Chatterbox Room of the William Penn.

Charter Columbia Unit

DOVER, Del., Nov. 23.—Columbia Pictures of the Philippines, Inc., was formed here today with a listed capital of 10,000 shares. Incorporators are Max Seligman, Richard Philpott and Floyd Weber, all of New York.

Columbia will open its own exchange in Manila about the first of the year, it was stated yesterday at the home office. Heretofore, the company's product has been distributed in the Philippines by independent distributors.

J. B. Albeck, Far Eastern head with headquarters at Tokyo, will supervise the opening of the new office and install a manager, so far unselected.

Trendle Books "Allah"

DETROIT, Nov. 23.—In line with the new booking arrangement with M-G-M and United Artists, George W. Trendle has booked "The Garden of Allah" into the Madison, starting Thanksgiving Day.

Wall Street

Paramount, Universal Off Sharply

	High	Low	Close	Net Change
Columbia	37⅞	36¾	37	— ¼
Columbia, pfd.	44	44	44	.....
Consolidated	4⅞	4¾	4¾	— ⅛
Consolidated, pfd.	17	16¾	16⅞	— ⅛
Eastman	181	180	180	—1
Gen. T. Equip.	29⅛	28	28	— ⅝
Loew's, Inc.	63⅛	61⅜	61¾	— ⅞
Paramount	20¾	19⅜	19⅜	—1
Paramount 1 pfd.	148½	142	142	—6
Paramount 2 pfd.	18⅜	17½	17⅝	—1
Pathe Film	8⅞	8⅜	8⅜	— ⅜
RKO	10	9	9	— ¾
20th Century-Fox.	37½	36¼	36¼	—1⅛
20th Century, pfd.	46¾	45¾	46	— ¼
Universal, pfd.	105	105	105	—5
Warner Bros.	16⅞	16⅛	16¼	— ⅝
Warner, pfd.	64⅛	64	64	.....

"U" Has Curb Loss

	High	Low	Close	Net Change
Grand National	3½	3⅜	3⅜	— ⅛
Sonotone	2⅜	2⅛	2⅛	— ¼
Technicolor	23¾	23	23⅛	.....
Trans-Lux	5	4⅞	4⅞	.....
Universal Pict.	13¼	13¼	13¼	—1¼

RKO Bonds Gain 1½ Points

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	101¼	101	101	.....
Paramount Pict. 's '55	100½	100½	100½	.....
RKO 6s '41 pp	102½	102	102½	+1½
Warner Bros. 6s '39 wd	98¼	98	98	— ¼

(Quotations at close of Nov. 23)

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Bold Caballero"

(*Republic*)

HOLLYWOOD, Nov. 23.—The legendary Zorro character, returned to the screen through the medium of Magnacolor, is Republic's first venture in the color field. The film is an average western drama-romance drawn against a historical background. The obvious intention of the producers was to counterbalance the worth or color and thrill action, but it seems that both have been sacrificed needlessly.

In the story, Robert Livingston, playing the dual role of bandit and Zorro, friend of the populace, falls in love with Heather Angel when she assumes the duties of her father, the Governor, who has been slain. The theme of the story has Livingtson seeking to deliver the peons from the yoke of oppressive taxes imposed by the land-grabbing white invaders. Marked by the usual routine mechanics common to the typical thrill-action western, with the characteristic display of great personal valor, Indians, in the usual excitement-provoking way, rescue Livingston from death and Miss Angel from a loveless marriage.

Livingston, Miss Angel, Sig Rumann, Ian Wolfe and Robert Warwick contribute respectable performances despite the handicaps of faulty story construction and the shortcomings of the plot. Wells Root authored the story and directed the film.

Production Code Seal No. 2,681. Running time, 72 minutes. "G."

"Hats Off"

(*Boris Petroff—Grand National*)

HOLLYWOOD, Nov. 23.—This first musical offering from Grand National does not come up to expectations. Sincere effort has been put into the production, acting and direction, but a weak story keeps the picture down to the average entertainment classification.

The plot concerns the efforts of Mae Clarke and John Payne, press agents for rival communities, to obtain the services of Luis Alberni for their respective clients. Alberni is sought to produce an exposition for the cities. In the course of events, Miss Clarke and Payne fall in love, are separated and come together again for the finish.

The story also allows the introduction of specialties by the three Radio Rogues, Val and Ernie Stanton, Jimmy Hollywood and others, none of which, however, is strong enough to make the film a top attraction. Boris Petroff directed the script which was written by Sam Fuller and Edmund Joseph. Four musical numbers have been contributed by Ben Oakland and Herb Magidson.

Previewed without production code seal. Running time, 68 minutes. "G."

Looking 'Em Over

"Come Closer, Folks"

(*Columbia*)

Lively, entertaining fare of the unpretentious, double bill type, this should fill a spot on the dual program. Telling a yarn of the pitchmen, those lads who sell anything for nothing on the streets, it is featured by a fast-stepping performance by James Dunn, as the best of them. When he meets the girl, Marion Marsh, he decides to go straight, via the operation of a small city department store, almost hits a snag, but gets by to a happy fadeout.

There is an entertaining spark of comedy running through the yarn, and some possibilities for exploitation tieups locally in that the story has much to do with department store operation.

When things get tough in the big town, Dunn hits the smaller jumps with Wynne Gibson as his partner. When he meets Miss Marsh, operator of a large department store, he joins up, with the original intention of selling her out, but when romance dawns, he straightens out, and although Miss Gibson tries to ruin him with Miss Marsh, it all comes out when Dunn stages a play that beats the serious competition in the town.

Production Code Seal No. 2,536. Running time, 60 minutes. "G."

Steen Joins U. P.

Al Steen, for 10 years with Associated Publications where his posts included the managing editorship as well as field representative, has joined the radio department of United Press in New York.

Variety Club

Columbus

COLUMBUS, Nov. 23.—M. R. CLARK has been elected head of the Variety Club tent for the sixth consecutive year.

Other officers named at the last annual meeting were: First vice-president, GEORGE M. TRAUTMAN; second vice-president, HARRY SCHRIEBER; secretary, P. J. WOOD; treasurer, JACOB LUFT; directors, J. REAL NETH, WILLIAM G. PULLIN, MAX STEARN, ALBERT REDMAN, LEO HAENLEIN and WILLIAM S. CUNNINGHAM.

CLARK and STEARN were named to represent the tent at the national convention of Variety Clubs.

Milwaukee

MILWAUKEE, Nov. 23.—The Variety Club sponsored preview of "Camille" at Fox's Wisconsin, originally scheduled for Nov. 28, has been postponed to Dec. 5. The special midnight showing will be a gala one with proceeds going to its Heart of Variety.

Washington

WASHINGTON, Nov. 23.—Five hundred barkers and friends of Variety Club gathered in the ballroom of the Willard last Saturday, for the third annual dinner and dance of Tent No. 11. SAM A. GALANTY and CARTER T. BARRON were in charge.

Proceedings were opened with an invocation by Rev. Dr. JOHN KEATING CARTWRIGHT. During the dinner acts from local night clubs were presented with AUDREY SEIBER and LEE EVERETT as masters of ceremonies.

After dinner the combined stage shows of the Earle and Loew's Capitol were presented, with JOHNNY PERKINS the m.c., climaxed by the appearance of JIMMY LUNCEFORD.

Among those appearing were the Elida Ballet, PAT ROONEY, PAT ROONEY III, MARION BENT, JANET READE, VANYA ORLIK, ELEANA LOLIK, DEROZA, MADELYN KILLEEN, NEILA GOODELLE, the Manginis, CAPPA BARRA and his Harmonica Ensemble, COOKIE BOWERS, LOU DUTHERS with JEAN and JOAN, and ROBERT DUKE.

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VOL. 40. NO. 125 NEW YORK, WEDNESDAY, NOVEMBER 25, 1936 TEN CENTS

May Not Start The New RKO Until March 1

Finish of Court Action Not Expected Earlier

Court approval for the RKO reorganization plan does not appear to be probable for earlier than March 1, according to present indications.

The first creditors' hearing on the plan will not be held until Dec. 23 and indications are that an adjournment until after the holidays may be asked at that time. With indications that opposition to the plan will be registered from several creditor quarters when the hearings finally get under way, if not sooner, the issues raised may not be resolved finally for a month to six weeks thereafter. Following these hearings the court would take the plan under advisement with but slight probability of a modifying order or confirming decision being handed down for another several weeks. The company is almost certain to be free of court supervision by

(*Continued on page 7*)

RKO Debentures Up 12½, Close at 115

RKO debentures gained 12½ points yesterday to close at 115 on the N. Y. Stock Exchange. RKO common stock sold off another three-quarters of a point to close at 8¼, for an aggregate loss of two points in as many days.

The movements of the company's securities are viewed as a process of "evening up" values in the light of the proposed reorganization plan for RKO and furnish an indication of the market value that Wall St. traders place now on the new common stock which would be issued under the plan. It is proposed to exchange one share of new RKO common for two of the old, which would indicate a speculative value of approximately $16 per share for the new common, according to present market estimates. The plan provides for the exchange of the same face amount of new debentures for the old debentures, plus two shares of new common stock in exchange for unpaid interest coupons.

General Mills Radio Plan Up to Studios

HOLLYWOOD, Nov. 24. — General Mills may begin negotiations with individual studios for rights to radio broadcasts directly from sound stages as a result of the refusal last week

(*Continued on page 6*)

Wilcox Places Five With G. B. in U. S.

Herbert Wilcox has placed five of his English-made pictures with G.B. for distribution in America, he told MOTION PICTURE DAILY yesterday. The producer sails on the *Normandie* for London today.

The quintet is: "This'll Make You Whistle," "The Three Maxims," "Limelight," "London Melody" and "The Fighting Navy."

Wilcox leaves New York with the impression that this market was never more ripe for quality British pictures. "I believe G.B. has done a magnificent job for the entire British industry in paving the way here for its pictures. It is now up to the producers in London to deliver."

Gehring Gets New Post at 20th-Fox

William C. Gehring, for the past two years Kent Drive leader, has been named manager of a newly created Central Division of Twentieth Century-Fox by John D. Clark, general manager of distribution.

The new division will include Chicago, Minneapolis, Detroit, Milwaukee, Omaha, Indianapolis and Canada.

William Sussman will continue as

(*Continued on page 7*)

Mexico Censorship Puts Ban on Three

By JAMES LOCKHART

MEXICO CITY, Nov. 24.—The new national censor board established by the Ministry of the Interior has started its official action by banning three European pictures which are charged with fostering espionage and containing anti-Mexican propaganda

(*Continued on page 7*)

His First Contract



Stockholders of Loew's will approve a five-year employment contract for Nicholas M. Schenck, the first he has ever had, at the annual meeting to be held at the home office on Dec. 8. In addition, action will be taken at this meeting on the transfer to Schenck of the unexpired five-year option held by the late Irving G. Thalberg for the annual purchase of 9,600 shares of Loew's at $40 a share.

The employment pact provides for the same compensation and percentage of the profits now being enjoyed by Schenck. The contract will begin Jan. 1, next. No other agreements will be considered at the session.

Schenck, David Bernstein, J. Robert Rubin, Charles C. Moskowitz, Leopold Friedman, Isidor Frey, David Warfield, William A. Phillips, George N. Armsby, William A. Parker, John R. Hazel and Thomas Nelson Perkins are slated to be reelected directors. The directors will elect either that day or the following the present setup of officers, which includes Schenck as president, Bernstein, vice-president and treasurer; E. A. Schiller and Moskowitz, vice-presidents; Friedman, secretary; Moskowitz, assistant

(*Continued on page 7*)

Ostrer Denial Of G. B. Shift Dazes London

Persons Near Maxwell Call It "Hot Air"

By BRUCE ALLAN

LONDON, Nov. 24.—Isidore Ostrer's statement, upon his arrival in New York on Monday, that John Maxwell does not hold an option on the 5,100 shares of "A," or voting, stock in Metropolis and Bradford Trust, which controls G. B., alternately startled and amazed London today.

Maxwell was inaccessible in the face of a widespread newspaper request for official comment. While he continued to be reticent, those close to him and to the entire situation were not.

A source regarded as an official spokesman for the B. I. P. executive, in no uncertain terms described Ostrer's statement as "hot air" and added that Maxwell, not only had purchased 240,000 of the outstanding "B" stock in G. B., but the 5,100 shares of voting "A" which Ostrer declared are still in possession of himself and his brothers.

"Maxwell has a five-year option on the transfer of the "A" shares, giving the Ostrers that extended period of time to make their own settlement with Twentieth Century-Fox," this source declared.

It was pointed out on the most reliable of authority that, after all, Twentieth Century-Fox cannot make

(*Continued on page 7*)

20th-Fox Lease for "Lloyds" 7½ Weeks

Twentieth Century-Fox has leased the Astor from Loew's for seven and a half weeks for the two-a-day run of "Lloyds of London," which opens there tonight. The deal expires Jan. 17.

John D. Clark has closed a three-picture deal with Howard Cullman for the Roxy. The first picture to be booked will be "Stowaway," which will open either Dec. 17 or Dec. 24, depending on when the print arrives from the coast. Shirley Temple, who is ill with a cold, is scheduled to make

(*Continued on page 7*)

Coward and Miss Lawrence Brilliant in Clever Plays

"Tonight at Eight-Thirty" actually began its evening 25 minutes past its name at the National last night. But no matter. What the smart playgoer in New York had been awaiting impatiently finally arrived, late, yet very welcome to lift a palsied season out of its jitters, its shivers and uncertainties.

For, in case you don't know, "Tonight at Eight-Thirty" is a general designation for a cycle of nine one-act plays written by Noel Coward, of which the first three had their say last evening. They had a great deal to say. Not all of it was important, since not all of it was supposed to be. But they had much to say that was witty and smart, scintillating and clever, dramatic and heart-wrenching. There you have a floodtide of adjectives to embrace the works of one playwright in one evening. However, Coward ran the scale from frothy nothingness in "Hands Across the

(*Continued on page 16*)

No Paper Tomorrow

Motion Picture Daily **will not publish tomorrow, which is Thanksgiving Day.**

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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General Film Sells Long Franchise Here

Mack D. Weinberger, general sales manager of General Pictures, yesterday sold a five-year franchise for the Greater New York territory to Melvin Hirsch, who operates Syndicate Exchanges, but will handle this product independently of his other interests. Although a number of franchises will be sold, General yesterday maintained its plan to establish a number of its own exchanges will go through.

Fenn Kimball, president of the company, who figured in on the deal, left for Chicago yesterday. From there, he will proceed to Hollywood.

Meehan In Hospital

M. J. Meehan, broker, and majority preferred stockholder in Keith-Albee-Orpheum, was reported yesterday confined to a hospital in White Plains. The reports said that Meehan suffered a nervous breakdown following the filing of charges of market rigging, which were brought against him last spring by the Securities and Exchange Commission.

Insiders' Outlook

By RED KANN

MORE fun on the typewriter, or the second—and final—instalment of that annual effusion known as "What They Are Thankful for on Thanksgiving."

BARNEY BALABAN—An understanding directorate.
NATE BLUMBERG—Colorado's military system.
MAJOR EDWARD BOWES—Amateurs.
HARRY CHARNAS—The New Criterion.
FRANK FREEMAN—Better conditions.
"BLUMEY"—That there's still a chance.
HARRY BRAND—His palsy-walsies.
NEIL F. AGNEW—George J. Schaefer.
GEORGE DEMBOW—The new crops.
FREDDIE MEYER—His flats.
CHARLIE BUNN—Cellular horn and Mirrophonic.
ED HARTLEY—The rotary stabilizer.
BOB RUBIN—That Metro is through with B'way play production.
ROBERT TAYLOR—Fan mail.
LOUELLA PARSONS—The radio gravy train.

▼

LOUIS B. MAYER—His rhumba technique.
SYLVIA SIDNEY—Thanksgiving in New York.
FRED S. MEYER—The old Universal.
JESSE LASKY—Mary was only an interlude.
BILL POWELL—Jean.
JEAN HARLOW—Bill.
EDDIE GOLDEN—George Batcheller and Maury Cohn.
EDDIE KLEIN—Max Shach.
ABE WAXMAN—Only two "Hamlets" in one season.
WILL HAYS—Classics make copy.
NATE MANHEIM—That he can use a new broom.
ABE MONTAGUE, JOE MCCONVILLE, NATE SPINGOLD, RUBE JACKTER, JOE SEIDELMAN—"Lost Horizon" didn't hit $2,000,000.
GREG DICKSON—Lou Lusty.

▼

DINTY MOORE—Joe Bernhard.
MORT BLUMENSTOCK—Charlie Einfeld.
SAM RINZLER—Louis Frisch.
LOUIS FRISCH—His son.
"TOOTS" SHOR—The Tavern.
"JIMMIE"—Jack, Charlie and Mac.
MADELEINE CARROLL—Her castle in Spain.
SAM BRISKIN—1937-38-39.
FRANCES LANGFORD—The medico who saved her voice.
VIRGINIA BRUCE—Anybody's voice.
GENE RAYMOND—Jeannette.
GENE TOWNE, GRAHAM BAKER—No yarns to write immediately.
DORIS MALLOY—Her visit to Gotham.
FRANK BORZAGE—His China Clipper reservation.

▼

IRVING GUMBERG—Arthur Greenblatt.
ARTHUR GREENBLATT—George Weeks.
GEORGE WEEKS—G. B., of course.
HERBERT WILCOX—Echo of above.
HARRY GOETZ—Max Gordon.
GEORGE KAUFMAN—Hollywood to pick on.
CHASE NATIONAL and 20TH-FOX—National Theatres.
HERB BERG—Bob Gillham.
BOB GILLHAM—Barney Balaban.
ARTHUR MAYER—Life on the farm.
AMERICAN TOBIS—The Hitler regime.
BOB BURNS—Californiaay mountains like Nebraska hills.
LOU IRWIN—Ethel Merman and the Ritz Brothers.

▼

MARY ASTOR—One urge after another.
HAL ROACH—California Racing Commission.
CHARLES R. ROGERS—Adolph Ramish.
WARNER OLAND—Charlie Chan.
HERMES PAN—Radio's musicals.
BILL PINE—Cecil B. De Mille.
CECIL B. DE MILLE—"Wild Bill" Hickok, Calamity Jane and Buffalo Bill.
AL ADAMS—Ed Finney.
AMPA—The stalwart 41.
CHARLIE SCHWERIN—Interstate Checking.
PARAMOUNT — "Champagne Waltz."
WALTER READE—American Community Theatres.
SARAH FOX—Arthur.
SAN FRANCISCO—The new bridge.
JACK PEARL—His air sponsor.

▼

ED SULLIVAN—Walter Winchell.
WALTER WINCHELL—Well, you figure it.
LEONARD GOLDSTEIN—George Hirliman.
GEORGE WEST—Screeno.
LOEW THEATRES—Games.
PAUL LAZARUS—No more travel.
HENRY SUCHMAN—Abe Leff and Ed Mantell.
TRADE PAPER REPORTERS—MPTOA's forthcoming Miami convention.
EDDIE GRAINGER—His experience as a distributor.
MERVYN LE ROY—Ernst Lubitsch.
ERNST LUBITSCH—Vivian Gaye.
JIMMY GLEASON—Short season at Santa Anita.
M-G-M—"San Francisco," "Libeled Lady" and "Love on the Run."
BEN GOETZ—*Normandie* and *Queen Mary*.

▼

THE AIRLANES—Coast folk east-minded and vice versa.
LELAND HEYWARD—Margaret.
MARGARET SULLAVAN—Leland.
BERT ADLER—The Cinema Club.
FRANK CASE—Ditto.
PAT CASEY—Labor pains.
HARRY M. WARNER—$3,177,312.
DAVE BERNSTEIN—$11,076,822.
RCA PHOTOPHONE—The order from Loew's.
JACK LEVIN—Copyrights need protection.
JOE STEIN—Me, too.
NINO MARTINI—Desperadoes who are gay.
DOUG LEISHMAN—Meyer Schine.
CLIFFORD ODETS—Luise Rainer.
VERA BLUMBERG—It pyramided to success.
FRIEDRICH FEHER—Robbers like symphonies.
JOE BERNHARD—Dude ranch in Jersey.
TED SCHLANGER—It's only 90 miles to New York.
EDDIE MANNIX—Less detail, more production.
LOU BRECHER—Dances at a dime a throw.

▼

F. L. HERRON—A sympathetic State Dept.
GABE HESS—Settlement of the background process claims.
W. G. VAN SCHMUS—That the Rockefellers will stay in the theatre business.
PHIL REISMAN — That South American branches need inspection in the winter.
RALPH ROLAN—Life begins with time.
HERB YATES—S.E.C.
HARRY BUXBAUM—Penn U "frosh" team.
BOB WOLFF—Today and Charlie Moses.
MOE STREIMER—The U.A. board.
BILL RODGERS—Al Lichtman.
TOM CONNORS, EDDIE SAUNDERS and BILL SCULLY—Bigger and better formulas.
ED SCHILLER—Nick Schenck.
JOE VOGEL—Bachelorhood, no matter how short.
LEP FRIEDMAN—Horses.
OSCAR DOOB—Contests.
HARRY GOLD—Ornstein's buttons.

▼

COURTLAND SMITH—Jack Connolly.
JACK SCHLAIFER—Fox West Coast.
JOHN D. CLARK—Darryl.
MONROE GREENTHAL—Sam Goldwyn.
SAM GOLDWYN—Adolph Zukor.
BILL SUSSMAN—Eddie Grainger.
DAVE BLUM—Television.
TRUMAN TALLEY—Two issues weekly.
DOUGLAS FAIRBANKS—Traveling Polo.
JOHNNY O'CONNOR—The suburbs.
SPYROS SKOURAS—Charlie.
CHARLIE SKOURAS—Seattle to San Diego.
EDDIE PESKAY—Carl Leserman.

▼

CRESS SMITH—Just things generally.
RICK RICKETSON—Harry Huffman.
ELMER RHODEN—Clearance.
PHIL REISMAN—Those twins.
SAM MORRIS—New grandchild.
ED MCEVOY—Pictures, not "turkeys."
SID RECHETNIK—Air travel.
ABE WARNER—Grad Sears.
MILT KUSELL—No first run worries on Broadway.
WALTER J. HUTCHINSON—World travel.
JEAN ARTHUR—That no-work-after-6 P.M. contract.
JACK BENNY—Because he had enough sense to discover Mary Livingstone.
ERROL FLYNN—London trip to regain his U.K. accent.
HUGH HERBERT—The relatives get the trimmings this year.
NATALIE KALMUS—That the business is colorful.
HAL WALLIS—Abe Jacoby and his "Light Brigade" idea.
ASTOR THEATRE—"Lloyds of London."
JIMMY CAGNEY—Judge Bogue and Grand National.
BRYAN FOY—Double bills.
INDEPENDENT PRODUCERS—The same.

After the roaring 2-year Broadway run that sold more tickets than any play this decade!

After the ten-company All-American clean-up that put The Road back into show business!

After the greatest acclaim ever won by an American show, in five different countries!



3 men on a horse

After 'The Charge of the Light Brigade' today at the N.Y. Strand, for new laugh records from

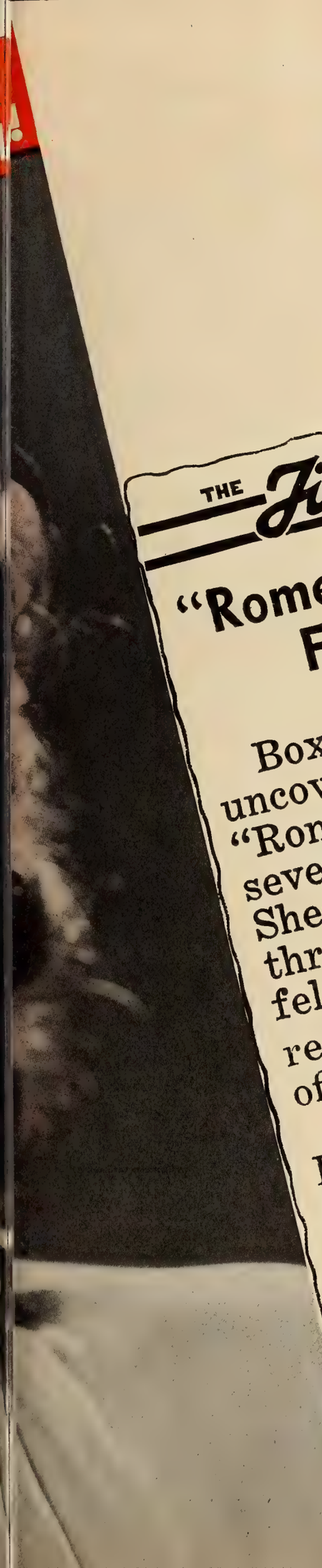
Warner Bros.

A First National Picture with

Frank McHugh
Joan Blondell

GUY KIBBEE • CAROL HUGHES
ALLEN JENKINS • Sam Levene • Teddy Hart • A Mervyn LeRoy Production


THE FIRST LADY OF THE SCREEN
THE FIRST LADY AT THE BOX-OFFI
THE SCREEN'S Mightiest ACHIEVEMENT!
NORMA SHEARER
LESLIE HOWARD
with
JOHN BARRYMORE
EDNA MAY OLIVER
BASIL RATHBONE
C. AUBREY SMITH
ANDY DEVINE
RALPH FORBES
REGINALD DENNY
CONWAY TEARLE
ROBERT WARWICK
VIOLET KEMBLE-COOPER
Directed by GEORGE CUKOR
ROMEO and JULIET
M-G-M presents the most magnificent production of the greatest love story of the ages...
Romance to thrill you—adventure to excite you.



THE Film DAILY Monday, Nov. 23, 1936

"Romeo" Three Days Tops Full Week of "Ziegfeld"

Box-office news of the last week uncovers outstanding results in the "Romeo and Juliet" roadshows, with several towns giving the Norma Shearer vehicle more business in three days than "The Great Ziegfeld," M-G-M's previous roadshow, received in a full week, the home office announced Saturday.

At the College Theater, New Haven, "Romeo and Juliet" in three days topped the previously successful full week engagement of "Ziegfeld" by $400. In Columbus, at the Broad Theater, "Romeo" in a three-day engagement likewise topped the full week business of "Ziegfeld's" road-showing. At York, Pa., "Romeo" did a third more business at the Strand than was done by "Ziegfeld."

General Mills Radio Plan Up to Studios

(Continued from page 1)

of the Hays organization's new radio committee to approve the flour company's proposal for exclusive Hollywood rights to such broadcasts.

The Producers' Ass'n today notified Bagley, Horton & Hoyt, Chicago advertising agency in charge of the negotiations for General Mills, that it is free to continue attempts to work out deals with individual studios even though its blanket proposal for exclusive rights was not approved by the major studio organization's radio committee. Indications are that further negotiations on behalf of the flour company will be conducted by Paul Harrison, NEA correspondent here, who was scheduled to have charge of the broadcasts.

E. J. Mannix is one of the members of the studios' new radio committee, the complete personnel of which the Producers' Ass'n has refused to disclose.

KJBS Studio to Move

SAN FRANCISCO, Nov. 24.—KJBS, owned by Julius Brunton, pioneer silent film producer, will move in January to bigger studios at 1454 Pine St., where he has leased an entire building. Extensive alterations will be made.

The present studio is at Bush, near Polk, not far from KFRC. Ralph Brunton is general manager for his father. Brunton's recent promotional activities included a tieup with many San Francisco and northern California theatres whereby the latter showed trailers of KJBS artists and air features in exchange for air plugs.

Helen Corey Back at Omaha

OMAHA, Nov. 24.—Helen Corey, for whom Orville Rennie obtained a CBS contract in Chicago along with the Three Notes, a local radio act, has returned to Omaha and joined Franklyn Vincent's orchestra as a singer. The Three Notes stayed in Chicago. Rennie, now city manager for Tri-States at Hastings, Neb., is reported to be seeking other radio talent there.

S. D. Cartright Married

OMAHA, Nov. 24.—The recent marriage of Stephen Decatur Cartright, 43-year-old blind and deaf news commentator for KOIL, to Irma Perry, KOIL's musical director, has been announced.

Cartright's infirmities date back to the blow of a pistol butt on his head while he was with the American Army of Occupation at Karbovsk, Russia. Four years later he suddenly became blind and deaf.

Suspend Station Permit

ST. LOUIS, Nov. 24.—The Federal Communication Commission has recalled and suspended the permit issued to the *Star-Times* for the operation of a new radio station here. The suspension will hold good until the courts have passed on a petition filed by the Missouri Broadcasting Corp., operators of Station WIL, which was denied a request for a full time permit.

Henry Succeeds Goluboff

NEW HAVEN, Nov. 24.—Jack Henry succeeds Sid Goluboff as studio director of W1XBS. Goluboff is expected to announce a new hookup soon.

Shell Chateau to Originate From New York After Jan. 2

Confirming information contained in this department some weeks ago, the Shell Chateau program, currently heard from Hollywood, will move Radio City-ward on Jan. 2 for an indefinite stay. The last Hollywood broadcast will be heard on Saturday, Dec. 26.

Edward Everett Horton, Smith Ballew, and Victor Young's orchestra, mainstays on the program for the past few months, will be dropped immediately after the last coast broadcast to make room for a new unit, headed by Joe Cook.

The loss of Horton to radio is regrettable, in the opinion of most observers for the wide-eyed, nimble-witted comedian had proved as effective on the air as he usually is in pictures. There appears to be little doubt, however, that Horton will be able to write his own ticket any time he elects to return to the air.

As long as six weeks ago, it became evident that the Shell program would be recalled to its eastern base for a considerable overhauling, for with the exception of Horton's work, the program is viewed as having slumped badly. It was then that MOTION PICTURE DAILY reported that the program would be transferred back to New York, only to have the story denied by J. Walter Thompson, the agency handling the show.

The revised program, with Cook at the helm, will be broadcast at the same time and over the same network as the present show—Saturdays at 9:30 P.M., E.S.T., over the NBC-Red.

Elsewhere has been told what the film personalities are thankful for on Thanksgiving. Now it's this department's turn to reveal what the radio stars are thankful for:

PORTLAND HOFFA—Fred Allen.
KATE SMITH—The moon.
PHIL BAKER—The spirit in Bottle, according to Crosley.
BOB BURNS—Bazooka, the horn of plenty.
EDDIE CANTOR—The wife and kidders.
SHEP FIELDS—The deep money derived from still water.
MILTON BERLE—Joe Miller.
RIPLEY—A sponsor, believe it or not.
JACK BENNY—The jack that Benny built.
FRED ASTAIRE—Because he's still in tip tap shape.
RUDY VALLEE—Boxing lessons.
FANNIE BRICE—Her beauty.
JACK PEARL—Cigarettes.
FRED WARING—Ford—maybe.
BING CROSBY—Twins.
BENNY GOODMAN—Because swing is in the air.
VIC ERWIN—Popeye.
RUBINOFF—His violin.
PHIL LORD—His luck.
BEN BERNIE—Walter Winchell.

Second WPA Show Tonight

Tonight's NBC-WPA program, "Professional Parade," the second in the series, will again feature 12 acts recruited from the WPA and unemployed professional actors ranks.

Among the acts are Louise Taylor, soprano formerly with the Chicago Civic Opera; Kate Murray and her Hillbillettes, Elayne Allston, Anthony and Rogers, Ken Talbot and choir, Gertrude Barnes and Jane Allen, and Hawkins and Moorehead. As an added feature, Jack Pearl will guest star.

Incidentally, Rubey Cowan, NBC Artists Bureau representative, says several score theatre owners have wired their intentions of booking the "Professional Parade" stage units as soon as they are ready to take to the road. Auditions are now being held for the first unit.

The Pickens Reunite

The Pickens Sisters, who were temporarily split up last season, reunite for a new commercial series this Friday over WJZ locally, from 7 to 7:15 P.M., E.S.T. The Pickens will broadcast in behalf of the Bicycle Trade of America Industry. It is expected that the series will go network if it receives a favorable metropolitan reception.

Whiteman on Magic Key

Paul Whiteman's orchestra, Marian Anderson, coloratura, Stoopnagle and Budd, Ramona, and the Kings Men will be Sunday's Magic Key guests over NBC-Blue at 2 P.M., E.S.T.

Miss Anderson's songs will be received by short wave from Prague. The balance of the cast will broadcast from the studio in Radio City.

Armco Band Resuming

One of radio's longest standing features, the Armco Concert Band, which has been a network feature for the past eight years, returns to the airlanes this Sunday over the NBC-Blue network, 8 to 8:30 P.M., E.S.T. The orchestra again will be directed by Frank Simon. The series is sponsored by the American Rolling Mills Co.

Stanwyck Joins Camel

Barbara Stanwyck will do a radio adaptation of "Just Suppose," the A. E. Thomas play, on the "Camel Caravan" broadcast on Tuesday, Dec. 1, over the CBS network, 9:30 to 10:30 P.M., E.S.T. Ray Milland, young screen newcomer, will play opposite Miss Stanwyck.

Astaire Off Air; Ill

Due to illness, Fred Astaire was not heard on last night's Packard program. Charles Butterworth carried on in his place and just to prove that Astaire's presence was not missed, hoofed a chorus of taps.

Burns and Allen, Et Al

Short Shots: The sponsors of Burns and Allen have picked up the team's option, renewing them up to April 1, 1937 . . . Henry Burbig auditioned this week for an electrical appliance mfgr., who is contracting for a three-time weekly series over WOR and the Mutual network . . . Irene Wicker, "The Singing Lady," a Chicago performer for the past six years, now permanently residing with her family in New York. She begins a new series for her old sponsor, Kelloggs, on Dec. 25 . . . Dick Stabile seeking a new girl vocalist . . . Jane Frohman signed to guest star on the NBC-Blue Friday night "Court of Honor" program this Friday . . . "Beauty for Sale," WMCA half-hour musical, renewed for another period . . . Larry Kelley, Yale grid captain, signed for interview on Thursday night's Vallee program . . . Leonard Liebling and Pescha Kagan will be the Friday, Dec. 4 guests on the "Heinz Magazine of the Air" series, CBS network at 11 A.M., E.S.T. . . . Eugene Ormandy succeeds Leopold Stokowski as musical director of the Philadelphia Orchestra on the CBS Friday bank sponsored series, heard at 10 P.M., E.S.T. . . . Don Wilson, network announcer, now working on six shorts for Paramount, the series to be known as "Eyes on the Ball". . . Sid Silvers, after but five days in New York, recalled to Hollywood by M-G-M . . . Rose Blaine and Tiny Wolfe, vocalists with Abe Lyman's orchestra, to be film-tested next week by Warners.

Starts New Program

KANSAS CITY, Nov. 24.—WLBF, radio station of the Kansas City *Kansan*, has started "Feminine Fancies," a program which includes household hints, fashion notes, beauty suggestions, film news, and a personal question and answer service on any of those subjects.

N. H. Chamber to Broadcast

NEW HAVEN, Nov. 24.—A new program sponsored by the Chamber of Commerce, featuring business talks and organ numbers by Don Raphael, will be broadcast from the Paramount on Monday, Wednesday and Friday of each week.

KOIL Drops Remote Control

OMAHA, Nov. 24.—With cold weather near, KOIL has abandoned its remote control station on the Missouri River bridge and hereafter will do its "Crossroads of the Nation" piece from the more comfortable surroundings of the Paxton hotel lobby.

Wall Street

Paramount Leads Board Gains

	High	Low	Close	Net Change
Columbia	37⅝	36¾	37½	+ ½
Consolidated	4¾	4¾	4¾	.....
Consolidated, pfd.	16¾	16½	16½	— ⅜
Eastman	181	180½	181	+1
Eastman, pfd.	161	160	161	+1
Gen. T. Equip.	28⅞	28	28⅞	+ ⅞
Loew's, Inc.	64⅛	62⅛	63⅞	+2⅛
Paramount	21½	19¾	21⅜	+2
Paramount 1 pfd.	156	146	155	+13
Paramount 2 pfd.	19½	17⅞	19¼	+1⅝
Pathe Film	8¾	8⅜	8½	+ ⅛
RKO	8¾	7¾	8¼	— ¾
20th Century-Fox	37⅜	36¾	36⅜	+1⅛
20th Century, pfd.	46⅛	45¾	46⅛	+ ⅜
Universal, pfd.	106	105	105	.....
Warner Bros.	17¼	16⅜	17¼	+1

Curb Up Slightly

	High	Low	Close	Net Change
Grand National	3½	3¼	3½	+ ⅛
Sonotone	2¼	2⅛	2⅛	.....
Technicolor	23⅛	23	23	+ ½
Trans-Lux	4⅞	4¾	4¾	.....
Universal Pict.	13½	13½	13½	+ ¼

RKO Bonds Jump 12½ Points

	High	Low	Close	Net Change
Keith B. F. 6s '46	99½	99½	99½	+1
Loew's 6s '41 ww deb rights	101	100¾	100¾	— ¼
Paramount B'way 3s '55	70¾	70	70	— ½
Paramount Pict. 6s '55	100½	100⅜	100½	.....
RKO 6s '41	115	107½	115	+12½
Warner Bros. 6s '39 wd	98⅜	98⅛	98⅛	+ ⅝

(Quotations at close of Nov. 24)

Ostrer Denial Of G. B. Shift Dazes London

(Continued from page 1)

a move of any description until the Ostrer stock actually is transferred. This, of course, has not taken place.

Maxwell is understood to have checked Isidore's statement with Mark Ostrer who is declared to have stated he could not believe his brother would have made the statement attributed to him. Furthermore, Maxwell, it was learned today, views Isidore's comment as damaging to him and to his interests and is reported pondering his future course in the light of the shipboard interview from New York.

Creditable sources today interpreted Ostrer's mission to America as one designed to personally outline to Joseph M. Schenck and Sidney R. Kent G. B.'s financial position. Financial circles here incline toward the opinion that the consolidated balance sheet will reveal heavy losses, due largely to high negative costs. A depressing effect on Gaumont securities is not unexpected, therefore. Whether this will have any bearing on the attitude of Twentieth Century-Fox toward its 49 per cent interest in M. and B. is, of course, purely conjecture.

Beaverbrook Seems Involved

Another angle concerns Lord Beaverbrook. Despite the newspaper publisher's statement, made by his secretary in New York last Friday, that Beaverbrook's interest in the film industry was receding, the report was revived today that he had made a recent offer to Kent to buy 20th-Fox's interest. He, furthermore, is said to have been slated to act as a friendly intermediary between Isidore and Joseph M. Schenck in the American negotiations. Any such plan, however, has been abandoned with his return to London. He is aboard the *Bremen*, now Europe-bound.

Maurice Ostrer is sailing for New York on the *Queen Mary* Wednesday, but, as in the instance of Isidore's departure, no statement as to purpose is being advanced by G. B. The assumption appears obvious, however, that he will participate in whatever discussions his brother may hold with Schenck and Kent. It was Maurice who is popularly believed to have raised objections after the initial negotiations had been made by Isidore with 20th-Fox and Loew's.

Maxwell Solution Sought

If the purpose of Isidore's visit to the states were to be summed up briefly, authoritative opinion here leans strongly toward the impression that it is designed to have the Ostrers straighten out with their partners, 20th-Fox, difficulties besetting consummation of the "A" stock deal with Maxwell.

In other words, those who subscribe to this theory maintain that it is not Maxwell's task to bring about an accord with 20th-Fox, but the Ostrers'. In the meantime and without official reaction, the impression is very firm here that Maxwell actually does hold an option on the disputed 5,100 shares and that, finally, he will acquire the possession of it and thus control of G. B., a situation never doubted here until Ostrer arrived in New York and issued statements for publication.

Calls London Slant "Rubbish"

Advised of the London cable yesterday over the telephone, Isidore Ostrer, president of G. B., said he was not interested, and that "the statements by supposedly close friends of John Maxwell are rubbish."

"Wait until Mr. Maxwell makes a statement," he said. "If he made the statement that he had a five-year option on the 5,100 'A' shares of M. & B., there would be some point to it.

"I am not interested, because it is nonsense," he added. "I know the facts as they are."

He plans to leave for Palm Springs tonight.

His First Contract

(Continued from page 1)

treasurer. The elections are for a one-year term.

Bernstein and Rubin are the only two officers now holding long term contracts. They were voted by the stockholders in 1932.

Action for the purchase by Loew's of half of the 49 per cent interest Twentieth Century-Fox held in Metropolis & Bradford Trust, holding company of G.B. has been deferred until S. R. Kent returns from the coast studios.

Gehring Gets New Post at 20th-Fox

(Continued from page 1)

manager of the Eastern Division and William J. Kupper as manager of the Western Division.

The new division was made necessary, Clark says, by increasing sales during the past year.

J. P. O'Loghlin, now district manager in Canada, will succeed Gehring as Kent Drive manager and will assume his new duties following a meeting of district managers in Kansas City next February.

Moe Levy, formerly in charge of the Minneapolis office, will be district manager of the territory comprising Minneapolis, Omaha and Des Moines in the new central division. R. A. Higdon has resigned as Oklahoma City manager and has been succeeded by Charles Clark, now in charge at New Orleans.

The Kansas City meeting will be attended by home office executives and Edgar Moss, T. H. Bailey, George A. Roberts, J. P. O'Loghlin, Ward E. Scott, Harry G. Ballance, Herman Wobber and Levy, district managers, and Clyde W. Eckhardt, Lester Sturm, J. H. Lorentz and George Landis.

20th-Fox Lease for "Lloyds" 7½ Weeks

(Continued from page 1)

some retakes before the print is shipped east. "One In a Million" will open Dec. 31. "On the Avenue" will follow "Hidden Power," a G. B. picture, with Sylvia Sidney.

"Lloyds of London" also will open at the Carthay Circle in Hollywood tonight.

Three Censors

Mexico City, Nov. 24.—Films designed for release in the Federal District now are faced with three censorship bodies, the national Federal board, the Federal District censor and now the Confederation of Workers of Mexico, which today announced its intention of passing on films, according to the Associated Press.

Particular object of the Federation's attentions will be Fascist propaganda films, especially pictures of Mussolini and Hitler.

May Not Start The New RKO Until March 1

(Continued from page 1)

some time in March, it is believed, however.

The dominating creditor groups, significantly, have already given their tentative approval to the plan as it now stands and, under the provisions of Section 77-B of the Bankruptcy Act, which govern the RKO reorganization, the approval of the majority claimants of the debtor company, must be fully recognized by the court. The groups in tentative agreement on the plan as it now stands include the major RKO debenture and stockholders' committees, in both of which the Atlas Corp.-RCA-Lehman Bros. interests are dominant factors. In addition, Rockefeller Center has approved the plan with certain contingent provisions and, although its claim is treated separately in the plan, it is the largest unsecured creditor of RKO. It is also known that other important unsecured creditors have given tentative approval to the plan.

Opposition Likely

Opposition to the plan can come only from minority interests if the present situation remains unchanged. The probable sources of opposition are the independent stockholders' committee, a committee of preferred stockholders of Orpheum Circuit for whom the plan makes no provision, and one or two independent committees of general creditors, including the one which represents the claims of the Karl Hobitzelle interests and the U. S. National Bank of Denver, and holding in all about $1,500,000 of claims.

An attack on the treatment accorded holders of old RKO debentures, to whom the plan offers a new debenture of the same face amount and two shares of new common stock for accrued unpaid interest of $24.57, is expected to be made by the independent stockholders and other opposition forces. The contention will be, it appears, that if the RKO secured gold notes outstanding in the amount of $725,000 are paid off by the RKO trustee in advance of the reorganization, the old debentures would be deprived of their secured position and in consequence would not be entitled to the favorable treatment accorded them by the plan. It would be urged also that RKO stockholders, to whom the plan offers one share of new common for two of old, would then be entitled to better treatment than that now accorded them.

The opposition would also urge that reorganized RKO would be benefited by an elimination of the secured position of the old debentures as no issue of new debentures would be required, as a result, and the company would be relieved for the future of the obligation of meeting fixed interest requirements. The question of whether or not the old debentures would be deprived of their secured position by an immediate retirement of the outstanding gold notes appears to have but little legal foundation, however. Nevertheless, the issue, if raised at the hearings on the plan, would have to be decided and could have, at the least, the effect of delaying court confirmation of the plan until the question was out of the way.

A motion by the RKO trustee to pay off the gold notes has already been made to the court and a hearing set for Dec. 23, jointly with the creditors' hearing on the plan.

The opposition from the preferred stockholders of Orpheum Circuit, if it materializes, would be led by Isidor J. Kresel, recently retained as attorney for the committee.

Mexico Censorship Puts Ban on Three

(Continued from page 1)

politically objectionable to the country.

The new board includes a chairman, vice-chairman and secretary, a chief and sub-chief of department, one special official and 10 special agents. In accordance with the rules governing its actions, the board will ban pictures which:

Wilfully insult or ridicule Mexico, its Government, people or their manners and customs, or of those of nations friendly to Mexico; attack the rights and aspirations of workers, the right to strike, or humiliate the worker; discriminate against Spanish-American peoples or color; that eulogize exploiters of labor or offer apologies for them; foster war propaganda, or that for oppressors of the poor and against the "just desire of the workers to protect their interests"; glorify gangsterism, social vices and crime; joke about or give the lower middle class a defeatist spirit, and attack the spirit of the family.

* * *

Radio is being used to a large extent by local exhibitors, with daily selling via the air ranging from 10 to 20 minutes daily by most of the first run houses in Mexico City.

* * *

With the opening in the near future of the Cine Encanto, large neighborhood house, the total in the Federal district will be 67, most of them wired.

Mayer, Levine Form Royal Film Exchange

Manny Meyer and Ben Levine have organized Royal Film Exchange, Inc., and will release the following in the metropolitan area: Eight Tom Keenes, six Herman Brix sport features, eight Tom Tylers, six action dramas, eight Rex Bells and two serials, each in 15 episodes or available as a feature. "Shadows of Chinatown" is the first and "Blake of Scotland Yard," the second.


Double your
with these Pa
PLAY
"COLLEGE HOLIDAY"
with JACK BENNY
GEORGE BURNS & GRACIE ALLEN
MARY BOLAND • MARTHA RAYE
Marsha Hunt • Eleanore Whitney and
Johnny Downs • Directed by Frank Tuttle
CHRISTMAS
Paramount Pictures
ON HOLIDAYS IT ALWAYS PAYS


liday Figures!
nount Pictures
1937
PLAY
Cecil B. DeMille's
"THE PLAINSMAN"
starring
GARY COOPER • JEAN ARTHUR
with James Ellison • Charles Bickford • Helen
Burgess • Porter Hall • Directed by Cecil B. DeMille
NEW YEAR'S
TO PLAY A PARAMOUNT PICTURE!
Paramount
Pictures

Toronto Board Files Copyright Objection

TORONTO, Nov. 24.—The Toronto Board of Control, municipal licensing organization, has filed a blanket protest against the new schedule of music taxes for public amusement places for 1937, which were adopted recently by the Canadian Performing Rights Society, an Ascap affiliate, and Canadian theatre operators.

No exhibitor organization or individual theatre operator has protested the new rates yet, although appeals from the schedule will be received by the new Dominion music rate commission up to Dec. 1. The only other protest made to the commission so far is that of the Civic Railway Commission of London, Ont., which operates several public amusement enterprises. The commission itself posted the schedule agreed upon by the music licensing organization and the exhibitors, but will pass upon the fairness of the rates in the light of any appeals received within the time specified.

E. C. Mills, general manager of Ascap, who returned the first of the week from a trip to the coast, said yesterday that no exhibitor protests against the new Canadian music tax rates had been brought to the attention of his organization yet. Mills said he had never heard of the Toronto Board of Control and could cast no light on its interest in the schedule.

Philadelphia Host To "Gold Diggers"

PHILADELPHIA, Nov. 24.—This city will play host tomorrow to Warners' "Gold Diggers" who are scheduled to arrive in their plane at the Camden airport across the river in the morning. Camden also has planned to greet the visitors.

Philadelphia's preparations include photographs at University of Pennsylvania's Mask and Wig Club, luncheon and personal appearances at the Hotel Adelphia and a broadcast over Station WIP.

Warners "Gold Diggers" plane is due at the Newark Airport Friday morning. From that point the girls will motor to the Hotel Warwick here where they will meet the press. A personal appearance at the Strand is scheduled for the evening.

On Saturday evening they will attend a performance of "White Horse Inn" and on Sunday will be guests of H. M. Warner at his Mt. Vernon estate.

Sues Express Agency

OMAHA, Nov. 24.—M. L. Finkelstein & Sons Co., operator of the Spencer at Spencer, Iowa, has filed suit in Omaha District Court against the Railway Express Agency asking $1,500 damages as result of business lost by the house when the express company delivered only one-third of "Ah Wilderness" Feb. 16, 1936.

Form Film Stamp Club

The New York Film Philatelic Club has been formed for film people interested in stamp collecting. Officers are: Arthur Weinberg, president; Harry Gans, vice-president; Harry Brenner, treasurer; Emanuel Fine, recording secretary, and Howard Levy, custodian.

Overseas Previews

"Strangers on Honeymoon"

(*Gaumont-British*)

LONDON, Nov. 17.—The British film invasion of the States goes a stage further in this comedy from Shepherd's Bush. Using a mixed British-American cast, it presents these players against backgrounds representing not the British, but the American scene. It appears to be the first instance of British enterprise in a field frequently and successfully exploited in Hollywood presentations of "British" backgrounds.

On this side it appears quite a considerable success in the lighter vein. There is a very amusing story basis in Edgar Wallace's "The Northing Tramp," the essence of which is that a girl, Constance Cummings, disgusted by a drunken groom, marries instead an equally drunken tramp, Hugh Sinclair, who turns out to be a real English lord making for Canada with thugs after him, instructed by his murderous woman-cousin. There is a little matter of a torn plan of an oil-field as basis for the "thriller" element, but it matters much less than the incidental humors of the journey of the strange newlyweds over the Canadian border.

There is a delicious piece of comedy from Anne Tucker McGuire and James Arnold as two millionaire honeymooners who are simply tickled to death to be robbed by a lord.

It looks like good entertainment for all classes.

Running time, 69 minutes. "G."

"This'll Make You Whistle"

(*Wilcox-British*)

LONDON, Nov. 17.—Currently a stage attraction at the Palace, this Jack Buchanan musical comedy melange is a very effective mixture of ingredients, well tried it may be, but certainly handled with more deftness, speed and understanding of audience needs than this sort of material always receives.

The comedy heavily outweighs the music and this is all to the good, as the situations presented are definitely humorous. There is no particular need to detail them, for in essence they are traditional. What they prove is that there are still laughs to be obtained from a couple of comedians dressing themselves as girls, disguising themselves as bearded policemen and joining in a very absurd and very laugh-provoking search for themselves. Laughs also in the old expedient of a puritanical elder who, when he does cut loose with the women and the wine, does so with the vim accumulated through years of virtuous restraint. A very well-danced rhumba. Plenty of girls. Dances from Buchanan and Elsie Randolph.

In short, a first class British film romp. There are plenty on your side who will enjoy it.

Running time, 78 minutes. "A." ALLAN

Interstate Checking For "U", U. A., G. N.

Interstate Checking Service is now checking a number of theatres for Universal, United Artists and Grand National, according to Charles Schwerin, in charge of the local Interstate office. These distributors are in addition to Alliance and American Tobis, he said.

Negotiations are pending with M-G-M, Warners, Paramount and RKO, Schwerin stated. The service is mainly for out-of-town houses.

Checker Suit Settled

An action for assault brought by Richard R. Matthies, Ross Federal checker, against H. Tishkoff, Rochester exhibitor, has been settled out of court, according to Ross Federal.

Woonsocket House Burns

WOONSOCKET, R. I., Nov. 24.—A general alarm fire that threatened the business section yesterday did extensive damage to the auditorium of the Bijou here. The loss is about $40,000.

Rodgers Sends Fund To Four Charities

William F. Rodgers, M-G-M general sales manager, has split the $2,500 proceeds of the recent testimonial dinner in his honor among four charitable funds.

The *Film Daily* Relief Fund, the M. P. Charity Fund and the M. P. Salesmen's Charity Fund received $200 each, and $1,900 was sent to the Hospital for Joint Diseases to endow a bed in the name of Felix F. Feist.

Union Cinemas Net Up

LONDON, Nov. 17.—Union Cinema Co., Ltd., in the year ended March 31 last, made a net profit of £45,731 against £30,245 in the previous year. A final dividend of 15 per cent on the ordinary shares makes the distribution for the year 22 per cent. Also received by shareholders is a bonus of £1 ordinary share for every 20 held. Recently announced was an amalgamation plan between Union and the associated companies National Provincial Cinemas, Ltd., and Oxford and Berkshire Cinemas, Ltd.

Short Subjects

"You Can't Get Away With It"

(*Universal*)

This is a special 25-minute short subject produced tellingly by Charles Ford, editor of the Universal Newsreel, picking out and highlighting much of the inner workings of the Bureau of Federal Investigation in Washington. More popularly, this is that arm of the Dep't of Justice known to the public as the home of the G-men.

With a foreword by J. Edgar Hoover, chief of the bureau, the film takes the spectator through the routine and shows the various steps and equipment used in setting the Federal men on the trail of dangerous public enemies. Student G-men are shown perfecting their shooting aim, while cut in are newsreel sequences of former and famous raids on criminals-at-large who were run to earth and justice, and sometimes death, by these relentless pursuers of law violators.

Well done and always interesting, "You Can't Get Away With It" emerges as an engrossing short and seems worth screen time in any exhibitor's theatre. "G."

"Fibbing Fibbers"

(*Columbia*)

With labored humorous sequences and routine comedy dialogue, this short, featuring Walter Catlett, is mild entertainment. Situations arise due to Catlett's absent-mindedness and he must lie to clear himself. This works against him and his difficulties seem righted again only to have more pile on. Production Code Seal No. 2,600. Running time, 18 mins. "G."

"Loony Balloonists"

(*Mintz-Columbia*)

Scrappy and his brother, Oopy, engage in airial gymnastics as they race their balloon with the aid of an old man. Oopy stows away and is found when Scrappy is dumping ballast. There is clever invention and pleasant entertainment. Production Code Seal No. 2,483. Running time, 7 mins. "G."

Theatre Checking Is Up 30%, States Ross

Theatre checking has increased more than 30 per cent during the past year, with every indication that that gain will be maintained, Harry Ross, head of Ross Federal Service, said yesterday on his return to New York. He had conducted meetings with his district managers in Chicago, for the west, and Detroit, for the mideast, last week. He saw in the increased use of the company's research business an indication of general pickup in business. Films, and other business generally, is showing a high degreee of optimism, Rose declared.

He noted that the new radio service is increasingly in demand. Plans are being completed for a new type of service designed for the advertising industry, especially that phase which handles outdoor advertising.

Within a few days Ross will set the date of a meeting of district managers of the east and south. The session will be held in New York, probably during the second week in December.

Legion of Decency Formed in Holland

By PHILIP DE SCHAAP

AMSTERDAM, Nov. 14.—A Legion of Decency has been formed in Arnhem, Holland, by a Roman Catholic board. In the past the Catholic Church in this country has limited its action on product to be released to the same type of regulation exercised by the Government censor board, but at its first meeting the new group determined upon positive as well as negative action on films.

The negative phase is expected to take the form of urging the Catholic people to refrain from attending such films as are deemed unsuitable by the Catholic board. The board's action is seen as of considerable importance to the film trade of this country, since approximately 35 per cent of the nation's population is Catholic.

* * *

The Dutch M. P. Federation is expected to take specific action shortly in an effort to prevent further lowering of admission prices and to establish a minimum scale. With the depreciation of the Dutch guilder, the plan to establish a minimum, originated some time ago, was dropped as being unnecessary, but recently it has become apparent that some such action is vital.

Archbishop Writes On Picture Rating

CINCINNATI, Nov. 24.—Concurrently with a letter which Archbishop John T. McNicholas, chairman of the Episcopal Committee on Motion Pictures, has sent to heads of all dioceses instructing members of the Legion of Decency to renew their pledges Sunday, Dec. 13, the archbishop has released a pamphlet titled "How to Judge the Morality of Motion Pictures."

The pamphlet states:

"It is generally recognized that entertainment is either helpful or harmful. A clear distinction must therefore be made between

"(a) Entertainment which tends to elevate or to relax men and women physically or mentally, tired with the duties or occupations of everyday life, and

"(b) Entertainment which tends to lower their ideals and moral standards of life."

The pamphlet enters into a discussion of the influence of pictures on personal morality, the archbishop pointing out that a picture "must inevitably imply or present a moral thesis."

Included is a quotation from the encyclical of Pope Pius XI on motion pictures.

Bank Night for Century

Century circuit yesterday closed a deal with Affiliated Enterprises for Bank Night in an additional five theatres. At the same time all questions relative to infringement have been disposed of.

Affiliated recently settled a litigation on infringement with Harry Brandt of the Brandt circuit.

Claude Ezell, general sales manager for Affiliated, left last night for Minneapolis, where, it is said, certain actions against exhibitors for infringing on the rights of Bank Night are pending.

Purely Personal

C. C. PETTIJOHN,, reported as greatly improved at Mt. Sinai Hospital yesterday, is planning to return to his home today with hopes of being counted in on the family's Thanksgiving dinner.

•

LOU WEINBERG's son, ARTHUR, will arrive today from Andover, Mass., where he attends school. FRED GLUCKMAN, son of HERMAN, and JOSEPH MEYERS, son of FRED, arrived yesterday from Valley Forge, Pa., where they attend Valley Forge Academy.

•

LARRY BEATUS, Loew district manager in charge of Westchester, New Jersey and mid-town Manhattan, will leave today for a vacation in Hollywood. JOHN MURPHY, assistant to JOSEPH R. VOGEL, will accompany him.

•

BEN MIGGINS, central European sales head for Twentieth Century-Fox, will sail today on the *Normandie* for his headquarters in Paris. On Dec. 23, he will meet WALTER J. HUTCHINSON in Cairo, and then will make a tour of foreign exchanges.

•

JAY GOVE has taken over the editorial reins of the *Distributor*, M-G-M house organ, now that M.E. SIMONS, former editor, has been made assistant to WILLIAM F. RODGERS, general sales manager of M-G-M.

•

E. L. ALPERSON is back on the coast after a trip from Seattle. He intends to make a stop over in the middle west before returning to New York later in the week.

•

LOU DIAMOND, Paramount short subject head, will reach the coast Dec. 10 to screen subjects made by independent producers for Paramount release.

•

NATE SPINGOLD and JOSEPH SEIDELMAN have returned from the coast where they attended Columbia studio conferences.

•

GEORGE J. SCHAEFER and HARRY GOLD returned last night from Miami, Dallas and New Orleans.

•

WALTER READE is back from the coast. He was away two and a half weeks.

•

AL LICHTMAN wouldn't comment yesterday on reports that M-G-M has dropped the Ford radio deal.

•

SIDNEY M. BIDDELL, Grand National's story editor, arrived from the coast yesterday.

•

GEORGE W. WEEKS, G. B. general sales manager, returns today from a visit to Chicago.

•

DAVE WEINSTOCK has gone to Miami for a vacation.

•

PAUL GALLICO, writer, is back from Europe.

•

HERMAN ROBBINS has postponed his departure to the coast until tomorrow.

•

TED CURTIS of Eastman Kodak is in town from Rochester.

•

FRANCIS LEDERER is due from the coast this morning.

NEIL F. AGNEW, J. J. UNGER and BOB GILLHAM returned yesterday from Boston where they conferred with Mullin & Pinanski, of on the Zukor Jubilee.

•

ALBERT LEWIN of Paramount, HERBERT WILCOX, CLAIRE LUCE, KAY FRANCIS, ZASU PITTS, ANNA NEAGLE, DELMAR DAVES, JIMMIE CAMPBELL, JEAN DE CAVIGNAC, and HARRY FOSTER depart today on the *Normandie*.

•

ELEANOR POWELL will make a personal appearance at the Poli, Springfield, next Wednesday. MAYOR MARTIN and HARRY SHAW yesterday set the deal with JOE VOGEL and M-G-M executives.

•

F. W. LYONS of Interstate Checking arrived in town yesterday by plane from Cleveland, Minneapolis and Chicago. He leaves today for New Orleans.

•

EDWARD G. ROBINSON has been awarded one of the Townsend Harris medals given annually to outstanding alumni of City College.

•

DON HANCOCK will spend today at the Garden taking pictures of the New York Rangers for a Van Beuren hockey short.

•

NORMAN REILLY RAINE'S original, "Seal Poacher," has been purchased by First National as a starring vehicle for CLAUDE RAINS.

•

RAYMOND FRIEDGEN has left for Key West and Florida points to film additional scenes for "Killers of the Sea."

•

BUDDY DE SYLVA is due on the coast tomorrow to begin his producing activities for Universal.

•

MOE SILVER, Warner theatre zone manager, returned to Albany yesterday after two days here.

•

TED SCHLANGER and LESTER KREIGER were in from Philadelphia yesterday.

•

MITCHELL KLUPT will be given a birthday party today at the Tavern by the Monday Knighters.

•

IRVING RAPPER, dialogue director for Warners, will leave for Hollywood via American Airlines on Friday.

•

TOBY GRUEN's son arrives tomorrow from Tucson, Ariz., by plane to spend the holidays here.

•

FRANK SNELL of the Van Beuren office was in Philadelphia yesterday.

•

LYNN FARNOL returned from the coast yesterday via American Airlines.

•

TOM CONNORS is back from Dallas and Chicago.

•

ART GOTTLIEB of Columbia returned from the coast yesterday.

•

STEWART MCDONALD of Warners is due to return today from Pittsburgh.

•

HERBERT MARSHALL yesterday conferred with LEO SPITZ.

•

HELEN LYND is in from the coast.

Indiana Ponders Tax

INDIANAPOLIS, Nov. 24.—A state theatre tax is under consideration by the Indiana legislative committee now in session, it was learned today. No decision has been reached as to whether the tax would take the form of a levy on tickets or a license fee.

The committee's recommendations will be made in January.

Singer's Will Is Filed

LOS ANGELES, Nov. 24.—Mme. Ernestine Schumann-Heink left an estate valued at approximately $35,000 in a will filed here today for probate. The major portion of the estate is bequeathed to the singer's five children. Medals, diplomas, etc., are given to the Smithsonian Institute at Washington.

Name 2nd B. I. P. Film

"Living Dangerously" is the title of the second B.I.P. film which G. B. will release in this country by arrangement with Budd Rogers, Alliance representative here. That a deal for a second B.I.P. film had been made was reported yesterday in MOTION PICTURE DAILY. The first was "Weekend Millionaire."

Confirmation from MGM

HOLLYWOOD, Nov. 24.—The official confirmation of William Koenig as general manager and of Joe Cohn and Norman Krasna as associate producers was issued by M-G-M today.

Koenig Luncheon Guest

HOLLYWOOD, Nov. 24.—William Koenig, named M-G-M studio manager a few days ago, was tendered a studio luncheon today to give him an opportunity to meet company executives.

"Reunion" in Portland

PORTLAND, Nov. 24.—"Reunion," in its opening day at the Orpheum here, grossed $1,800, which is five per cent over the figures obtained by "The Country Doctor." An extended run is indicated.

Warners Reopen House

Warners and Si Fabian have reopened the Griswold, Troy, for weekend operation. The two interests have a pooling deal in Troy and the Griswold has been closed for some time.

RCA in 34 Warner Spots

RCA High Fidelity sound equipment has been installed in 34 Warner houses since the first trial installation at the Stanley in Philadelphia, a few months ago.

Eby, Scofield Injured

ST. COUD, Fla., Nov. 24.—John Eby, theatre manager, and Harold C. Scofield, Orlando radio announcer, were injured in an automobile accident here.

"Pastures" in London

LONDON, Nov. 16.—"Green Pastures" will have its British premiere at the New Gallery, on Nov. 30.

Starts a New Firm

NEW ORLEANS, Nov. 24.—Mona O'Rourke, former secretary of the code board, has opened Personal Service Bureau, Inc.

they HEAR *no evil*



they SEE *no evil*

but they'll DO *plenty* GOOD



DEANNA
DURBIN
Radio's glamorous gift to the screen!



BINNIE
BARNES
Filmdom's favorite blonde menace!



ALICE
BRADY
Premiere comedienne of the screen!

The NEW

3 SMAR

Joseph Pasternak, Associate Producer

CHARLES R

The SMART BOYS WILL GIVE



they SPEAK *no evil*



to your BOX OFFICE!



RAY
MILLAND
Handsome fan idol!



CHARLES
WINNINGER
Immortal Cap'n Andy of "Show Boat"!



MISCHA
AUER
Gorilla Man of "My Man Godfrey"!

UNIVERSAL *presents*

T GIRLS

OGERS, *Executive Producer*

Directed by Henry Koster

3 SMART GIRLS" A PLAY!

"Three Men," Show Boston Top, $26,000

BOSTON, Nov. 24.—"Three Men On a Horse" and a stage show at the Metropolitan grossed $26,000, or $4,000 above par.

"The Magnificent Brute," with an N. T. G. show, drew next best with $14,000 at the RKO Boston. "Craig's Wife" and "Theodora Goes Wild" pulled $14,500 at Loew's Orpheum, $2,500 above average, while at Loew's State the same program took $12,000.

The weather turned very cold during the last three days of the week and the auto show was competition.

Total first run business was $89,000. Average is $79,500.

Estimated takings for the week ending Nov. 19:

"WEDDING PRESENT" (Para.)
"THE ACCUSING FINGER" (Para.)
FENWAY — (1,382), 30c-50c, 7 days. **Gross:** $4,500. (Average, $4,500)

"A WOMAN REBELS" (Radio)
RKO MEMORIAL—(2,907), 25c-50c-65c, 6 days, 2nd week. **Gross:** $10,500. (Average, 7 days, $12,000)

"CRAIG'S WIFE" (Col.)
"THEODORA GOES WILD" (Col.)
LOEW'S MEMORIAL—(2,970), 35c-45c-65c, 7 days. **Gross:** $14,500. (Average, $12,000)

"CRAIG'S WIFE" (Col.)
"THEODORA GOES WILD" (Col.)
LOEW'S STATE—(3,537), 35c-45c-65c, 7 days. **Gross:** $12,000. (Average, $11,000)

"THREE MEN ON A HORSE" (F.N.)
METROPOLITAN—(4,332), 35c-50c-65c. 7 days. Stage: Molly Picon. **Gross:** $26,000. (Average, $22,000)

"WEDDING PRESENT" (Para.)
"THE ACCUSING FINGER" (Para.)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $7,500. (Average, $7,000)

"MAGNIFICENT BRUTE" (Univ.)
RKO BOSTON—(3,246), 25c-50c-65c. 7 days. Stage: NTG's Stage Revue. **Gross:** $14,000. (Average, $11,000)

"Spell," Apollon Indianapolis High

INDIANAPOLIS, Nov. 24. — "Under Your Spell," plus Dave Apollon's "New 1937 Star Parade," did $9,850, over normal by $2,850, at Loew's in a week that brought the heaviest competition first runs have faced here in years.

"Come and Get It" did $7,800 at Loew's, which was $1,800 into the black. "The Longest Night" was paired with it.

Competition included the auto show, four performances of "The Great Waltz" at the Indiana, two performances by the San Carlo Opera Co. at English's, and a concert by the Indianapolis Symphony Orchestra.

Total first run business was $27,850. Average is $21,000.

Estimated takings:

Week Ending Nov. 19:
"CHARGE OF THE LIGHT BRIGADE" (W. B.)
APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $4,800. (Average, $4,000)

Week Ending Nov. 20:
"A WOMAN REBELS" (Radio)
"ROSE BOWL" (Para.)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $4,400. (Average, $4,000)

"COME AND GET IT" (U. A.)
"THE LONGEST NIGHT" (M-G-M)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $7,800. (Average, $6,000)

"UNDER YOUR SPELL" (20th-Fox)
LYRIC—(2,000), 25c-40c, 7 days. Stage: Dave Apollon and His "New 1937 Star Parade." **Gross:** $9,850. (Average, $7,000)

Philadelphia Fans Go Wild On 'Theodora'

PHILADELPHIA, Nov. 24.—"Theodora Goes Wild" ran wild at the Fox for a smashing $21,000 and was held a second week.

"Come and Get It" opened strongly at the Aldine to $13,000 for its first week, although the grosses dropped toward the end of the period. It also was held.

Nothing else held up very brilliantly in the competition. "Charge of the Light Brigade" did a fair $11,500 on its last six days at the Stanley, but "Woman Rebels" and "Tarzan Escapes" couldn't come near the average at the Boyd and Earle, respectively.

Total first run business was $80,700. Average is $80,985.

Estimated takings for the week ending Nov. 19:

"COME AND GET IT" (U. A.)
ALDINE—(1,200), 40c-55c-65c, 7 days. **Gross:** $13,000. (Average, $8,160)

"BIG BROADCAST OF 1937" (Para.) (2nd run)
ARCADIA—(600), 25c-40c-50c, 11 days. **Gross:** $4,000. (Average, 7 days, $2,800)

"A WOMAN REBELS" (Radio)
BOYD—(2,460), 40c-55c, 7 days. **Gross:** $10,000. (Average, $14,000)

"TARZAN ESCAPES" (M-G-M)
EARLE—(2,000), 25c-40c-55c, 7 days. **Gross:** $11,000. (Average, $14,000)

"THEODORA GOES WILD" (Col.)
FOX—(3,000), 40c-55c-65c, 7 days. **Gross:** $21,000. (Average, $14,000)

"ROSE BOWL" (Para.)
KARLTON—(1,000), 25c-35c-40c, 7 days. **Gross:** $2,000. (Average, $4,000)

"HERE COMES CARTER" (F.N.)
KEITH'S—(2,000), 30c-40c-50c, 6 days. **Gross:** $1,700. (Average, 7 days, $4,000)

"CHARGE OF THE LIGHT BRIGADE" (W.B.)
STANLEY—(3,700), 40c-55c, 6 days, 2nd week. **Gross:** $11,500. (Average, 7 days, $14,000)

"15 MAIDEN LANE" (20th-Fox)
STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $6,500. (Average, $7,000)

"Brigade" $8,300 New Haven Leader

NEW HAVEN, Nov. 24.—Opening to fine business on Armistice Day, with evening prices in effect all day, the eight-day run of "The Charge of the Light Brigade" at the Roger Sherman grossed $8,300, which was $3,600 over par.

"Craig's Wife" and "Two-Fisted Gentleman" at the College went $1,200 over the $2,800 mark.

Record crowds at the automobile show, a packed Boston Symphony Concert and the sudden drop in temperature affected grosses.

Total first run business was $24,600. Average is $19,300.

Estimated takings for the week ending Nov. 20:

"CRAIG'S WIFE" (Col.)
"TWO-FISTED GENTLEMAN" (Col.)
COLLEGE—(1,499), 25c-35c, 7 days. **Gross:** $4,000. (Average, $2,800)

"TWO IN A CROWD" (Univ.)
"ROSE BOWL" (Para.)
PARAMOUNT—(2,348), 35c-50c, 7 days. **Gross:** $4,800. (Average, $4,800)

"TARZAN ESCAPES" (M-G-M)
"UNDER YOUR SPELL" (20th-Fox)
POLI—(3,040), 35c-50c, 7 days. **Gross:** $7,500. (Average, $7,000)

"CHARGE OF THE LIGHT BRIGADE" (W. B.)
ROGER SHERMAN—(2,200), 35c-50c, 8 days. **Gross:** 8,300. (Average, $4,700)

Para. to Add Star

Paramount will add a star to its trade mark for Adolph Zukor's Silver Jubilee, making the total 25.

The drive will get under way Jan. 7, Zukor's birthday.

"Cain," Show $17,000 Lead In St. Louis

ST. LOUIS, Nov. 24.—"Cain and Mabel," with a stage show, was the big draw of the town, $17,000 at the Ambassador. Average is $9,000.

"The Charge of the Light Brigade" at the Fox accounted for $15,850, beating average by $1,850. "Libeled Lady" in its final six days at Loew's did $11,000, or $1,000 above average. It was the second week of its run.

The weather was favorable. There was no serious outside opposition with the possible exception of a stage show at the American.

Total first run business was $73,850. Average is $61,000.

Estimated takings for the week ending Nov. 12:

"CAIN AND MABEL" (W.B.)
AMBASSADOR — (3,018), 25c-40c-55c, 7 days. Stage: vaudeville. **Gross:** $17,000. (Average, $9,000)

"CHARGE OF THE LIGHT BRIGADE" (W.B.)
FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $15,850. (Average, $14,000)

"LOVE BEFORE BREAKFAST" (Univ.)
GRAND OPERA HOUSE—(2,200), 25c-35c, 7 days. Stage: Vaudeville. **Gross:** $2,600. (Average, $2,500)

"LIBELED LADY" (M-G-M)
LOEW'S — (3,162), 25c-35c-55c, 6 days. **Gross:** $11,000. (Average, $10,000)

"UNDER YOUR SPELL" (20th-Fox)
"EAST MEETS WEST" (G.B.)
MISSOURI — (3,514), 25c-40c, 7 days. **Gross:** $10,100. (Average, $9,000)

"BIG BROADCAST OF 1937" (Para.)
"WITHOUT ORDERS" (Radio)
ORPHEUM—(1,950), 25c-35c-55c, 7 days. **Gross:** $8,800. (Average, $6,000)

"KING OF THE ROYAL MOUNTED" (20th-Fox)
"SITTING ON THE MOON" (Republic)
SHUBERT-RIALTO—(1,725), 20c-25c, 7 days. **Gross:** $2,700. (Average, $3,500)

"GIVE ME YOUR HEART" (W.B.)
ST. LOUIS — (4,000), 25c-40c, 7 days. Stage: Vaudeville. **Gross:** $5,800. (Average, $7,000)

Title Plan Starts Jan. 1

LONDON, Nov. 17.—It was stated by the secretary of the Film Group of the Federation of British Industries today that the scheme of title registration initiated by the group would probably begin to operate on Jan. 1. Formal approval by the councils of the K. R. S. and C. E. A. has still to be received, but is taken for granted. Cooperation with the Hays office in America is also confidently anticipated, as a result of communications with Governor Milliken.

Dixey May Sell Stock

LONDON, Nov. 17.—Formal registration of the Independent Exhibitors' Distribution Co., Ltd., may be followed by a public flotation for £500,000, it is reported here. Exhibitors' meeting, to obtain increased support for the I. E. D. C. of cooperative distribution, are still in progress in difficult areas such as Lancashire, where the first response was disappointing.

"Three Men" Kansas City Top, $10,200

KANSAS CITY, Nov. 24.—During a week of ideal Indian summer weather, and with no noteworthy outside competition, first runs did only a mild business. "Three Men on a Horse," with a take of $10,200, was $2,200 over par at the Mainstreet. It was moved to the Newman.

"Without Orders" gave the Tower $7,400, $900 up, a good showing, while "Come and Get It" and "Legion of Terror" took $11,200 at the Midland, $300 over average.

Total first run business was $37,900. Average is $37,000.

Estimated takings:

Week Ending Nov. 19:
"THREE MEN ON A HORSE" (W.B.)
MAINSTREET—(3,100), 25c-40c, 7 days. **Gross:** $10,200. (Average, $8,000)

"COME AND GET IT" (U.A.)
"LEGION OF TERROR" (Col.)
MIDLAND — (4,000), 25c-40c, 7 days. **Gross:** $11,800. (Average, $11,500)

"THE MAN I MARRY" (Univ.)
NEWMAN — (1,900), 25c-40c, 7 days. **Gross:** $4,500. (Average, $7,000)

"WITHOUT ORDERS" (Radio)
TOWER—(2,200), 25c, 7 days. Stage: Burns & White, William Ebs, Arthur Le Fleur & Co., Al Schwartz, and the Australian Whipcrackers. **Gross:** $7,400. (Average, $6,500)

"PIGSKIN PARADE" (20th-Fox)
UPTOWN—(2,000), 25c-40c, 7 days, 3rd week. **Gross:** $4,000. (Average, $4,000)

"Tarzan" in Fast Start at Houston

HOUSTON, Nov. 24. — "Tarzan Escapes," which came near breaking an attendance record at Loew's State opening day, ran up a total of $8,500 to better average by $1,500. Other grosses were low.

"The Charge of the Light Brigade" at the Metropolitan took $6,700. Average is $7,000. "The Magnificent Brute" at the Majestic was off $900 on a gross of $6,100.

The weather was cool and crisp, chief opposition being night football and small night clubs.

Total first run business was $26,300. Average is $26,000.

Estimated takings for the week ending Nov. 19:

"STATE FAIR" (20th-Fox)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,000. (Average, 7 days, $5,000)

"ABSOLUTE QUIET" (M-G-M)
KIRBY—(1,450), 15c-35c, 1 day. Bank Night. **Gross:** $1,000. (Average, 7 days, $5,000)

"EAST MEETS WEST" (G. B.)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,000. (Average, 7 days, $5,000)

"TARZAN ESCAPES" (M-G-M)
LOEW'S STATE—(2,750), 25c-50c, 7 days. **Gross:** $8,500. (Average, $7,000)

"THE MAGNIFICENT BRUTE" (Univ.)
MAJESTIC—(2,250), 25c-50c, 7 days. **Gross:** $6,100. (Average, $7,000)

"CHARGE OF THE LIGHT BRIGADE" (W. B.)
METROPOLITAN—(2,600), 25c-50c, 7 days. **Gross:** $6,700. (Average, $7,000)

Open Prague Color Lab

WASHINGTON, Nov. 24.—A new laboratory, Sunfilm, is being completed in Ruzyn, a suburb of Prague, Czechoslovakia, for the purpose of developing and making prints in natural colors from color films, according to a report to the U. S. Dept. of Commerce.

'E TOLD YOU IT WAS GOOD!

HE TRADE PRESS CALLED IT SWELL!

NOW THE BOX OFFICE IS SHOUTING

THE SAME STORY

THE DIONNE QUINTUPLETS

and the year's most important cast *in*

REUNION

with

JEAN HERSHOLT

ROCHELLE HUDSON • HELEN VINSON • SLIM SUMMERVILLE
ROBERT KENT • JOHN QUALEN • DOROTHY PETERSON • ALAN DINEHART • J. EDWARD BROMBERG • SARA HADEN • MONTAGU LOVE • TOM MOORE • GEORGE ERNEST • ESTHER RALSTON

Scenes of the Dionne Quintuplets photographed under the Technical Supervision of Dr. Allan R. Dafoe

Directed by Norman Taurog

Screen play by Sam Hellman, Gladys Lehman Sonya Levien. Based on a story by Bruce Gould

Darryl F. Zanuck
in Charge of Production

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

YOURS FOR HOLD-OVERS

Germany to Release 154 Domestic Films

By J. K. RUTENBERG

BERLIN, Nov. 15.—A total of 154 German-made films will be exhibited in this country during the current season, with more than 58 per cent already completed. Ufa heads the list with 30, Tobis-Europa has 24, Tobis-Rota and Syndikat, 22 each; Bavaria, 20; Terra, 14 and miscellaneous, 22.

The total of releases is expected to reach an additional 25, grouping the scheduled releases of M-G-M, Paramount and Twentieth Century-Fox.

* * *

The State Film Chamber is supervising an extensive series of tests among distributors and exhibitors relative to use of non-flam film. The results of the tests, which are expected to be ready by next spring, are to govern a decision on the possible printing of all 35 mm. films on safety film exclusively.

Hays Dinner Dec. 1

LONDON, Nov. 24.—The F. B. I. Film Group dinner to Will H. Hays, president of the M. P. P. D. A., and now visiting Europe, will be held on Dec. 1, at the Mayfair. Invitations have gone out to all film executives in this country.

Hays Sees Mussolini

ROME, Nov. 24.—Will H. Hays had a conference yesterday with Premier Mussolini on the problems of releasing funds of American distributors for export to the United States.

Fred Astaire to Solo

HOLLYWOOD, Nov. 24.—Fred Astaire will be starred individually by RKO, it was stated today by the studio. His first assignment will be "Damsel in Distress" by P. G. Wodehouse with music from the pens of George and Ira Gershwin. George Stevens will direct.

Jack Cohn East by Plane

HOLLYWOOD, Nov. 24.—Jack Cohn left for New York today by American Airlines.

Expect Crowd at Party

More than 1,000 are expected to turn out tonight for the annual dinner and dance to be held at the Astor by the M. P. Salesmen, Inc. The profits, which are expected to total about $10,000, will go towards a charity fund being maintained by the organization for the local industry's needy. More than a dozen headliners are scheduled to appear. Milton Berle will be master of ceremonies.

LeMaire Assoc. Producer

HOLLYWOOD, Nov. 24. — Rufus LeMaire today was named an associate producer at Universal in a general executive rearrangement. "Be It Ever So Humble" is his first assignment.

Val Paul was also given a new contract.

France Honors Steiner

HOLLYWOOD, Nov. 24.—Max Steiner, Selznick International musical director, has received word that he has been elected to the French Academy.

Coward and Miss Lawrence Brilliant in Clever Plays

(Continued from page 1)

Sea" to tragedy in "The Astonished Heart" and to broad comedy in "Red Peppers" and encountered nary a stumble as he went.

In order. "Hands Across the Sea," a 27-minute sketch pokes gentle and not so gentle fun at the British social system which might and could be and actually is the social system of any other land as well. It has merely the whisp of a plot and has to do with the unexpected arrival in London of a British rubber planter and his wife, both of whom had entertained Gertrude Lawrence and friend on a Far Eastern tour 'way back yonder. Everybody at one time or another has been in the identical fix. Miss Lawrence fails to remember them, of course, finds them on her hands and carries off the situation embarrassingly, but well, only to discover she had confused the pair with another couple who also entertained in the Orient and happened to be back home at the same time. Nothing happens, but nothing is supposed to. It is a delightful and extremely amusing skit with the honors gathered up in one large bouquet for Miss Lawrence and her high comedy sense. Coward here is merely the husband, has little to do yet does that little with insouciance and charm.

Love, as Laboratory Study

"The Astonished Heart," magnificent in title and excellent in the writing, is in six scenes and 52 minutes. The author here uses a straight motion picture technique in a series of flashbacks. A noted psychiatrist, Coward meets Miss Lawrence, a school chum of his wife, Joyce Carey. They fall in love with each other, he unintentionally and she, by design. Caught up in his own knowledge of the complexities of human behavior, Coward wrecks Miss Lawrence's affection and desire for him through the fatal error of allowing his science to dissect her emotions. Wracked by his own internal conflict between desire and cool reason, the fury of the struggle proves beyond him. His wife, involved and fighting, attempts to remain detached long enough to aid him reason things out. Her effort fails, Coward commits suicide and Miss Lawrence is left to whatever memories may comfort her. This play, intelligent and psychological, is essentially Coward's. He has a long and difficult soliloquy and acquits himself with distinction. Here, Miss Lawrence's mood changes abruptly from comedy to drama, a gap which she bridges in a manner that, also, bespeaks much for her histrionics.

Also as Vaudevillians

"Red Peppers," the final half hour, is widely apart from the preceding two. Coward and Miss Lawrence here are the worst kind of English vaudevillians, playing the northern provinces in the days immediately preceding the onrush of motion pictures. They fight, they ham, they sing, they dance, they tell old chromos for jokes, they remain true to themselves and their profession and provide two characterizations which, when sum totaled to the initial two, leave an impress about their wholesale cleverness which is perhaps ineptly described as amazing.

These three plays are to be followed by three more on Friday and a final trio on Monday. "The Astonished Heart" might make a film, but a dubious one commercially. Aside from the brilliance of the premiere, last night had a special significance for Hollywood and that significance has its orbit and its firmament in Coward and Miss Lawrence. Both, of course, have done picture work.

They can do much more. Such talent should be harnessed, if only it could be made willing to enlarge its horizon for the greater audience of the films to enjoy.

It's in Vancouver

Vancouver, Nov. 24.—If Clark Gable is wondering where his new English automobile is, he can find it in Vancouver. The car, a custom-built model on an English Ford V-8 chassis, was shipped from England via the Panama Canal to Los Angeles, but could not be unloaded because of the strike. The car is now on a local wharf.

Salary "Expose" to Feature Ohio Meet

COLUMBUS, O., Nov. 24.—An "expose" of the salaries paid certain film executives in producing and distributing companies will be one of the features of the fourth annual convention of the Ohio I. T. O., which has been set for the Deshler-Wallick here Dec. 1 and 2, according to P. J. Wood, secretary.

Among the speakers will be Abram F. Myers, Allied States general counsel; Gov. Martin L. Davey, Pete Harrison, Attorney General-elect Herbert S. Duffey and members of the state legislature. Various equipment companies will have exhibits at the convention.

Union Deal Due Soon

The agreement among New York theatres. Local 306 and the Allied Union, now being worked out by legal representatives of the two unions and the I.T.O.A., is expected to be completed in 10 to 14 days, it was learned yesterday. The agreement will provide for the absorption by 306 of Allied and an increase in booth costs in some instances.

Postpone Fox Hearing

ATLANTIC CITY, Nov. 24.—Further examination of witnesses in the William Fox bankruptcy case was postponed again today by Federal Referee Robert E. Steedle for one week. Some of the lawyers were still tied up in Federal Court at Camden on another case.



The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 126 NEW YORK, FRIDAY, NOVEMBER 27, 1936 TEN CENTS

Paramount's Quarter Net $2,013,764

Gain Over 1st 6 Months; Applied to Surplus

Net income of $2,013,764 is reported by Paramount for the third quarter and this sum has been transferred to surplus.

Operating earnings before provision for undistributed earnings tax, but after provision for estimated normal income tax and after applying $200,000 of the inventory reserve set up Dec. 28, 1935, were $1,609,224. To this sum was added $695,787 in the form of dividends from non-consolidated subsidiaries and $14,503 from foreign exchange adjustments, making the total credited to income $2,319,514.

Interest of $357,725 on debentures of Paramount Pictures, Inc., was deducted, leaving $1,961,789 as the income from operations for the quarter. This was increased by $51,975, a profit on the purchase of debentures of Paramount Pictures.

In the first quarter $718,921.80 was transferred to surplus, after applying $800,000 of the inventory reserve, and in the second quarter a loss of $476,000 was transferred to surplus after applying $800,000 of the inventory reserve.

A note attached to the report reads: "Of the excess costs of certain

(*Continued on page 17*)

"Romeo" at $198,772 In Run of 14 Weeks

Approximately $198,772 was grossed by "Romeo and Juliet" in the 14-week run at two-a-day prices at the Astor. Opening Aug. 20, the picture held to better than $10,000 a week until Nov. 1, when the tally tapered to $8,900. For the first four days the take was $12,150; the last two days, $1,375. Before the opening and during the first few weeks after

(*Continued on page 18*)

Film Concessions Reported in Italy

Italian restrictions on the importation of American films to that country have been eliminated entirely and the curbs on the withdrawal by American film companies of their Italian credits have been considerably lessened, the *Associated Press* reported from Rome on Wednesday.

At M.P.P.D.A. headquarters here it was said that no confirmation of the

(*Continued on page 18*)

Separate Film Conference Is Capital Plan

Aim to State Problems Of the Industry

A separate meeting of industry representatives is planned by the National Council for Industrial Progress at Washington on Dec. 10 and 11 at which film and theatre executives will be given an opportunity to advise Administration officials of ways in which Government can cooperate in making possible wage and hour and trade practice provisions, it is learned.

Indications are that notices of the meeting will be sent out to company heads and all trade organizations from Washington within the next few days.

The meeting will be held at the same time as the sessions for general industries which were called earlier by Major George L. Berry, the Administration's industrial coordinator, but will be held entirely apart from

(*Continued on page 18*)

Ostrer West-Bound For Schenck Talks

Isidore Ostrer, president of G. B., left for the coast by train Wednesday to confer with Joseph M. Schenck and Sidney R. Kent at Palm Springs. He is expected to be gone a fortnight. A. C. Blumenthal, who has been playing an active part in the negotiations by Loew's and Twentieth Century-Fox, also left Wednesday for Cali-

(*Continued on page 17*)

The Authority

Picturing in one sequence of its latest issue the development of the Federal Theatre Project, the March of Time points to the prospect of Federal theatre units going into picture houses, and cites as its authority *Motion Picture Daily*, using the paper's running head on the screen, and the story published Nov. 17, which was headed, "Federal-NBC Units to Use Film Houses."

Universal in Music Tieup With Robbins

Universal on Wednesday concluded a 20-year arrangement with Robbins Music Corp. and Leo Feist, Inc., whereby the catalogues of both Robbins and Feist will be available for use in Universal pictures.

The contract, which was negotiated over a period of six months, was signed by R. H. Cochrane, president, for Universal, and J. J. Robbins, head of Robbins, for the two music publishing companies. It is said to be the first contract of its kind ever entered into by Universal.

In connection with the arrangement, Universal has organized a new subsidiary, Universal Music Corp. Its officers are Cochrane, president; J. Cheever Cowdin, Universal's board chairman, vice-president; Willard S.

(*Continued on page 17*)

Picks "Ziegfeld" as Best In '36 Over Nat'l Network

"The Great Ziegfeld" leads off the list of Elza Schallert's 10 best of the year which she will broadcast tonight at 10:45 P. M., E. S. T., on her regular program over the NBC-Blue. Mrs. Schallert is NBC's official commentator on Hollywood matters and her poll is an annual affair with her. The program is a sustainer.

The remaining nine will be:

"Mutiny on the Bounty"—M-G-M.

"Story of Louis Pasteur"—Warners.

"Little Lord Fauntleroy"—Selznick International-United Artists.

"Mr. Deeds Goes to Town"—Columbia.

"Romeo and Juliet"—M-G-M.

"Anthony Adverse"—Warners.

"My Man Godfrey"—Universal.

"A Midsummer Night's Dream"—Warners.

"These Three" — Goldwyn-United Artists.

In addition, she will broadcast an

(*Continued on page 11*)

Additional Radio News on Page 11

20th-Fox for Cancellation, Conciliation

Kent Offers Liberalized 10% Cuts to MPTOA

Twentieth Century-Fox has subscribed to a liberalized 10 per cent cancellation privilege and full support of the national system of local conciliation boards, it was disclosed on Wednesday with the release of a communication from Sidney R. Kent, president, to Ed Kuykendall, M.P.T.O.A. president, which sets forth the distributor's position in reference to the 10-point trade practice program sponsored by the M.P.T.O.A.

The reply is the second to be made by a national distributor, Universal having first defined its concessions on the program three weeks ago.

Twentieth Century-Fox offers no change in its policy on collection of the score charge, which, Kent's letter states, will continue to be based on "individual policy" as in the past. A flat refusal to refrain from demanding preferred playing time for percentage pictures is set forth in the letter and no change in the company's policy of selling short subjects and features on a related percentage of playing time is offered. In addition, Kent's letter offers no encouragement for the setting up of uniform protection and clearance schedules and casts doubt upon the legality of the M.P.T.O.A.'s

(*Continued on page 17*)

Kuykendall Calls Kent Reply "Step"

Twentieth Century-Fox's response to the M.P.T.O.A.'s 10-point trade practice program was described as a "definite step in the right direction" and one which "will afford immediate benefits to independent exhibitors," in a letter from Ed Kuykendall, M.P.T.O.A. president, accompanying a copy of the distributor's statement.

Kuykendall's letter intimated some

(*Continued on page 17*)

"Lloyds of London" Premiere at Astor

To the accompaniment of popping flashlights and popping eyes, all directed at individual celebrities which helped to swell an overflow audience, "Lloyds of London" opened Thanksgiving Eve at the Astor. The show lasted two hours and three minutes.

Among those who witnessed the

(*Continued on page 17*)

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Bids on McVickers Opened in Chicago

CHICAGO, Nov. 26.—The Chicago school board met today to open bids for the McVickers Theatre. The name of the buyer will be made known probably on Monday.

It is understood here that B. & K. has made the highest bid and will get the house provided their figure meets with the approval of the board.

Issue Contempt Order

BALTIMORE, Nov. 26.—A contempt of court citation has been issued by Judge Joseph N. Ulman against Samuel Cummins, Eureka Prod., Inc., and the Europa for alleged display of stills from censored portions of "Ecstacy." The censor board has been authorized to suspend the theatre license.

Uphold "Ecstacy" Ruling

ALBANY, Nov. 26.—The Court of Appeals has affirmed a decision of the Appellate Division in refusing to punish Joan of Arc Pictures, Inc., and Sherman S. Krellberg for contempt of court in connection with the showing of a film using the word "Ecstacy."

Purely Personal

MITCHELL KLUPT'S birthday party at the Tavern Wednesday was attended by AL HOVELL, HARRY SHIFFMAN, CHARLES MOSES, BOB WOLFF, JOE HORNSTEIN, ARTHUR FISHER, MAX A. COHEN, LEO ABRAMS, IRVING WORMSER, HENRY RANDEL, MORRIS KUTINSKY, EDWARD RUGOFF, SAM RINZLER, LOUIS FRISCH, EDWARD GOLDEN, EDWARD HYMAN, EDWARD M. SCHNITZER, HERMAN GLUCKMAN, HARRY LAVINE, LEO JUSTIN, HARRY H. THOMAS, HENRY BROWN, and others.

•

LARRY BEATUS, Loew district manager, and JOHNNY MURPHY, assistant to JOSEPH R. VOGEL, left for the coast yesterday on their first visit to Hollywood. They will visit Los Angeles, Palm Springs, San Francisco, Denver (Beatus' stamping grounds), St. Louis, and then back by Dec. 15.

•

BILL DOVER, Twentieth Century-Fox studio personnel head, left for the coast by train Wednesday. LOU IRWIN took a plane out yesterday.

•

JOHN D. CLARK plans to leave for a month's vacation in Honolulu in January. He says he has made seven trips to the coast this year.

•

LEWIS MILESTONE, WILLARD and Mrs. McKAY, CHARLES B. PAINE, RALPH ROLAN, REGINA CREWE and others lunching at "21."

•

BOBBY BREEN is due from Boston tomorrow. He is in the Hub city today rehearsing for EDDIE CANTOR'S broadcast Sunday night.

•

BONAR RUSSELL, head of the financial group interested in General Pictures, left Wednesday for Hollywood after 10 days here.

•

HERBERT J. YATES was visiting his son in Culver, Ind., yesterday and is due in Hollywood Dec. 4 for a stay of a week or 10 days.

•

W. H. FAWCETT, president of Fawcett Publications, gave a cocktail party Wednesday in the new offices at 1501 Broadway.

•

RUTH SCHWERIN will be back on the job at Blackstone Agency on Monday. She's been recuperating from an injured ankle.

•

MARGOT, Mexican star, reached New York Wednesday to attend the opening of "Winterset" at the Music Hall.

•

HERMAN ROBBINS, president of National Screen Service, arrived in Hollywood from New York yesterday.

•

H. C. POTTER, director, will leave for the coast tomorrow by train after a visit to see plays and football games.

•

AARON PINES, who has been identified with Paramount in South America, is in New York.

•

KARL MCDONALD is due to return today from a three-week trip to the West Indies.

Maybe Not

Eddie Rugoff the other day asked Morris Kutinsky how business was. The answer, from one exhibitor to another was:

"Why should I tell you? Does Macy's ask Gimbels?"

Mrs. ARTHUR MAYER returned from a short vacation in California Wednesday.

•

NELSON ROCKEFELLER left Wednesday by American Airlines for Fort Worth.

•

MRS. HAL HORNE is in from the coast to spend the holidays with her family.

•

C. C. WILKENNING, agent, is planning a trip to the coast shortly.

•

ZASU PITTS is on the *Normandie* for her first trip abroad.

•

BILL POWERS returned Wednesday from Chicago.

•

. . . London

CHILI BOUCHLER, contract star of Warners' British unit, engaged to TEDDY JOYCE, band leader. Marriage will be celebrated in New York.

WILLIAM A. WYLER in on vacation.

JESSIE MATTHEWS and husband SONNIE HALE taking a health-holiday over Christmas.

•

. . . Los Angeles

NEWTON JACOBS buying a toaster and some card tables for the club rooms at the Radio exchange.

GEORGE A. HICKEY, western division manager for M-G-M, resting in Palm Springs after several months of almost steady traveling.

KAY RICHARDS is remodeling the old Springerville Theatre in Springerville, Ariz., and will reopen it shortly.

•

. . . Omaha

CHARLES LEE has bought the Marion at Marion, S. D., from J. A. FLACK.

PEARL RETZ has sold the Gem at Beemer, Neb., to RAYMOND DAHL.

C. H. MOFFETT has sold the Gibbon at Gibbon, Neb., to H. S. BEUCK.

NYNEE LEFHOLTZ, once a member of the Lefholtz Sisters trio of Orpheum time and daughter of HARRY LEFHOLTZ, who was manager of Universal's exchange here for 12 years, has announced her engagement to JOE SCOTT, Omaha manager for Twentieth Century-Fox.

Talk Colored Operators

CHICAGO, Nov. 26.—A decision concerning the use of colored operators in theatres catering to negro trade exclusively will be forthcoming next week, according to Frank Clifford, head of the local operators' union.

A group of negroes has been picketing Warners' Metropolitan in an attempt to get negro operators. Clifford demanded that the picketing be discontinued before the holding of the conference at which it is planned to settle the differences.

The forthcoming decision will affect about six local houses in the colored district.

McLaglen and Troop Again Draw Protest

Victor McLaglen is incurring the active opposition of many varied interests in the country for his activity in his Light Horse troop in Hollywood, according to *Motion Picture Herald*, out today. The purpose of the group, said the actor, is to "fight for America," but its militaristic character has not met with complete sympathy.

An initial organized exhibitor protest came from Allied Theatres of Connecticut, which wrote of its disapproval to Will H. Hays, president of the M.P.P.D.A., and saw the McLaglen group conception as potentially "a political subterfuge as dangerously expressed by a few maniacs during our recent presidential election."

McLaglen, speaking to the Associated Press, declared the original purpose of the organization was not militaristic. "It is no more militaristic in intent than any fraternal organization," he insisted. The Light Horse was organized three years ago in Hollywood, and is the only unit of its type in the state. A rival group, the Hollywood Hussars, was formed two years ago but was disbanded some time ago. An air force unit of the Light Horse was organized recently with branches in San Diego and Long Beach, a private field in San Diego, and 50 private planes and 120 men at its disposal. The whole group, said McLaglen, is non-profit and self-supporting.

Ohio ITO Will Hear Dargusch on Taxes

COLUMBUS, Nov. 26.—Carlton S. Dargusch, vice-chairman of the Ohio Tax Commission, will address the Ohio I.T.O. convention here, Dec. 1 and 2, on the recent abolition of sales tax on food, and the possibility of reinstatement of the 10 per cent admission tax, suggested as a means of partially compensating the deficit to the state caused by the food tax elimination.

Ohio exhibitors also are faced with the possibility of a three per cent sales tax on film rentals.

Officers Reelected For U. A. Theatres

All directors and officers of United Artists Theatres Corp. have been reelected at meetings held here and in Baltimore earlier in the week. The directors who will continue for another year are Joseph M. Schenck, William Phillips, Dennis F. O'Brien, Lee Shubert, Bertram S. Nayfack, Harry D. Buckley, Joseph H. Moskowitz, A. H. Frisch and Willard V. King.

Officers being continued are Schenck, president; Phillips, vice-president and treasurer; O'Brien, vice-president; Nayfack, secretary; and Alfred M. Greger, comptroller.

Call Empire Hearing

Creditors of Empire Laboratories, Inc., have been notified that a hearing will be held Dec. 8 in the Jersey City Postoffice Bldg. by Referee John Grimshaw, Jr., on whether trustees will be empowered to settle and adjust claims against Victor Rico, Arthur Sanchez, Kleinerman, Sov-Am Film Corp., Samuel Cummins and others.


20th CENTURY-FOX
presents ITS PROUDEST
ACHIEVEMENT
LLOYDS
OF
LONDON

THE HEROIC SURGE OF "CAVALCADE"!



THE BREATH-TAKING PAGEANTRY OF MIGHTY NATIONS AT COMBAT . . . and the impassioned love of a lady of rank and a man branded "traitor"!

THE THUNDER OF CANNON AT THE BATTLE OF TRAFALGAR . . . and a touching boyhood pact that only death could break!

THE FOUNDING OF BRITAIN'S INVINCIBLE SEA-POWER . . . and one man who lied heroically to save it from destruction!

AN EMPIRE OF GOLD THAT COULD MAKE OR BREAK A KINGDOM . . . and its romantic beginnings in an obscure coffee house!

Ring Twice—
For Good News!
Ring Once—
For Disaster!

Tensely your audiences will listen as this unsleeping sentinel of a turbulent world signals the march of great events!

PRINTED IN U.S.A.

THE EMOTIONAL POWER OF "ROTHSCHILD"!



LLOYDS OF LONDON

THE FLAMING COURAGE
THE EMOTIONAL GLORY

The screen has known no mightier moment than the stirring climax of this spectacular drama—powerful as a tidal surge . . . intimate as a woman's secret soul!

He gambled his life and his country on a lie only a hero dared tell!



His loyalty to a boyhood pact gave the world the mightiest moment it has known!

She trusted her heart and her fortune to the man a nation branded "traitor"!

OF ONE MAN'S LIE . . .
OF ONE WOMAN'S LOVE!



LLOYDS OF LONDON

Freddie *starring* *Madeleine*

BARTHOLOMEW *and* CARROLL

with

SIR GUY STANDING · TYRONE POWER

C. AUBREY SMITH · VIRGINIA FIELD

AND A MAMMOTH CAST

Directed by Henry King

Associate Producer Kenneth Macgowan. Screen play by Ernest Pascal and Walter Ferris. From a story by Curtis Kenyon.

20th CENTURY FOX

Darryl F. Zanuck
in Charge of Production

SALVOS OF APPLAUSE

SWEEPS ACROSS



When "Lloyds of London" plays your theatre, you will share the prestige and our justified pride in the greatest picture 20th Century-Fox ever produced!

For "Lloyds of London" is first and always aimed straight at your audiences!

It has a warm and deeply emotional love story . . . as wide in appeal as the human heart.

It has breath-taking spectacle . . . fully and powerfully to convey the vastness of its dramatic scenes.

It has an outstanding cast . . . inspired! But the picture has that quality of greatness which transcends any individual performance . . . however brilliant!

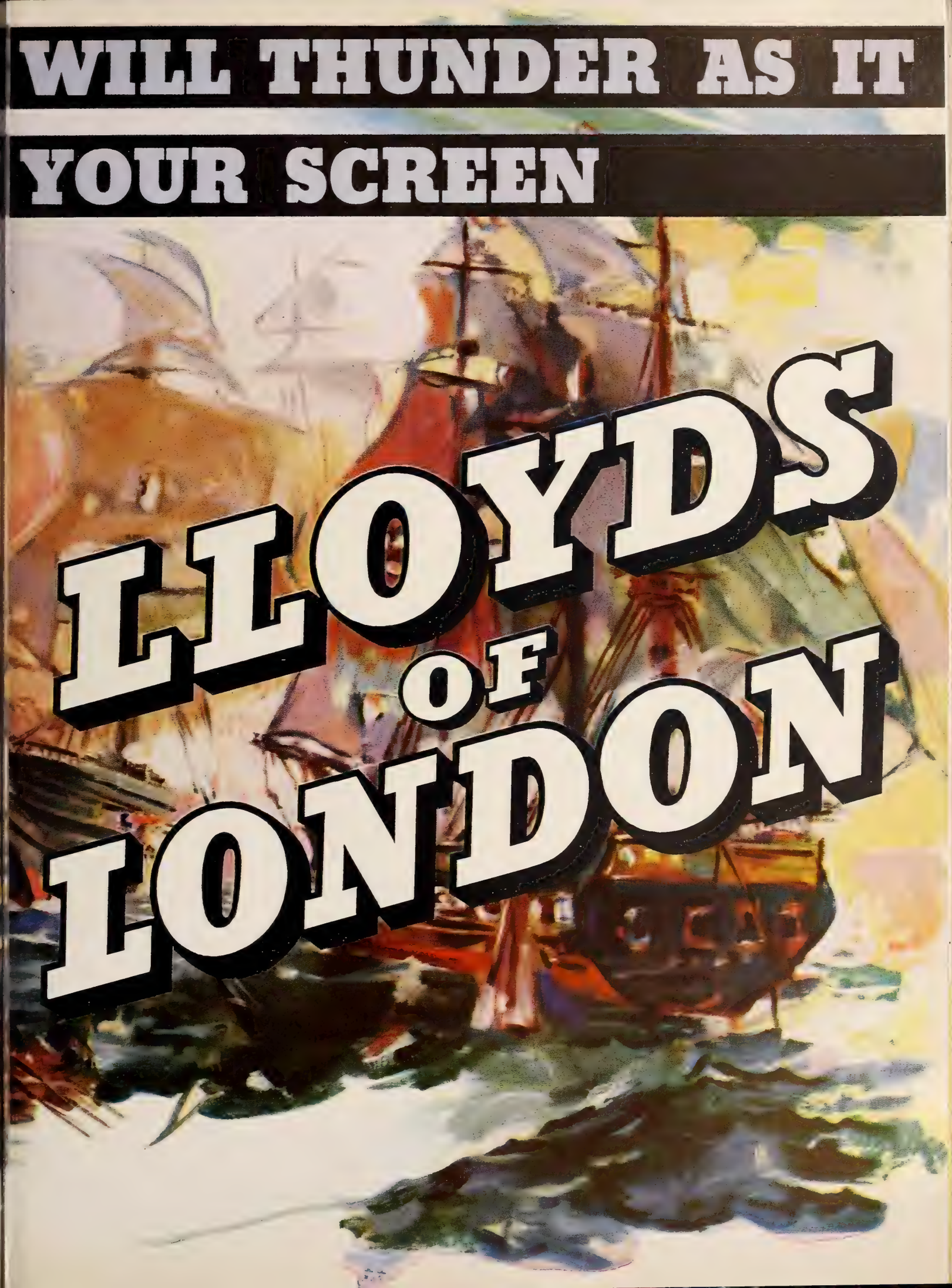
It has the understanding direction of Henry King . . . second to no one for his record of important pictures.

And above all . . . it is backed by the unequalled organization and showmanship genius of 20th Century-Fox.

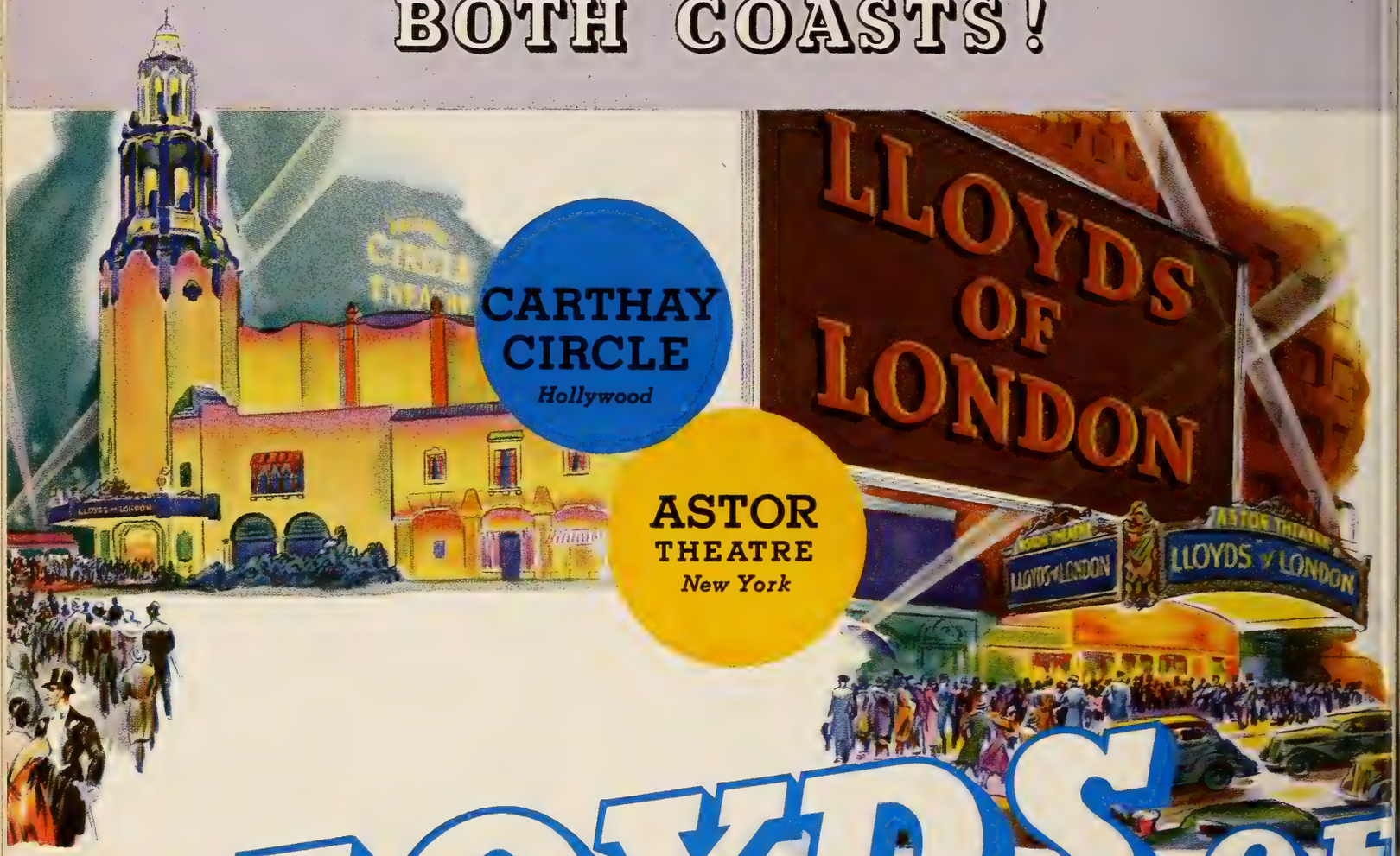
It is 20th's sincere conviction that when the roll of 1937's biggest box-office successes is called . . . "Lloyd s of London" will head the list!

WILL THUNDER AS IT

YOUR SCREEN



NOW DOING SMASH BUSINESS AS A TWO-A-DAY ATTRACTION AT ADVANCED PRICES ON BOTH COASTS!



LLOYDS OF LONDON

ONE OF THE GREAT PICTURES OF ALL TIME!

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Film Trade on Air Tonight Over NBC

HOLLYWOOD, Nov. 26.—The film industry will be featured on a broadcast Friday night over both the Red and Blue networks of NBC under the program title, "The Forward Industries." Jesse L. Lasky will represent the films as spokesman.

The citrus industry also will be represented.

KEHE to Switch Dec. 8

HOLLYWOOD, Nov. 26.—KEHE will switch to its new transmitter with increased power Dec. 8. The dedication program will last three hours.

Ground has been broken for the new main studio building on Vermont Ave. New features will include electric clockers to tabulate audience attendance at "live shows"; light sensitive cells to automatically control lighting, air conditioning throughout the building and an artists' lobby.

Fred R. Jones, with the Hearst organization in New York, will be publicity director. "Doc" Power is currently filling the post.

Armstrong on KDKA Staff

PITTSBURGH, Nov. 26.—Bernie Armstrong, for a long time solo organist at the Stanley and later the Alvin, has been named staff organist at KDKA. Armstrong is also featured in several commercial programs weekly.

His wife, Dorothy Bushey, is also on KDKA in a couple of commercial spots as well as a weekly program with her husband. She worked as a personality girl at both the Enright and Stanley with Dick Powell when he was a master of ceremonies here.

Oppose St. Petersburg Permit

ST. PETERSBURG, Fla., Nov. 26.—Following announcement that an examiner had recommended that the Federal Communications Commission grant Earl Weir of St. Petersburg a permit to build another radio station here, counsel for WFLA and WSUN decided to appear before the commission and question Weir's claim of financial backing.

WIND Victor Over WGN

CHICAGO, Nov. 26.—Federal Judge Philip Sullivan yesterday handed down a decision in favor of Station WIND, awarding to the owners exclusive broadcasting rights to the Cardinals-Bears football game on Sunday. The decision prevents WGN from broadcasting the game as planned.

Taplinger Handling Jolson

HOLLYWOOD, Nov. 26.—The Robert Taplinger publicity office has taken over the Al Jolson program which gets under way Dec. 14. Martha Raye and Sid Silvers have been set for the program.

Louise Fitch in New Post

OMAHA, Nov. 26.—Louise Fitch, former continuity writer for KOIL, has made her debut as network continuity writer with the new chewing gum serial, "Mortimer Gootch," on CBS at 6 P.M., Omaha time, Fridays.

KOL Gets Symphony

SEATTLE, Nov. 26.—Station KOL here has been added to the nation-wide chain that will broadcast the Philadelphia Symphony Orchestra's programs.

Picks "Ziegfeld" as Best In '36 Over Nat'l Network

(*Continued from page 1*)

Honor Roll of 10, the winners being these:

"Tale of Two Cities"—M-G-M.
"White Angel"—Warners.
"To Mary—with Love"—20th Century-Fox.
"Nine Days a Queen"—G. B.
"Rose Marie"—M-G-M.
"Dodsworth"—Goldwyn-United Artists.
"Swing Time"—RKO.
"The General Died at Dawn"—Paramount.
"San Francisco"—M-G-M.
"The Big Broadcast of 1937"—Paramount.

Because of lateness of release, the air critic has not considered "The Garden of Allah" (Selznick-U. A.), "Winterset" (RKO), "Camille" (M-G-M), "Lloyds of London" (20th Century-Fox) which opened simultaneously last night at the Astor, New York and the Carthay Circle, Hollywood, and "The Charge of the Light Brigade" (Warners).

Mrs. Schallert's selections are based on:

1. The contribution of each film to the highest advancement of the screen.
2. The general artistic quality of each production.
3. Their popular appeal.

M-G-M and Warners capture principal honors in the first bracket, each winning three awards. In the Honor Roll, M-G-M leads all others with three.

Mrs. Schallert's selections are based on more than 300 films over the air during the past year.

Two Masters and None

As a result of trying to serve two masters at one time, Phil Regan, film and radio tenor, has found himself in the embarrassing position of having no masters at all to serve.

Regan, some while back, was signed for the air by Lever Bros., sponsors of the Ken Murray program. His success on the soap show attracted the attention of Republic which signed him for "Happy-Go-Lucky." The deal involved a temporary leave of absence with a return to the air program upon completion of the picture.

"Happy-Go-Lucky" was completed recently and Republic tried to obtain a time extension from Regan's sponsor for another picture, "Join the Marines." The sponsor refused. Some weeks ago, Regan returned to New York and the program not, however, before obtaining a promise from the studio that his part in the picture would be kept open for him, pending the fulfillment of the air contract.

The other day, Regan received the double bad news that the studio, unable to hold up production any longer, had signed Paul Kelly for his role and that the Ken Murray show was fading from the air to make way for a new series, starring Al Jolson.

Regan may be signed by the studio to make a personal appearance tour in key city theatre showing "Happy-Go-Lucky."

Sarnoff Broadcasts Set

Twice during the coming month, David Sarnoff, president of RCA, will broadcast addresses over NBC wires. On Dec. 2 he will speak to several hundred guests attending the Diesel Power luncheon given by the Diesel Committee of the Exposition of Power at the Waldorf. The address will be broadcast over the NBC-Blue at 2 P. M., E. S. T. Other speakers who will broadcast are Gordon Rentschler, president of the National City Bank of New York; Charles F. Kettering, vice-president of General Motors Co., and Capt. Eddie Rickenbacker, vice-president of Eastern Air Lines.

On Dec. 9, Sarnoff will address a luncheon meeting at the Commodore sponsored jointly by the New York Building Congress, the National Research Council, and the Producers' Council Club of New York. The broadcast will be carried over WJZ at 1:30 P. M., E. S. T. Other speakers will include Frank B. Jewett, president of Bell Laboratories, and Ralph Walker, vice-president of the New York Builders Congress.

Screen to Radio

Washington, Nov. 26.—A novel broadcast was made over WOL last night from 9 to 9:15 o'clock from the Belasco Theatre, when a microphone located in the auditorium of the house picked up the music and dialogue direct from the screen during the American premiere of "Broken Blossoms."

Engineers at WOL declared that this was the first time that this particular setup had been used.

O'Brien Quitting CBS

Harry F. O'Brien, CBS art director for the past six years, resigns from that post first of the year to assume partnership with J. Gilbert Sutton as art consultants and artists' representatives.

O'Brien came to CBS from Lennin and Mitchell in July, 1930, and has played an important part in the creation and production of most of the advertising and sales promotion material released by Columbia in recent years.

Wynn Turning to Violin

Ed Wynn is living up to his promise to make his program one of the daffiest sessions on the airwaves. The fluttery-voiced comedian has signed Rudy Vallee to join his troupe as guest artist for Saturday night's broadcast and, while Rudy plays the saxaphone, Wynn will accompany him on the violin. Considering that the "Perfect Fool" has never taken a fiddle lesson in his life, the results are expected to be funny, if not exactly professional.

Lois Wilson to Broadcast

Lois Wilson will be the guest star of Radie Harris on the WHN Radio Movie Club program tonight at 8 P. M., E. S. T.

Armin-Varady Sign Gray

Glen Gray's orchestra, unsponsored since last season when its long-term association with Camel expired, begins a new sponsored series this Sunday at 12:30 P. M., E. S. T., over WOR and five additional Mutual network stations. The series is sponsored by the Armin-Varady Company, and will be heard over WOR, WGN, WGAR, WGR, CKLW, and WCAE.

Xmas Seal Appeal

Rudy Vallee and featured members of the "White Horse Inn" cast will broadcast in behalf of the Xmas Seal campaign in a special broadcast this Sunday at 10:30 P. M., E. S. T. over the NBC-Blue. The "White Horse Inn" principals include Kitty Carlisle, Arnold Koroff, and Robert Halliday.

Howard to Discuss "Hamlet"

Leslie Howard, whose current Melancholy Dane characterization is a feature at the Imperial Theatre, will discuss "Hamlet" with Bide Dudley on the latter's WOR program this Sunday at 12:15 P. M., E. S. T.

Rawlinson, Jackson, Et Al

Short Shots—J. L. Rawlinson, who authors the Vick's "Open House" scripts for Nelson Eddy, planes to the coast tomorrow for a permanent Hollywood stay. . . . Arlene Jackson rejoins the CBS-Sunday night "Unseen Friend" cast on Dec. 6. . . . Octavus Roy Cohen planes back to New York from Havana this weekend to prepare additional scripts for his new NBC series. . . . Phil Duey, network singer, now making shorts for Warners. . . . Harry Salter, originally scheduled to return to the NBC "Hit Parade" program on Dec. 9, instead will be heard on the same series over CBS beginning Dec. 12. . . . Phil Baker begins his p. a. tour on Dec. 4 at the Boston Metropolitan. . . . Cecil B. DeMille, after a short leave of absence, returns to the Lux Radio Theatre on Dec. 7. . . . Al Pearce and Gang, currently on the CBS network, celebrate their eighth anniversary on the air beginning next month. . . . Jack Robbins, head of M-G-M, Universal and 20th Century-Fox music departments, flies to the coast today. . . . Ditto publicist George Lottman. . . . Harry Sosnick rejoins the "Hit Parade" on Jan. 3. . . . Rubinoff returned from Washington yesterday with his folding violin, which he demonstrated at the dinner there. . . . M. H. Shapiro, radio editor of *Billboard*, out, and Jerry Franken, his erstwhile assistant, promoted to the editor's post. . . . Bob Braun, of the Don Lee (Cal.) artists' bureau, in town to confer with Mutual officials about exchange of talent. . . . Art Shaw's band booked for the Paramount Theatre week of Dec. 4.

And from Hollywood

Short Shots—Vern Taschner, formerly with KFWB on the coast has joined the CBS maintenance department. . . . John Dolph, CBS sales manager for the Pacific Coast, is here for a few days from his headquarters in San Francisco. . . . KNX put on its first theatre show in the Music Box Thursday featuring Eddie Stanley and broadcast locally.

Francia White Quits Vick's

HOLLYWOOD, Nov. 26.—Francia White is off the Vick's "Open House" show over CBS starring Nelson Eddy.

Arlen, Young on Lux Hour

HOLLYWOOD, Nov. 26.—Dick Arlen and Loretta Young will do an ether version of "Polly of the Circus" on the Lux show over CBS Monday.

"Libeled" Is Minneapolis' 2nd Week Hit

MINNEAPOLIS, Nov. 26.—For the second week, "Libeled Lady" led the Twin City first runs with $5,000 on an advanced scale at the Lyric, over average by $3,500. The show was held for a third week. It had doubled an average of $10,000 at the Minnesota the week previous.

"Ecstacy" at the Minneapolis World had a four-day gross of $4,000, over average by $2,500. Exploitation of the legal controversy over the picture brought crowds which caused the S.R.O. sign to go out each evening.

Dads' Day at the University of Minnesota brought heavy weekend crowds.

Total first run business in Minneapolis was $29,300. Average is $25,500. Total first run business in St. Paul was $12,700. Average is $14,500.

Estimated takings:

Minneapolis:

Week Ending Nov. 19:

"DODSWORTH" (U. A.)
MINNESOTA—(4,000), 25c-55c, 7 days. **Gross:** $9,000. (Average, $10,000)

"A WOMAN REBELS" (Radio)
ORPHEUM—(2,900), 25c-40c, 7 days. **Gross:** $3,500. (Average, $6,000)

"LIBELED LADY" (M-G-M)
LYRIC—(1,239), 25c-55c, 7 days, 2nd week, extended from the Minnesota. **Gross:** $5,000. (Average, $1,500)

"ECSTACY" (Eureka)
WORLD—(400), 25c-35c, 4 days. **Gross:** $4,000. (Average, 4 days, $1,500)

Week Ending Nov. 18:

"LADIES IN LOVE" (20th-Fox)
STATE—(2,300), 25c-40c, 6 days. **Gross:** $7,000. (Average, $5,500)

Week Ending Nov. 15:

"EAST MEETS WEST" (G. B.)
WORLD—(400), 25c-35c, 3 days, 2nd week. **Gross:** $800. (Average, 3 days, $1,000)

St. Paul:

Week Ending Nov. 19:

"ANTHONY ADVERSE" (W. B.)
RIVIERA—(1,000), 25c-40c, 7 days, 2nd week. **Gross:** $4,000. (Average, $3,500)

"DIMPLES" (20th-Fox)
ORPHEUM—(2,000), 25c-40c, 7 days. **Gross:** $3,500. (Average, $4,000)

"THE GIRL ON THE FRONT PAGE" (Univ.)
"CRASH DONOVAN" (Univ.)
TOWER—(1,000), 15c-25c, 7 days. **Gross:** $1,200. (Average, $1,500)

Week Ending Nov. 18:

"VALIANT IS THE WORD FOR CARRIE" (Para.)
PARAMOUNT—(2,300), 25c-40c, 6 days. **Gross:** $4,000. (Average, $5,500)

New British Producers

LONDON, Nov. 17.—Standard International Prod., Ltd., with C. M. Origo and K. C. Alexander as co-producers, has started work on its first picture, "Make Up," from the novel "Bux," by Reginald Long and Geoffrey Dell, at Worton Hall studio. Alfred Zeisler is directing Nils Asther and June Clyde in this circus story. Michael Delamere is production manager and Eric Cross chief cameraman of Standard, which has not yet announced a release.

Summerville Re-Signed

HOLLYWOOD, Nov. 26.—Slim Summerville has been given a new long term contract at Twentieth Century-Fox, and an assignment to "Love is News." At present he is working in "At the County Fair." His former contract had until March to run.

"Carter" and Show Cincinnati Smash

CINCINNATI, Nov. 26. — "Here Comes Carter," with the "Shootin' High" Revue and John Boles on the stage at the RKO Shubert, led the field with a smash $16,500, plussing average by $4,500.

The runnerup was "Theodora Goes Wild," which gave the RKO Palace $13,500, up $3,500. "Libeled Lady" got $1,000 over par with a $3,750 take at the RKO Grand where it played its third downtown week. "Come and Get It" did an average $12,000 at the RKO Albee. Business at the other houses was not up to average.

Total first run business was $60,650. Average is $58,700.

Estimated takings:

Week Ending Nov. 19:

"COME AND GET IT" (U. A.)
RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $12,000. (Average, $12,000)

"THEODORA GOES WILD" (Col.)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $13,500. (Average, $10,000)

"HERE COMES CARTER" (F. N.)
RKO SHUBERT—(2,150), 40c-60c, 7 days. Stage: "Shootin' High" Revue and John Boles in person. **Gross:** $16,500. (Average, $12,000)

"CHARGE OF THE LIGHT BRIGADE" (W. B.)
RKO CAPITOL—(2,000), 35c-42c, 7 days, 2nd downtown week. **Gross:** $3,800. (Average, $6,500)

"OUR RELATIONS" (M-G-M)
RKO LYRIC—(1,400), 35c-42c, 7 days. **Gross:** $4,300. (Average, $6,500)

"LIBELED LADY" (M-G-M)
RKO GRAND—(1,200), 25c-40c, 7 days, 3rd downtown week. Gross: $3,750. (Average, $2,750)

"CHARLIE CHAN AT THE RACE-TRACK" (20th-Fox)
RKO FAMILY—(1,000), 15c-25c, 4 days. **Gross:** $1,200. (Average, $1,250)

"SEA SPOILERS" (Univ.)
RKO FAMILY—(1,000), 15c-25c, 3 days. **Gross:** $1,050. (Average, $1,200)

"THE GAY DESPERADO" (U.A.)
KEITH'S—1,500), 30c-40c, 7 days. **Gross:** $4,500. (Average, $6,500)

"Broadcast" Hits $7,100, Oklahoma

OKLAHOMA CITY, Nov. 26.—"The Big Broadcast of 1937" was the big noise of the week among local first runs with a take of $7,100 at the Midwest. This was $3,100 over par.

"East Meets West" made the grade with $2,200 at the Capitol. A dual, "Three Cheers for Love" and "King of the Royal Mounted," pulled $2,100 in four days at the Liberty.

Total first run business was $16,100. Average is $13,500.

Estimated takings for the week ending Nov. 21:

"PIGSKIN PARADE" (20th-Fox)
CRITERION—(1,700), 10c-25c-35c-55c, 7 days. **Gross:** $4,000. (Average, $5,000)

"THE BIG BROADCAST OF 1937" (Para.)
MIDWEST—(1,500), 10c-25c-35c-55c, 7 days. **Gross:** $7,100. (Average, $4,000)

"EAST MEETS WEST" (G. B.)
CAPITOL—(1,200), 10c-20c-26c-40c, 7 days. **Gross:** $2,200. (Average, $2,000)

"THREE CHEERS FOR LOVE" (Para.)
"KING OF THE ROYAL MOUNTED" (20th-Fox)
LIBERTY—(1,500), 10c-25c-35c, 4 days. **Gross:** $2,100. (Average, for week, $2,500)

"RHODES" (G. B.)
"BULLDOG EDITION" (Republic)
LIBERTY—(1,500), 10c-25c-35c, 3 days. **Gross:** $700. (Average, for week, $2,500)

Gets Expedition Film

"Ninety Degrees South," film record of the Scott Antarctic Expedition, has been acquired for American distribution by World Pictures.

"Get It" on Dual Leads Providence

PROVIDENCE, Nov. 26.—"Come and Get It," on a dual with "The Man Who Lived Twice," hit the peak here, exceeding the usual $12,000 at Loew's State by $4,000.

The Majestic found a bonanza in "Stage Struck" and "Here Comes Carter," going $2,000 over an average $7,000 take. Fay's, with "Crash Donovan" and Fred Allen's Amateurs, reaped $7,200, over by $200.

Competition was not unusually keen, hockey and football being the only major counter-attractions. The weather was extremely cold and fair.

Total first run business was $43,400. Average is $39,500.

Estimated takings for the week ending Nov. 19:

"COME AND GET IT" (U.A.)
"THE MAN WHO LIVED TWICE" (Col.)
LOEW'S STATE—(3,400), 15c-40c, 7 days. **Gross:** $16,000. (Average, $12,000)

"IN HIS STEPS" (G.B.)
"LOVE LETTERS OF A STAR" (G.N.)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $6,100. (Average, $7,000)

"CRASH DONOVAN" (Univ.)
FAY'S—(1,600), 15c-40c, 7 days. Stage: Fred Allen's Amateur Revue. **Gross:** $7,200. (Average, $7,000)

"SEVEN SINNERS" (G.B.)
"END OF THE TRAIL" (Col.)
STRAND—(2,300), 15c-40c, 4 days. **Gross:** $5,100. (Average, $6,500)

"STAGE STRUCK" (W.B.)
"HERE COMES CARTER" (W.B.)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $9,000. (Average, $7,000)

"Relations" Dual Best in Louisville

LOUISVILLE, Nov. 26. — Grosses slumped last week with the only first rate showing being chalked up by "Our Relations" on a dual with "The Longest Night" at the Brown. At $3,000, the take was $500 to the good. The gross at the Kentucky also took a hop, with "Swing Time" and "Grand Jury" splitting with two strong subsequents "The General Died At Dawn" and "My Man Godfrey." The house average, $1,500, was topped by $500.

All other first runs were off.

Total first run business was $21,100. Average is $21,800.

Estimated takings for the week ending Nov. 19:

"OUR RELATIONS" (M-G-M)
"LONGEST NIGHT" (M-G-M)
BROWN—(1,500), 15c-25c-40c, 7 days. **Gross:** 3,000. (Average, $2,500)

"SWING TIME" (Radio)
"GRAND JURY" (Radio)
"THE GENERAL DIED AT DAWN" (Para.)
"MY MAN GODFREY" (Univ.)
KENTUCKY—(900), 15c-25c, 7 days, split week. **Gross:** $2,000. (Average, $1,500)

"COME AND GET IT" (U. A.)
"THE ALL-AMERICAN CHUMP" (M-G-M)
LOEW'S STATE—(3,000), 15c-25c-40c, 7 days. **Gross:** $5,400. (Average, $5,500)

"CHARGE OF THE LIGHT BRIGADE" (W. B.)
MARY ANDERSON—(1,000), 15c-25c-40c, 7 days, 2nd week. **Gross:** $2,700. (Average, $3,500)

"COUNT OF MONTE CRISTO" (U. A.)
"MAN WHO BROKE THE BANK AT MONTE CARLO" (20th-Fox)
"REDHEADS ON PARADE" (20th-Fox)
"POOR RICH" (Univ.)
OHIO—(900), 15c, 7 days, split week. **Gross:** $700. (Average, $800)

"CAN THIS BE DIXIE" (20th-Fox)
"UNDER YOUR SPELL" (20th-Fox)
STRAND—(1,500), 15c-25c-40c, 7 days. **Gross:** $3,200. (Average, $3,500)

"Libeled" Is San Francisco 4th Week Top

SAN FRANCISCO, Nov. 26.—"Libeled Lady," on a dual with "Sitting on the Moon," was still the best draw in town in its fourth week at the Warfield with a take of $15,000, over a first week average by $2,000.

"The Devil Is A Sissy" and "Under Your Spell" went $1,500 over the line on a take of $14,500 at the Paramount, but other houses failed to make much of a showing despite the presence of big out of town crowds for the opening of the San Francisco Bay bridge.

Total first run business was $85,850. Average is $84,500.

Estimated takings:

Week Ending Nov. 17:

"GAMBLING WITH SOULS" (International)
EMBASSY—(1,400), 10c-30c-35c-40c, 7 days, 2nd week. **Gross:** $6,200. (Average, $4,000)

"IN HIS STEPS" (Radio)
GOLDEN GATE—(2,850), 10c-30c-35c-40c, 7 days. **Gross:** $13,500. (Average, $16,000)

"COME AND GET IT" (U.A.)
UNITED ARTISTS—(1,200), 15c-30c-35c-40c-65c, 7 days. **Gross:** $7,000. (Average, $7,000)

Week Ending Nov. 18:

"CLOISTERED" (Best)
CLAY—(400), 15c-35c, 7 days. **Gross:** $1,150. (Average, $1,000)

"WEDDING PRESENT" (Para.)
"OUR RELATIONS" (M-G-M)
FOX—(5,000), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $14,500. (Average, $16,000)

"ADVENTURE IN MANHATTAN" (Col.)
"MAN WHO LIVED TWICE" (Col.)
ORPHEUM — (2,440), 15c-30c-35c-40c, 8 days. **Gross:** $9,000. (Average, $8,500)

"DEVIL IS A SISSY" (M-G-M)
"UNDER YOUR SPELL" (20th-Fox)
PARAMOUNT — (2,740), 15c-30c-35c-40c-55c-75c, 8 days. **Gross:** $14,500. (Average, $13,000)

"CHARGE OF THE LIGHT BRIGADE" (W.B.)
"HERE COMES CARTER" (W.B.)
ST. FRANCIS—(1,400), 15c-30c-35c-40c, 8 days. **Gross:** $5,000. (Average, $6,000)

Week Ending Nov. 19:

"LIBELED LADY" (M-G-M)
"SITTING ON THE MOON" (Republic)
WARFIELD — (2,680), 15c-30c-35c-40c-55c-75c, 7 days, 4th week. **Gross:** $15,000. (Average, $13,000)

20th-Fox Will Hold Sales Meet in K. C.

Twentieth Century-Fox district and divisional sales heads will hold a mid-season sales session at the Muelbach Hotel, Kansas City, some time in February. John D. Clark, general sales manager, will set the date shortly. The meeting is expected to run two days.

With Charles Clark, former Atlanta salesman, today assuming the managership of the Oklahoma City branch, several more promotions are expected to be announced at the Kansas City session. The company's sales force will begin vacations Dec. 21. They end Jan. 2.

William Gehring, S. R. Kent drive leader, will leave Dec. 3 for a Caribbean cruise. He will return Dec. 17.

S. R. Kent is understood to be planning a visit to Australia next season. This may be in connection with the Hoyts theatre deal.

A deal with the Anker Bros. having been canceled, Twentieth Century-Fox will soon open its own office in Guatemala.

"Pigskin" Up In Cleveland With $25,000

CLEVELAND, Nov. 26. — "Pigskin Parade" at the RKO Palace with a stage show, was way out in the lead with a take of $25,000. This is $10,000 over average.

"The Charge of the Light Brigade" ran a close second. It had a $13,000 take at Warners' Hippodrome where $10,000 is par. "The Case of the Black Cat" at the Allen did better than an average week's business in four days, grossing $3,500, which is $500 over par.

The weather was cold but clear. The Hanna offered strong competition with Jane Cowl selling out in "The First Lady."

Total first run business was $59,400. Average is $49,000.

Estimated takings for the week ending Nov. 20:

"THE CASE OF THE BLACK CAT" (W. B.)
ALLEN—(3,300), 30c-35c-42c, 4 days. **Gross:** $3,500. (Average, 7 days, $3,000)
"UNDER YOUR SPELL" (20th-Fox)
ALLEN—(3,300), 30c-35c-42c, 3 days. **Gross:** $1,800. (Average, 7 days, $3,000)
"COME AND GET IT" (U. A.)
LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $11,500. (Average, $15,000)
"OLD HUTCH" (M-G-M)
LOEW'S STILLMAN—(1,900), 25c-35c, 7 days. **Gross:** $4,600. (Average, $4,000)
"PIGSKIN PARADE" (20th-Fox)
RKO PALACE—(3,100), 30c-42c-60c, 7 days. Stage: "Manhattan Scandals." **Gross:** $25,000. (Average, $15,000)
"CHARGE OF THE LIGHT BRIGADE" (W. B.)
WARNERS' HIPPODROME—(3,800), 30c-35c-42c, 7 days. **Gross:** $13,000. (Average, $10,000)

Triple Bill, Show Top Lincoln Draw

LINCOLN, Neb., Nov. 26.—Three pictures and a stage show at the Orpheum ran the gross up to $3,100, over par by $1,350, for the best showing in town. The films were "15 Maiden Lane," "Under Your Spell" and "The Big Game." The stage show was the "Rhapsody in Blue."

"The Devil Is a Sissy" was the best straight film draw with $3,000, over the line by $800, at the Lincoln.

The Pitt-Nebraska football game crowd was a big help.

Total first run business was $11,360. Average is $9,000.

Estimated takings:

Week Ending Nov. 18:
"ROSE BOWL" (Para.)
"ANOTHER FACE" (Radio)
"THE CASE OF THE BLACK CAT" (F. N.)
"BULLDOG DRUMMOND STRIKES BACK" (U. A.)
LIBERTY—(1,200), 10c-15c, 7 days. First set three days. **Gross:** $1,050. (Average, $850)

Week Ending Nov. 19:
"DEVIL IS A SISSY" (M-G-M)
LINCOLN—(1,600), 10c-20c-25c, 7 days. **Gross:** $3,000. (Average, $2,200)
"15 MAIDEN LANE" (20th-Fox)
"UNDER YOUR SPELL" (20th-Fox)
"BIG GAME" (Radio)
ORPHEUM—(1,350), 10c-15c-20c-25c, 7 days. Stage: "Rhapsody in Blue" revue, for three days. **Gross:** $3,100. (Average, $1,750)
"EAST MEETS WEST" (G. B.)
VARSITY—(1,100), 10c-20c-25c, 7 days. **Gross:** $900. (Average, $1,100)

Week Ending Nov. 20:
"CAIN AND MABEL" (W. B.)
STUART—(2,000), 10c-25c-40c, 7 days. **Gross:** $3,300. (Average, $3,100)

"Get It" Sets Denver Pace; Gets 2d Week

DENVER, Nov. 26.—"Come and Get It" kept the ticket-takers busy all week at the Denver and rolled up a take of $10,000, over normal by $2,500. It was held over.

"The Gay Desperado" was strong enough in its second week at the Aladdin to rate a third week at the Broadway. "Hideaway Girl" was $2,000 to the good on a gross of $6,500 at the Denham.

Total first run business was $31,000. Average is $28,000.

Estimated takings for the week ending Nov. 19:

"THE GAY DESPERADO" (U.A.)
ALADDIN—(1,500), 25c-40c-50c, 7days, 2nd week. **Gross:** $3,500. (Average, $3,000)
"CAIN AND MABEL" (W.B.)
BROADWAY—(1,500), 25c-40c, 7 days, following a week at the Denver. **Gross:** $1,500. (Average, $2,000)
"CASE OF THE VELVET CLAWS" (F.N.)
"WINDS OF THE WASTELAND" (Republic)
CENTER—(1,500), 15c-25c-35c, 7 days. Stage show. **Gross:** $3,000. (Average, $2,000)
"HIDEAWAY GIRL" (Para.)
DENHAM—(1,500), 25c-35c-40c, 7 days. **Gross:** $6,500. (Average, $4,500)
"COME AND GET IT" (U.A.)
DENVER—(2,500), 25c-35c-50c, 7 days. Stage band. **Gross:** $10,000. (Average, $7,500)
"TARZAN ESCAPES" (M-G-M)
"MAKE WAY FOR A LADY" (Radio)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $4,000. (Average, $6,000)
"FOLLOW YOUR HEART" (Republic)
"TUGBOAT PRINCESS" (Col.)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $2,500. (Average, $3,500)

"Brigade" Buffalo Hit; Gets $10,001

BUFFALO, Nov. 26.—"The Charge of the Light Brigade" at the Great Lakes made the best showing downtown with a take of $10,001, topping par by $2,700.

"Girl on the Front Page" and "Sea Spoilers," the Lafayette's dual, pulled $500 above a $6,000 average, while "Stage Struck" and "Three Married Men" at the Hippodrome drew $7,700 in a $7,300 house.

Total first run business was $42,008. Average is $38,400.

Estimated takings for the week ending Nov. 21:

"PIGSKIN PARADE" (20th-Fox)
BUFFALO — (3,000), 30c-50c, 7 days. **Gross:** $12,001. (Average, $12,000)
"STAGE STRUCK" (W.B.)
"THREE MARRIED MEN" (Para.)
HIPPODROME—(2,500), 25c-40c, 7 days. **Gross:** $7,700. (Average, $7,300)
"THE CHARGE OF THE LIGHT BRIGADE" (W.B.)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $10,001. (Average, $7,300)
"DANIEL BOONE" (Radio)
"WOMEN ARE TROUBLE" (M-G-M)
CENTURY—(3,000), 25c, 7 days. **Gross:** $5,800. (Average, $5,800)
"GIRL ON THE FRONT PAGE" (Univ.)
"SEA SPOILERS" (Univ.)
LAFAYETTE — (3,300), 25c, 7 days. **Gross:** $6,500. (Average, $6,000)

Start Reich Player Fund

BERLIN, Nov. 26.—A Cinematograph Trade Benevolent Fund has been created in Germany for film players, with a nominal capital of more than 2,000,000 Reichsmarks. It will be spent in the course of the next year.

Variety Club

Buffalo

BUFFALO, Nov. 26.—A women's auxiliary of Tent No. 7 has been formed. The meetings will be held on the fourth Wednesday of each month in the clubrooms. After two meetings the membership stands at 47; the quota is 75.

From the 30 charter members attending the first meeting, Oct. 1, the following officers were elected: Honorary Chief Barkerette, PHILOMENA CAVANAUGH; chief barkerette, RUTH RAPPAPORT; assistant chief barkerette, MRS. JACOB LAVENE; property gal, MRS. ALBERT D. WELL; dough gal, MRS. EDWARD SIEGAL; billerette, MARIAN GEUTH.

Cincinnati

CINCINNATI, Nov. 26. — MANNY SHURE has been elected second assistant chief barker of the local tent.

ALLEN S. MORITZ, JAMES J. GRADY and JOSEPH J. OULAHAN have been reelected as canvasmen. New canvasmen chosen are: WILLIAM ONIE and HARRY HARTMAN.

Cleveland

CLEVELAND, Nov. 26.—The Cleveland Variety Club has arranged with radio station WGAR to go on the air a few days before Christmas asking for contributions to a milk fund. The club will put on a big air show for the event.

M. B. Horowitz, chairman for the annual Variety Club ball on Dec. 11, reports 500 reservations in and paid for. At least 200 more are expected.

Indianapolis

INDIANAPOLIS, Nov. 26.—Departing from the practice of the last two years, the Indianapolis Tent No. 10 New Year's party will not be public. The barkers will limit attendance to members and guests and hold the festivities in the new home. Parties in the past were in the Claypool Hotel.

Mrs. ABRAHAM H. KAUFMAN and Mrs. PERCY R. BARR are co-chairmen of the auxiliary for November. The auxiliary, active in both the benevolent and social affairs of the tent, has 60 members but no permanent officers. The co-chairmen are appointed monthly by MARC J. WOLF, chief barker.

Dayton

DAYTON, Nov. 26.—The local club has been formally inducted as Tent No. 18 at the Moraine Hotel. M. R. ("DUKE") CLARK, chief barker, Columbus Tent, No. 2, and assistant national chief barker, made the key address and performed the induction ritual, and WILLIAM PULLEN of the Columbus Tent, presented the local charter to HERBERT BYRD, chief barker. Other addresses were made by WILLIAM KEYS, honorary chief barker, DON THOMAS and BYRD.

Those attending were ALBERT HORSTMAN, EARL REEDER, ELMER REDELLE, EVERETT BENNETT, ROY WELLS, CLIFFORD MORGAN, AL SHOUP, WILLIAM CLEGG, AL HARPER, WILLIAM RETTER, FRED KRIMM, BERT FIALA, GUY WADSWORTH and KURT BERG. The barkers unable to attend, but who sent regrets, were: T. E. NEWELL, HENRY OCHS, PAUL BANKER, HOMER GUY and HENRY BURKHARDT.

"Theodora" Is $12,200 Riot In Pittsburgh

PITTSBURGH, Nov. 26.—"Theodora Goes Wild" led a general pickup downtown last week with a smash $12,200 at the Alvin.

"Pigskin Parade" also was a heavy draw with a take of $11,000 at the Fulton. This was $6,500 to the good. Both films were held. "A Woman Rebels" and "Charge of the Light Brigade" were $3,500 under par on a take of $15,000. "Come and Get It" failed to get started.

Total first run grosses were $58,000. Average is $44,000.

Estimated takings for the week ending Nov. 19:

"THEODORA GOES WILD" (Col.)
ALVIN—(2,000), 25c-40c, 7 days. **Gross:** $12,200. (Average, $5,500)
"PIGSKIN PARADE" (20th-Fox)
FULTON—(1,750), 25c-40c, 7 days. **Gross:** $11,000. (Average, $4,500)
"COME AND GET IT" (U.A.)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $8,500. (Average, $11,000)
"A WOMAN REBELS" (Radio)
STANLEY—(3,600), 25c-60c, 7 days. Stage: Major Bowes' All-Girl Revue. **Gross:** $15,000. (Average, $18,500)
"CHARGE OF THE LIGHT BRIGADE" (W.B.)
WARNER—(2,000), 25c-50c, 6 days. **Gross:** $5,800. (Average, 7 days, $4,500)

"Brigade" $12,000 Grosser, Montreal

MONTREAL, Nov. 26.—"The Charge of the Light Brigade," lone feature at the Palace, held the top spot for the week, $12,000. Average is $11,000.

"Broken Blossoms," heading the British duo at His Majesty's, was responsible for $5,500, above the line by $500, while "Our Relations," leading feature at the Princess, was good for $7,500.

There was no opposition, but the weather was sloppy.

Total first run business was $44,500. Average is $43,000.

Estimated takings for the week ending Nov. 21:

"PIGSKIN PARADE" (20th-Fox)
"PANIC ON THE AIR" (Col.)
CAPITOL — (2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $8,500. (Average, $9,500)
"BROKEN BLOSSOMS" (British)
"SHE SHALL HAVE MUSIC" (British)
HIS MAJESTY'S—(1,700), 25c-35c-40c-50c, 7 days. **Gross:** $5,500. (Average, $5,000)
"STAR FOR A NIGHT" (20th-Fox)
LOEW'S—(3,115), 25c-34c-50c-60c, 7 days. Stage: "Hit Parade of 1937" vaudeville unit. **Gross:** $11,000. (Average, $10,500)
"CHARGE OF THE LIGHT BRIGADE" (W.B.)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $12,000. (Average, $11,000)
"OUR RELATIONS" (M-G-M)
"MURDER WITH PICTURES" (Para.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $7,500. (Average, $7,000)

"Pennies" Are Banned

OMAHA, Nov. 26.—Imitation pennies, planted all over town by Mike Roth, Columbia exploiteer from Kansas City, and Louise Cotter, advertising manager for the Brandeis, to advertise "Pennies from Heaven," with which the Brandeis opens Thanksgiving day, have been frowned upon by the local Dept. of Justice. Orders have been given to discontinue distribution.

Salesmen's Affair Attended by 1,000

Virtually every important exhibitor, distributor and salesman in the local territory attended the annual dinner and dance held by the M. P. Salesmen, Inc., at the Astor Hotel Wednesday night. About 1,000 turned out for the occasion.

Milt Britton acted as master of ceremonies while his band furnished the music. Among the stars who appeared on the entertainment program were Peter Lorre, Douglass Montgomery, Onslow Stevens, Louis Calhern, Patricia Wilder, Jimmy Durante, Polly Walters, Bob Hope, Phillip Reed, Regis Toomey, Cab Calloway, Milton Berle, Lew Lehr and others.

Movietone News took pictures of the arrivals, who later saw the films screened in the ballroom. Many gifts were distributed, including ash trays for men and perfume for the women. Screeno and other games were played. A number of exhibitors and sales executives arrived late, after attending the premiere of "Lloyds of London" at the Astor Theatre.

St. Louis Amusement Signs F. & M. Deal

St. Louis, Nov. 26.—The board of directors of the St. Louis Amusement Co. has been reorganized and a 10-year contract has been signed with Fanchon & Marco for management, following the approval by Bankruptcy Referee Hope of the recent sale of Skouras Bros. Enterprises, Inc., assets to the bondholders' protective committee of Central Properties Corp.

Harry C. Arthur will act as managing director of the St. Louis Amusement Co. No changes in personnel are contemplated by Arthur. The company operates 22 second run and neighborhood houses.

Sterling to Have 33 Key City Exchanges

Sixteen different franchise holders, operating a total of 33 exchanges in key cities over the country, will act as distributing outlets for Sterling Pictures Corp. product, according to W. Ray Johnston, head of the company.

Johnston, now on the coast, is concentrating his attention on studio space and production personnel. According to present plans, the first Sterling film will go into work in April, for 1937-38 release.

Schaefer Closes Deals

George J. Schaefer, vice-president and general manager of U. A., upon his return Wednesday from the south, stated he had closed five important circuit deals on the trip. Harry Gold, who assisted in the negotiations, returned with him.

The circuits closed are Interstate, Jefferson Amusement, Robb & Rowley, Wilby & Kincey and Lucas & Jenkins.

Stanley Merger Approved

Stockholders of Stanley-Clark-Davis Corp., operating about 60 theatres in Western Pennsylvania, on Wednesday voted approval of a merger of the company with Stanley Co. of America. The amalgamation is for simplification of the corporate structure and taxes.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Conflict"

(*Universal*)

Hollywood, Nov. 26.—In this adaptation of Jack London's "The Abysmal Brute," comedy replaces that story-telling quality that provokes sympathetic emotions and romantic love interest expected in elemental drama. Substantially, the story is a prizefight yarn with a human interest tinge. While probably not an attraction that will stand patrons in line, it, nevertheless, is one that will entertain. Actually the film is an adaptation of tried and proved entertainment elements. It heroizes a prizefighter who is the stooge for a world's champion. The motivating premise is the offer of $1,000 for any one who can stay in the ring with the champ for four rounds.

In the hero's role, John Wayne has taken the fall many times. But when he arrives in a lumber camp, beats up the bruiser, saves little Tommy Bupp from death and becomes romantically acquainted with Jean Rogers, a newspaper girl who has been assigned to ferret out the fraud and has won the confidence of the miners and lumber jacks, a regeneration works within him. Still believing a setup is in prospect, Ward Bond and his manager, Frank Sheridan, arrive in town. The betting is intense and the invaders, suspicious that things are not all according to Hoyle, put the pressure on Wayne. But the fight is staged, to the tune of much exciting action, and Wayne wallops the champ to save his buddies' money, make himself the boy's idol and win the girl.

Well done for a picture in its class, the film should serve effectively to round out a program which features some more pretentious offering.

Production Code Seal No. 2,173. Running time, 60 minutes. "G."

Looking 'Em Over

"White Hunter"

(*Twentieth Century-Fox*)

There is a good combination of selling names for the marquee in this picture, Warner Baxter and June Lang, the team who did outstanding work in "Road to Glory," and it is to be regretted that in this instance, the players are so far superior to the story and the picture itself of the type best classed as routine, despite earnest efforts of the cast.

Gene Markey's story, set in Africa against a background of animal shots strongly reminiscent in certain panoramic shots of one or two of Martin Johnson's camera expeditions to that continent, recounts the story of Baxter's opportunity for revenge on the man who had once wronged him and the development of a romance that prevents him from carrying out his plan.

The film has its moments of drama, suspense and action, but on the whole falls short of what might have been anticipated. Gail Patrick and Wilfred Lawson are good in the chief supporting roles, Lawson as the man whose death Baxter plans and Miss Patrick, Lawson's wife.

Baxter, a white hunter, or leader of safari, takes a hunting party consisting of Lawson, whose activity has ruined him in London eight years before, Miss Patrick and Miss Lang, Lawson's daughter by a former marriage. As animal attacks, a violent wind storm in the jungle and the expectation of Baxter's revenge complicate the situation, Miss Lang is lost, Baxter finds her, and their love saves Lawson and his wife, who leave the girl with Baxter. Irving Cummings directed.

Production Code Seal No. 2,787. Running time, 64 minutes. "G."

"Stampede"

(*Columbia*)

As westerns go, "Stampede" is satisfactorily replete with the proper ingredients to satisfy that audience which appreciates and enjoys this form of entertainment.

Charles Starrett, a cattle buyer, stumbles across a plot which, when accomplished, will result in the foreclosure of Finis Barton's ranch. The piece goes its way, following methodical formula style, interspersed with moments of violent action, sorrow and with a proper and clever ending, culminating in romance for Starrett and Miss Barton.

The scenario was adapted from a Peter B. Kyne story by Robert Watson. Ford Beebe's direction keeps things moving. Miss Barton is charming as the heroine. The support includes J. P. McGowan and Lestrange Millman.

Production Code Seal No. 2,202. Running time, 55 minutes. "G."

Short Subjects

"March of Time—No. 4"

(*RKO*)

Perhaps lacking some of the dramatic intensity which was outstanding in many of the previous issues of this series, this number of the March of Time none the less is of real interest, offering three episodes executed with the same excellence which has characterized the reel from the first.

First is a brief, significant review of the situation in which Belgium finds itself as a result of young King Leopold's declaration to the world that his country henceforth will drop its traditional alliance with France and go it alone with a policy of armed neutrality. A problem is cited in the activities of Fascist Leon Degrelle, with his hordes of anti-Leftists.

With map, diagram and picture is told next the story of the nearly completed last link in what will be the great St. Lawrence seaway, giving the midwest a direct outlet to the sea via the Great Lakes, possible by virtue of a treaty with Canada. Leading the opposition to the ratification by the Senate of that treaty are New Orleans interests, seeing in the seaway a hard blow at the commerce they now derive from the midwest, via the Mississippi.

In a light and fast-moving sequence is pictured the U. S. Government's entry into the theatrical business, with the WPA Federal Theatre Project designed to give employment to the thousands of players tossed into the unemployment ranks by the collapse of the "road" and of vaudeville. The culmination thus far is the production of Sinclair Lewis' "It Can't Happen Here," simultaneously in 21 cities.

No production code seal. Running time, 21 minutes. "G."

"A Spanish Interlude"

(*J. H. Hoffberg*)

An interesting short depicting the highlights of a toreador's career with some amazing shots in the bull ring. Forced to lead a sedentary life due to a paralyzed condition resulting from an injury, the bull fighter, after unsuccessfully attempting suicide, finally gets his wish when his daughter, a dancer, unwittingly replenishes the gas meter with the necessary coin to do the trick.

Produced in Barcelona, a few subtitles are flashed on the screen for purposes of local distribution. It is said to be a true story, and probably is, but there is plenty lacking in the way of production standards.

Previewed without a production code seal. Running time, 18 mins.

"Going Places No. 31"

(*Universal*)

Jamaica is the subject for this number of the series. Splendidly filmed, the short is a pictorial delight, an added factor is the fine narrative delivered by Lowell Thomas. The many beauty spots of the island are shown and in a comprehensive and light fashion the industries and people are presented. Production Code Seal No. 01,305. Running time, 10 mins. "G."

Will Show Film History

Hollywood, Nov. 26.—Paramount will issue a sound trailer covering 25 years of film history as one of the features of the Zukor Silver Jubilee. It will have excerpts from 50 features.

RKO-RADIO'S
NOMINATION
FOR THE BEST
PICTURE OF
1936



Maxwell Anderson's

WINTERSET

NEW YORK'S TWO-SEASON STAGE SENSATION . . . WITH THE STARS WHO CREATED ITS HEART-STIRRING ROLES . . .

BURGESS MEREDITH



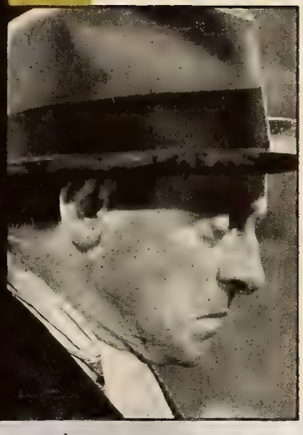
repeating on the screen his brilliant triumph as "Mio," the youth whose life burned with the sole ambition of avenging his martyred father.

MARGO



who overnight won her way to New York's heart . . . as "Mirianne," a girl alone who fled to "Mio's" arms from a shadowed world of hate and fear!

EDUARDO CIANNELLI



superbly sinister in the role of the cold, savage, killer . . . the menace incarnate . . . whose power stopped cold in the face of flaming young love.

WINTERSET

RKO Radio PICTURES

JOHN CARRADINE ★ EDWARD ELLIS

DIRECTED BY ALFRED SANTELL — PANDRO S. BERMAN PRODUCTION

20th-Fox for Cancellation, Conciliation

(Continued from page 1)

suggested short form of uniform contract.

The distributor pledges itself to a strict policy against licensing non-theatrical accounts "where there is even a remote possibility of competition with a motion picture theatre" and, while stating that it believes the remaining two points of the program —cut-throat competition and overbuying—to be exclusively exhibitor problems, it indicates a sympathetic attitude for attempts to cope with them.

In this regard it has been pointed out by the M.P.T.O.A. that overbuying and unfair competition are regarded by the exhibitor organization as proper subjects of complaint for handling by the proposed local conciliation boards.

100% Buyers May Cancel

Kent's letter stipulates that the company's 10 per cent cancellation privilege will apply only to exhibitors who have purchased the entire feature schedule, exclusive of "foreign or outside producers' subjects." A selective contract "is the usual result of negotiations" with an exhibitor who takes less than the entire company lineup, the letter says. The distributor asks for notice of cancellation within 10 days after a picture's availability. Apparently the cancellation privilege is intended to apply to all of the company's pictures, regardless of price, as the letter describes it as an "unrestricted" cancellation and does not specify price limitations.

The letter makes the further suggestion in regard to the local conciliation boards that a central appeals board be established in New York, presumably to pass final judgment upon the results of the local board's efforts where complete satisfaction for the parties involved in a complaint is not attained. It asks for limitation of the subjects which local boards may be asked to consider in order to conserve the time of board members and holds that further discussion of the jurisdiction and machinery of the boards by exhibitor and distributor representatives is necessary before the conciliation system is set up.

Objections on Clearance Stated

Two reasons are given by the distributor for its refusal to consider uniform protection and clearance schedules, one being their doubtful legality and the other the distributor's belief that they are properly matters for individual negotiation between the exhibitor and distributor in the course of selling.

The letter states that while Twentieth Century-Fox is "against" overbuying, it does not believe control of the problem lies with an individual distributor. Under the same problem heading the company asserts that it is against double features but that it believes that the problem will solve itself if exhibitors do not.

While questioning the legality of its becoming a party to a uniform contract, Kent's letter asserts that the company favors a clear, short form of agreement and is willing to make as "short a contract with any exhibitor as is practical."

"The practice of exacting score charges has been for a number of years a matter of individual policy and will continue to be so as far as this company is concerned," Kent declares. In the next paragraph he states: "We will not pledge ourselves not to demand preferred playing time on percentage pictures. However, we will not be obnoxious about this, but will base our demands for preferred playing time on the quality of our product."

Pledges Cooperation

Of the forcing of shorts with features he says: "It has never been the practice of this company to force shorts with features. As a practical matter of distribution they are sold at the same time but under separate agreements. We do feel that if our feature product is desired by an exhibitor we are justified in insisting upon the same percentage of his short subject playing time as we receive of his feature playing time."

Concluding, Kent says that he and John D. Clark, Twentieth Century-Fox general manager of distribution, with whom the policy was decided, "are in sympathy with your efforts to eliminate some of the matters that have been the cause of disputes between exhibitors and distributors and assure you of our desire to cooperate to that end in every possible way. Mr. Clark will be glad to discuss with you more in detail at any time the matters outlined in this letter."

Kuykendall Calls Kent Reply "Step"

(Continued from page 1)

disappointment over the distributor's failure to liberalize its policy in regard to collection of the score charge and asserted that the M.P.T.O.A.'s recent analysis of the concessions granted by Universal would apply to those of Twentieth Century-Fox with the "notable exception" of the latter's score charge policy. Universal declared that it had not and would not levy a separate score charge.

Kuykendall's letter follows:

"We have not had the opportunity to analyze in detail these proposals nor to confer with Mr. Kent on them as yet. However, it appears that with one or two exceptions they are essentially the same as those announced recently by Universal which were analyzed in some detail by letter to R. H. Cochrane which letter was given out for publication, and the analysis then prepared will therefore apply to Mr. Kent's letter. The notable exception is in connection with the separate score charge, which, we understand from Mr. Kent's letter they have no intention of abolishing except where they are forced to do so by exhibitors who have the buying power, as a matter of individual policy to refuse to permit the distributor to exact a separate score charge.

"We believe that the general acceptance of most of the M.P.T.O.A. proposals by Mr. Kent and his company is a definite step in the right direction and will afford immediate benefits to independent exhibitors."

To Open Florida Office

The Blackstone Agency on Jan. 1 will open an office in Miami. Carl Erbe, who has been handling exploitation for United Artists in Florida, will be in charge.

Films Teach Alabama

Birmingham, Nov. 26.—Alabama's Crimson Tide, which has played four Rose Bowl games in the past 10 years, winning three and tying one, was perhaps the first team in the country to scout its own team with a motion picture camera.

If the Alabama coaches want to show how Millard Howell threw passes, how Freddie Sington played tackle or how Johnny Cain blocked, they send to the film library. The Crimsons have one of the finest collections of football, baseball and track films in the country.

Universal in Music Tieup With Robbins

(Continued from page 1)

McKay, secretary, and Charles B. Paine, treasurer. The last named two also are officers of Universal Pictures.

The contract provides for arrangements with all the Robbins music and lyric writers, and also that all the original songs written for Universal films shall be handled exclusively by the Robbins companies, which will supervise radio, performance and sheet music exploitation of such compositions.

Included in the deal, which takes effect today, are specifically the songs in several forthcoming Universal features, "Top of the Town," "Three Smart Girls" and "Hitting the High Spots."

Ostrer West-Bound For Schenck Talks

(Continued from page 1)

fornia. He took a plane part way and will join the Ostrer party the balance of the way.

"There has been no meeting since Ostrer arrived and none is planned," N. M. Schenck of Loew's stated Wednesday. "There is nothing to add or supplement on our understanding. It has always been in my mind that we have made a deal."

Schenck left for Miami Wednesday to look over winter residences. He is due back either Monday or Tuesday.

"Lloyds of London" Premiere at Astor

(Continued from page 1)

New York premiere of the film were: U. S. Senator Robert Wagner, Herbert Bayard Swope, Randolph Churchhill, Max D. Steuer, Nicholas M. Schenck, J. Robert Rubin, Charles Moskowitz, Leo Spitz, W. G. Van Schmus, Lee Shubert, Paul Block, J. J. Shubert, W. C. Michel, John D. Clark, Joe Moskowitz, Felix C. Jenkins and Spyros Skouras.

Gala Coast Premiere

HOLLYWOOD, Nov. 26.—"Lloyds of London" opened at the Carthay Circle last night simultaneously with its New York debut at the Astor. It was a gala opening.

Paramount's Quarter Net $2,013,764

(Continued from page 1)

pictures for which a reserve was provided out of the 1935 earnings, as referred to in the company's annual report for that year, approximately $200,000 was charged to operations in the current quarter in accordance with the company's regular film amortization tables. Accordingly, this amount of the reserve has, as above stated, been credited to operations.

"The above results do not include results of operations of Olympia Theatres, Inc., and its subsidiaries in receivership throughout the period, and whose operations therefore, do not affect the current earnings of Paramount Pictures, Inc. Operations of partially owned companies not consolidated are included only to the extent that dividend income has been received therefrom. Paramount's net interest as a stockholder in the combined undistributed earnings of such partially owned companies, available to it if, when, and to the extent that dividends are paid to it therefrom amounted, for the quarter, to approximately $247,000."

GTE Declares Dividend

General Theatres Equipment Corp. has declared a dividend of 90 cents a share on the capital stock payable Dec. 15 to stockholders of record on Dec. 5. This will make the total dividends for the year $2 per share.

To Resume A T & T Probe

WASHINGTON, Nov. 26.—The Federal Communications Commission will resume its public hearings in its investigation of A. T. & T. on Dec. 3.

Wall Street

Para. Issues Continue Rise

	High	Low	Close	Net Change
Columbia	37¾	36¾	37¼	— ¼
Consolidated	4¾	4⅝	4⅝	— ⅛
Eastman	180	180	180	—1
Eastman, pfd.	160¼	160¼	160¼	— ¾
Gen. T. Equip.	29½	28¾	29½	+ ⅝
Loew's, Inc.	64⅜	63	63¾	— ⅛
Paramount	22⅜	20⅞	22⅜	+1
Paramount 1 pfd.	160½	151½	160¼	+5¼
Paramount 2 pfd.	20⅝	18⅞	20¼	+1
RKO	8⅛	7⅞	8	— ¼
20th Century-Fox.	37	36¼	37	+ ⅝
20th Century, pfd.	45¼	45¼	45¼	— ½
Universal, pfd.	104½	104	104½	— ½
Warner Bros.	17¼	16¾	17¼	.....
Warner, pfd.	64	64	64	.....

"U" Up on Curb

	High	Low	Close	Net Change
Grand National	3⅝	3⅜	3⅜	— ¼
Sentry Safety	¾	¾	¾	— ⅛
Sonotone	2¼	2⅛	2⅛	.....
Technicolor	23	21⅜	22¼	— ¾
Trans-Lux	4⅞	4¾	4¾	.....
Universal Pict.	15	14½	15	+1½

RKO Bonds Gains 6 Pts.

	High	Low	Close	Net Change
Keith B. F. 6s '46	100	99¾	100	+ ½
Loew's 6s '41 ww deb rights	101	100⅝	101	.....
Paramount B'way 3s '55	69¾	69¾	69¾	— ¼
Paramount Pict. 6s '55	101	100½	100½	— ½
RKO 6s '41 pp.	122	116	122	+6
Warner Bros. 6s '39 wd	98½	98	98	— ⅛

(Quotations at close of Nov. 25)

Separate Film Conference Is Capital Plan

(*Continued from page* 1)

the general conclave, it is planned. Film and theatre spokesmen will be given an opportunity of learning the Administration's general aims in regard to industry at the meeting and to state, as well, what the film industry wants from the Government. If anything specific is proposed in this respect methods of gaining it either through the council's conference or other Federal agencies would be explored, it was indicated.

The National Counsel is not considering the re-establishment of industrial code structures such as were invoked under NRA, but rather hopes to attain enabling and enforcement measures for voluntary trade agreements which would benefit labor and correct competitive abuses within industries, it is learned. Whether these are necessary to the film industry and, if so, how they might be achieved, would be the principal subjects of discussion at the Washington meeting.

Another "Blue Eagle" Likely

The plan for holding a separate meeting for this industry was taken under consideration by the National Council after recent conferences with industry representatives at which it was indicated that more interest in the Washington meetings might be created within this industry through such a procedure.

With trade agreements once set up, brand insignias similar to the NRA Blue Eagle would be authorized for subscribing industry members. Unauthorized use of the insignia could be subject to prosecution by the Federal Trade Commission under the powers it now has for proceeding against instances of misbranding, it was pointed out. The potency of the insignia would, of course, be only as effective as public opinion and support make it.

"Gold Diggers" to Arrive Here Today

Warners' flying "Gold Diggers" are due at the Newark Airport this morning. They will be welcomed by Newark city officials and, after a celebration, will proceed to the Warwick.

At 9 o'clock tonight they will appear at the Strand, but will have the week-end free for a rest. On Sunday they will be guests of H. M. Warner at his Mt. Vernon home, and on Monday they will start the return trip.

Yesterday morning the troupe stopped at Providence for breakfast and then went on to Boston. They did a broadcast from the Hotel Statler, were received at the State House by Governor Curley and appeared at the Metropolitan in the evening.

Form Magnet Pictures

Melvin Hirsch and Burt Kulick of the New York Syndicate Exchange have formed Magnet Pictures, Inc., through which General Pictures will be sold under a recently acquired franchise. Physical distribution will be done through Syndicate.

Out Hollywood Way

HOLLYWOOD, Nov. 26.—Radio assigns six writers—THELMA LEEDS to "Three on a Latchkey," Major G. O. T. BAGLEY to collaborate with P. J. WOLFSON on "Robber Barons," HORACE JACKSON to "Behold the Bridegroom," GERTRUDE PURCELL to "Take It Easy," ANTHONY VEILLER to "Escadrille" and ROBERT J. BREN to work with EDMUND HARTMAN on "Wings of Victory."

GOVERNOR LEHMAN of New York guest of JACK WARNER at studio luncheon. . . . FANNIE HURST starts her Paramount contract. . . . RUBY KEELER under observation for an inflamed appendix.

HAL ROACH signing talent for his proposed musicals. . . . GORDON HOLLINGSHEAD to do "Off to the Races" after he finishes "Robert Burns" for Warners. . . . Paramount soon to start "Clarence" with GEORGE ARCHAINBAUD directing. . . . VICTOR MOORE signed by Paramount for lead in "Two Years Are So Long." . . . BARBARA STANWYCK and JOEL MCCREA get leads in "Internes Can't Take Money," Paramount.

Radio starts "Once Over Lightly" with CHRISTY CABANNE directing. . . . I. E. CHADWICK's deal with Grand National for one picture.

✚

Casting—GEORGE TAYLOR, JOHN HARRINGTON, ARTHUR HOHL, PAUL MCVEIGH and DEWITT JENNINGS in "Nancy Steele Is Missing," Twentieth Century-Fox. . . . WILLIAM POWELL with JOAN CRAWFORD and ROBERT TAYLOR in "The Last of Mrs. Cheney," M-G-M. . . . CHARLES GRAPEWIN and HARRY HOLMAN in "Sinners Take All," same studio.

SARA HADEN, ZEFFIE TILLBURY, FRANK REICHER and THEODORE VON ELTZ in "Under Cover of Night," M-G-M. . . . MURRAY KINNELL in "The Prince and the Pauper," Warners. . . . CLARA BLANDICK in "Her Husband's Secretary," same studio.

✚

Directors—ALBERT WERKER to direct SALLY EILERS and JAMES DUNN in "We've Had Our Moments," Universal. . . . GEORGE SHERMAN to assist DAVE HOWARD on GEORGE HIRLIMAN's "Park Avenue Logger." . . .

✚

Writers—EVERETT RHODES CASTLE collaborating with DONALD HENDERSON CLARKE on "The World's Our Oyster," Selznick International.

✚

New Contracts—LORETTA YOUNG signed for another year by Twentieth Century-Fox; now working in "Love Is News." . . . BENNETT PARKER, comedian, signed to term pact by M-G-M after working in "Born to Dance."

✚

Title Changes—"Devil's Playground" new title for "The Depths Below," Columbia; "More Than a Secretary" new title for "Help Wanted—Female," same studio.

"Blossoms" Is Opened

WASHINGTON, Nov. 26.—"Broken Blossoms," Imperial feature made in England, was given its American premiere at the Belasco last night before an audience which included representatives from the Chinese, English and Russian Embassies.

Film Concessions Reported in Italy

(*Continued from page* 1)

dispatch had been received up to a late hour Wednesday from either Will H. Hays, who was reported as having left Rome for Paris on Wednesday, or from other official Italian sources.

The A. P. dispatch credited the lifting of the restrictions to Hays and Ambassador William Phillips who were reported as having conferred with Premier Benito Mussolini and other Fascist officials. The dispatch said that the restrictions limiting the importation of American films into Italy to 48 for the current year had been lifted entirely, and that the amount of money which American companies would be authorized to take out of Italy would be "appreciably increased." The limitation originally imposed permitted the removal of one-third of a company's Italian revenue.

What, if any, concessions were made on behalf of American companies to Italy was not suggested in the dispatch. The restrictions were conceived as a means of encouraging film production in Italy and of supporting the large new Italian studios which will be opened near Rome next spring. Intimations were that American companies would be expected to actually participate in or cooperate with Italian production activities.

Hays Goes to Paris After Talks in Rome

ROME, Nov. 26.—Will H. Hays leaves today for Paris after 10 days of conferences here in an effort to secure quota modifications and relaxation of other Italian restrictions.

It is understood further negotiations will be carried on by American Ambassador William Phillips, with whom Hays has had a number of conferences. He also has talked with Premier Mussolini, Count Galeazzo Ciano, Foreign Minister; and Dino Alfieri, Minister of the Press and Propaganda.

"Romeo" at $198,772 In Run of 14 Weeks

(*Continued from page* 1)

it, "Romeo and Juliet" maintained a healthy advance sale.

The week by week gross follows:

Week Ending	*Gross*
Aug. 30, 11 days	$33,019
Sept. 6	21,413
Sept. 13	20,354
Sept. 20	19,350
Sept. 27	17,253
Oct. 4	14,588
Oct. 11	12,500
Oct. 18	12,120
Oct. 25	11,900
Nov. 1	8,900
Nov. 8	9,000
Nov. 15	9,500
Nov. 22	7,500
Nov. 24	1,375
	$198,772



The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

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Moyne Committee Asks 50% Quota in 10 Years

British Government Urged to Guard Against Foreign Control

London, Nov. 27.—One recommendation of the Moyne committee report on revision of the Films Act, interpreted as being aimed specifically at American film interests, urged that the Government, through the proposed Film Commission, watch the danger of transfers of British interests to prevent control passing abroad.

Another part of the report of outstanding interest was that urging the British Government to "encourage financial interests to constitute one or more organizations to finance British production on reasonable terms."

Report Calls For a New Film Commission With Parliament Voice

By BRUCE ALLAN

LONDON, Nov. 27.—The continuance of the British quota principle for 10 years, with the ultimate institution of a 50 per cent quota, was recommended today in the report of the Lord Moyne committee which has been studying revision of the Films Act for many months.

Under the plan of new film legislation as proposed by the committee, the opening quotas on features on the new basis would be 20 per cent for distributors and 15 per cent for exhibitors. The present quota is 20 per cent for both exhibitors and distributors.

Of high significance with respect to the British Government's concern in the interests of the industry, is that part of the recommendation which calls for transfer of the administration of the Films Act from the Board of Trade to a new Film Commission, which would consist of a chairman and two to four others to be appointed by the Government and to be adequately paid, and with respresentation in the House of Commons through a

(*Continued on page 4*)

Allied Law to End Exhibition By Producers

Plans Legislation in 44 States in January

Legislation providing for jail terms and heavy fines to be imposed on each individual officer of any producing or distributing company operating a theatre is planned by Allied States Ass'n as a method of forcing producer-distributors out of exhibition, according to *Motion Picture Herald*.

Allied is secretly planning to introduce legislation into each of the 44 state legislatures convening this winter which would prohibit the operation of theatres by any producer or distributor, according to a confidential memorandum to "Allied leaders" from national headquarters in Washington, the *Herald* says. The field men are asked to concentrate chiefly on legislators elected last November.

The model bill was drafted by Abram F. Myers, general counsel and chairman of the board of Allied, in October, and sent to the leaders in the field, who are expected to seek action in each state prior to the opening of state sessions in January.

W. A. (Al) Steffes of Minneapolis

(*Continued on page 4*)

Italian Accord Is Reached on Funds

ROME, Nov. 27.—Film companies of American ownership will be permitted to withdraw approximately 50 per cent of their Italian revenue under the liberalized agreement resulting from the understanding reached by Ambassador William Phillips and Will H. Hays with Italian Government officials. Earlier restrictions limited the withdrawals to about one-third and regulated the uses to which the balances remaining here might be put. The latter restriction also has been removed.

Italian film circles are pleased with the results of the accord, which included also the lifting of all quota

(*Continued on page 4*)

Blank and Freeman To Talk Agreement

Discussions on a new operating agreement for the A. H. Blank circuit are scheduled to get under way here next week between Blank and Y. Frank Freeman, Paramount vice-president and head of the company's theatre interests.

Under the current operating agreement, which expires at the end of the year, Paramount is privileged to repurchase the 50 per cent stock interest in the circuit held by Blank. Whether the option will be exercised, the current agreement extended or a new one negotiated has not been determined within Paramount and the decision waits upon the scheduled conferences with Blank, Freeman said.

"Allah" Is $84,000 Hit at Music Hall

"The Garden of Allah" tallied $84,000 in the first week at the Music Hall. The theatre had its largest Thanksgiving Day gross Thursday when the picture garnered $20,200, according to United Artists. Business generally along Broadway was big Thanksgiving Day and continued to be heavy yesterday.

"Go West, Young Man" and a stage show at the Paramount netted $52,000 for the first week of the theatre's tenth anniversary. Indications are the combination show will do around $45,000 the second week.

The six days of the second week

(*Continued on page 4*)

2nd Coward Cycle Amuses; Honors to Miss Lawrence

Further evidences of the infinite cleverness of Gertrude Lawrence and Noel Coward went on display at the National last night when the second movement of the British playwright's three-part entertainment surge, "Tonight at Eight-Thirty," was seen and heard. Your first-nighter, he asks you to note, wrote Gertrude Lawrence and Noel Coward.

This is no error in the billing. This talented pair again performed charmingly in "We Were Dancing," "Fumed Oak" and "Shadow Play," but the evening, it will be argued through fire and with sword, was chiefly Miss Lawrence's. Probably, the material given her furnishes the answer, which is of no especial import anyway, the facts being what they are.

The three one-act plays were uneven in writing and effect. Once more, the program launched itself with a comedy skit. "We Were Dancing," as fluffy as a powder puff, goes to the Orient for its locale. There, Miss Lawrence meets Coward and both immediately are bewitched by the mellowness of the moon. They hardly know each other's name, but it matters not at all. Alan Webb, the husband, and Joyce Carey, the sister-in-law, talk it over in the kind of stolid, sportsman-like and sensible manner you read the English go in for and it's

(*Continued on page 4*)

Ascap Case May Not Be Set Until Spring

Although steady progress is reported on the stipulations of fact in connection with the Government's monopoly action against Ascap, present indications are that the stipulations will not be in readiness to return to the Federal court here until some time next spring, Arthur Schwartz, of Schwartz & Frohlich, attorneys for Ascap, said yesterday.

Work on the stipulations has been in progress for several months. While much has been accomplished, a great amount of work still remains to be done. Complete agreement on the stipulations may mean that the court will be able to decide the case without a resumption of trial or the taking of any additional testimony.

"Stage Door" to RKO

RKO has purchased "Stage Door," the George S. Kaufman-Edna Ferber play current at the Music Box.

Katharine Hepburn, Ginger Rogers and Burgess Meredith have been cast for the leading roles.

Radio

Developments in radio on page 3 today.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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Warner "Gold Diggers" Get In; Sirens Sound; They Eat

By J. M. JERAULD

Breakfast at Boston, lunch at Providence with Governor Theodore Francis Greene and the Mayor of Providence and luncheon at the Warwick, New York, was the schedule of the "Gold Diggers of 1937" yesterday.

It sounds like quite some territory to cover in half a day, but it was all in the half-day's work for the Gold Diggers. They left California two weeks ago, and they have covered so many cities since that they can't even remember their names. One of the blondes remembered she had been in Dallas, El Paso, Memphis, Philadelphia, Boston and Providence, but she was hazy about the other places.

S. Charles Einfeld, sometimes called Charlie; Sid Retchetnik, an authority on blondes; Herbert Crooker and assorted newspaper men, gathered at the Newark Airport at 10 A.M., E.S.T. The E.S.T. means Eastern Standard Time, but you could never tell it from the American Airlines clock, which said 8:20. The temperature was -0 11, F., which means 11 below zero Fahrenheit. Monsieur Retchetnik stayed out on the field for 57 seconds and gazed at the horizon, but joined the assembled multitude inside the waiting room at 58½ seconds and announced that the "Gold Diggers" plane was over the G. Washington bridge.

Inevitable Plea Is Heard

Three hundred seconds later the plane bounced onto the airport and a lot of "Gold Diggers" emerged.

"When do we eat?" inquired three of them. "We've had chicken a la king ever since we left the coast. How about some roast beef?"

Einfeld assured them the New York roast beef was a la mode, or words to that effect.

After the mounted policemen had pushed the crowd back and the motorcycle policemen had blown their sirens the visitors bussed to Newark and passed the main entrance to the Branford, which happened to be a Warner theatre. Then they went through Jersey City over the Pulaski Skyway with eight motorcycle policemen in advance. Einfeld advised the girls to hold their breath passing through the Holland Tunnel and some of them tried.

After passing the Strand and the Warner home office, where they threw rice, confetti and telephone books out of the windows the "Gold Diggers" arrived at the Warwick where they ate and were interviewed.

They were due for a quiet weekend —an appearance at the Strand at 9 P.M., last night, an appearance at the Center for "White Horse Inn" tonight, visits to the Stork Club, the Cotton Club, and a couple of other spots tonight; lunch at the H. M. Warner estate tomorrow in Mt. Vernon, then a couple of more night clubs, and on Monday morning they're due in Albany for the first stop of the return trip.

Some of them admitted they had two or three hours sleep since leaving the coast, but they were holding up well, in spite of it all.

Protection

Toronto, Nov. 27.—An epidemic of theatre robberies in various Canadian cities in recent months has brought about intensive protective measures. Box-offices are being guarded during operating hours, and frequent inspections of the theatres are made at night.

Theatres up to now apparently have been easy pickings for the gunmen.

Philadelphia UMPTO To Talk Percentage

PHILADELPHIA, Nov. 27.—Plans for combating what are described as "unfair percentages" will be discussed by the U.M.P.T.O. at an emergency meeting to be held Monday.

The highlight of the meeting will be a report of a special committee which has interviewed Robert Lynch, exchange manager here.

Among the speakers scheduled for the meeting is Harry Brandt.

"Lloyds" Start Good

"Lloyds of London" went a trifle under capacity at yesterday's matinee at the Astor. Thanksgiving Day, first full day after the Wednesday premiere, was reported by Twentieth Century-Fox to be "very good," but a trifle off at the 6 P. M. show. Turkey was responsible.

Roadshowings for "Lloyds"

HOLLYWOOD, Nov. 27.—Twentieth Century-Fox will roadshow "Lloyds of London," with the first openings scheduled for Washington and Boston. Plans for other key cities are now being completed.

Out Hollywood Way

HOLLYWOOD, Nov. 27.—BARNEY BRISKIN, production chief of Principal Prod., leaving today by train for New York. SOL LESSER likewise next week. "Rainbow on the River" opening, the reason.

WILLIAM C. LENGEL, eastern story editor for Columbia, in for two weeks of story conferences at the studio.

Paramount to start production of eight features in December. . . Illness of RUBY KEELER forces suspension of production on "Ready, Willing and Able" at Warners. . . . SHIRLEY LLOYD now CARON LLOYD. . . . Hollywood dance directors planning dinner for BUSBY BERKELEY. . . . SID SILVERS back from New York.

EDWARD H. GRIFFITHS, back from Europe, gets new Twentieth Century-Fox contract. . . . BABS JOHNSTONE new Columbia set dresser. . . . FRED WILCOX to New York and Austria for background shots on "Maiden Voyage. . . . Grand National will finish 13 and release 11 by Jan. 1. . . . GEORGE ARMOND COX, PATTERSON MCNUTT, HARRY GEISE get M-G-M writing contracts.

+

Casting—DON AMECHE, SIMONE SIMON, JAMES STEWART, GREGORY RATOFF in "Seventh Heaven," Twentieth Century-Fox. . . . HENRY DAVENPORT and ERIC MAYNE in "Under Cover Nights," JESSIE RALPH in "The Last of Mrs. Cheney," both M-G-M.

+

Directors—EDWARD H. GRIFFITHS to do "Cafe Metropole," Twentieth Century-Fox. . . . LEO MCCAREY on "The Years Are So Long," Paramount.

+

Writers—EUGENE SOLOW on "The League of Frightened Men," Columbia. . . . MAURICE GERAGHTY adapting "Rustler's Valley," Sherman-Paramount.

+

Story Buys—"Susanah of the Mounties," to Twentieth Century-Fox. . . . "Everybody Was Very Nice" to Warners. . . . "Quintuplets to You," Radio.

"General" Foreword Raises China's Ban

WASHINGTON, Nov. 27.—A 40-day stay of the order issued by the Nanking Government barring Paramount from doing business in China has been granted the distributor, according to advices received here. The stay is understood to have been granted as a result of the addition to "The General Died at Dawn" of an explanatory foreword satisfactory to the Nanking Government, which will be included in all prints of the picture exhibited in the Far East.

The order barring Paramount from doing business in China was issued after the Nanking Government's request that "The General Died at Dawn" and "Klondike Annie" be withdrawn from world exhibition was not complied with. The State Department interceded on behalf of the film company with the result that the explanatory foreword was added to the film and the stay granted for further discussion of the Chinese Government's objection to the two films.

Board Studies Bids For the McVickers

CHICAGO, Nov. 27.—The Board of Education today decided to refer bids for a lease on the McVickers to a subcommittee for study. The results will be announced next week.

The only bidders were Jones, Linick and Schaefer, and B. & K. It is understood that the B. & K. bid was $62,500 for the first year and a rising scale thereafter, plus a cash advance to refurnish the house.

Held Columbia Stock

WASHINGTON, Nov. 27.—Dr. A. H. Giannini, president of United Artists, was among the holders of more than 10 per cent of Columbia stock, as of Aug. 17, last, it was shown in the company's report filed recently with the Securities and Exchange Commission. Giannini, Harry Cohn and Jack Cohn held 287,454 shares of common stock.

Kent Heads Seal Drive

S. R. Kent has been chosen as chairman of the M. P. Section of the 30th annual Christmas Seal drive of the New York Tuberculosis and Health Ass'n, which started Thanksgiving Day and will continue until Christmas. The general chairman of the business groups division of the drive is Alfred C. Howell, vice-president of the Guaranty Trust Co.

Lyons, Cameraman, Dead

HOLLYWOOD, Nov. 27. — Chester Lyons, 51, cameraman for Twentieth Century-Fox, died today as a result of a heart attack while on the set of "Death in Paradise Canyon." Lyons had been under contract to the studio for eight years. He is survived by his widow, Katherine.

Hays Luncheon Monday

LONDON, Nov. 27.—The F.B.I. Film Group here will hold an elaborate luncheon for Will H. Hays, president of the M.P.P.D.A., on Monday at the Trocadero.

Pathe Votes Dividend

Pathe has declared a regular quarterly dividend of $1.75 per share on the preferred stock, payable Jan. 2.

Purely Personal

J. CHEEVER COWDIN, Universal chairman, is back from a brief coast visit, having made the round trip by air.

•

JORDON LIPSCHULTZ, Warner booker for Hudson and Union counties in New Jersey, on Thanksgiving Day married RUTH COHEN, secretary to FRANK DAMIS, head booker for Warners' northern New Jersey theatres.

•

KARL MCDONALD of Warners yesterday returned from a three-week trip to the West Indies. He says he flew about 10,000 miles, his furthest point being Georgetown, British Guiana.

•

BERNARD MILLS, Republic franchise holder in Albany, will return upstate today. Earlier in the week, he and EDWARD M. SCHNITZER, district manager, closed the Schine circuit deal.

•

BOBBY BREEN will return to New York tomorrow from a Boston personal appearance, and will spend several weeks in New York before going to the coast.

•

JOE COOK arrived in town yesterday to arrange a new radio contract. He has just finished work in Paramount's "Arizona Mahoney."

•

JEFF LAZARUS, Paramount editorial board head, left yesterday for the coast after three weeks in New York.

•

WHITFORD DRAKE, executive vice-president of Erpi, is due here Monday after a month on the coast.

•

ERROL FLYNN and LILI DAMITA leave the coast by plane for New York today.

•

EDWARD L. ALPERSON, president of Grand National, is due from the coast on Monday.

•

H. C. POTTER, director for SAMUEL GOLDWYN, leaves today by train for the coast.

•

JACK COHN is spending the Thanksgiving week-end at his farm near Peekskill.

•

THELMA LEEDS, RKO player, left by plane last night for the coast.

•

EDWARD HYMAN of Century Circuit left for Toronto yesterday.

•

MAX A. COHEN is in Lakewood and will return Monday.

•

J. ARTHUR HIRSCH is in town from Montreal.

To Amend Fuller Petition

NEW ORLEANS, Nov. 27.—Counsel for George Fuller, Pensacola exhibitor suing major companies and two Saenger executives, were given 10 days to amend his petition to conform to equity procedure at the hearing in the case Wednesday. Defense point was upheld in a ruling that both injunctive relief and damages could not be asked in an equity case.

Lasky, in Air Talk, Sees Output Increasing to 825

Hollywood anticipates a production increase this season of more than 300 pictures over last season's mark of 525, Jesse L. Lasky yesterday stated in a talk over the NBC-Red network. He represented the film industry as one of six major businesses in an air program designed to stress America's great upswing in industrial recovery.

The sharp increase in production, according to Lasky, will mean an additional expenditure of $150,000,000 a year and the re-employment of electricians, carpenters, engineers and other skilled workers in more than the 250 different industries, arts and crafts which he declared were involved in the making of a picture.

Speaking from the RKO lot in Hollywood, Lasky said that the rise in prosperity was markedly reflected by the strong increase in studio activities and box-office grosses. In 1930, he stated 110,000,000 people attended picture theatres regularly. In 1933, the figure had dropped to 60,000,000. In 1935, it rose to 80,000,000, and is still rising, he added.

"These figures indicate more than mere motion picture recovery; they mean that industry everywhere is again moving forward, for unless there is prosperity in other lines, the motion picture industry is checkmated. Unless the factory workers, the coal miners, the butcher and baker are employed, our efforts go for naught. Because of this, our attendance record is a barometer for all industry," Lasky said.

Veterans in Comeback

May Singhi Breen and Peter De Rose, radio veterans who go 'way back to the crystal set-"cat whisker days" of radio—return to the networks on Dec. 1 in a new sponsored series to be known as "The Sweethearts of the Air." Humphries Homeopathic Medicine Co. will sponsor.

The series will be heard twice weekly, Tuesdays and Thursdays, 5:45 P.M., over seven NBC-Red network stations, comprising WJZ, New York; WBZ, Boston; WBZA, Springfield; WFIL, Philadelphia; WBAL, Baltimore; WSYR, Syracuse; and WHAM, Rochester. Milton Biow and Co. is the agency handling the series.

First Feminine Commentator

Radio's first network feminine news commentator, Isabelle Manning Hewson, will begin a new twice-weekly series over the Mutual network on Dec. 1, at 11:45 A.M., E.S.T. The program, titled "Petticoat Philosophy," will be aired on Tuesdays and Thursdays at that time.

The Pure Milk Cheese Co. will sponsor. The program will emanate from WFIL, Philadelphia and will be heard over that station, WOR, New York; WAAB, Boston, WGN, Chicago; and CKLW, Detroit-Windsor.

Barrymore Pinch-Hitting

Lionel Barrymore, an infrequent radio guest, will take over the production and commentator role on Monday night's Lux "Theatre of the Air" program, featuring Loretta Young in "Polly of the Circus." Barrymore replaces Cecil B. DeMille, regular producer, on this one broadcast because the latter is now on tour with prints of his latest picture, "The Plainsman," for previews in key cities.

Opfinger Moves to Mutual

Adolph Opfinger, now assistant program director at WOR, will be brought over to the Mutual network as program coordinator on Dec. 14. Opfinger will effect program coordination between the Mutual and the Don Lee stations, which combine with Mutual late next month. Opfinger left Paramount four years ago to join WOR.

Mitchel Benson will assume Opfinger's old post.

New Vim Show Lined Up

Jack Arthur's Revue, featuring Arthur, Will Osborne's band, and Eleanore Sherry, "blues" singer, begins an indefinite WOR-Mutual network stay on Dec. 7, from 8:30 to 9 P.M., E.S.T., and sponsored by the Vim Electric Co.

The new revue replaces the Sunday night program featuring comedian Teddy Bergman and Harold Stern's orchestra, also sponsored by Vim.

Report Yeast Buy from KFWB

HOLLYWOOD, Nov. 27.—Reports here are to the effect that the Fleischman's Yeast people have purchased Haven MacQuarrie's KFWB amateur program titled "Do You Want to Be An Actor?" through Transamerica. The program probably will be piped from the coast over NBC.

NBC Adding KGNC

NBC, far ahead of CBS in the race for new stations, adds still another on Jan. 1, when KGNC, Amarillo, Texas, becomes affiliated. The new acquisition will be offered as an optional outlet to advertisers using the Southwestern Group.

Gleason, Durante, Et Al

Short Shots: James Gleason has been added to the "Polly of the Circus" Lux "Radio Theatre" broadcast of Monday night . . . Jimmy Durante will be Saturday's guest of Dr. Shirley Wynne on the latter's WMCA series at 10 P. M. . . . Dewey Long, WBT (Charlotte) sales manager, now in Atlanta on station business . . . Lee Kirbin, of San Antonio, Tex., starts this week as WBT announcer . . . Edwin Schallert's KHJ (Hollywood) guests a week from Sunday, Freddie Bartholomew, Mickey Rooney and Jackie Cooper. The trio was featured in the cast of "The Devil Is a Sissy."... Bobby Breen rejoins the Cantor air company Sunday night after an absence of three weeks . . . Fred Astaire, recovered from his recent illness, returns to the Tuesday night Packard series . . . Alec Templeton, blind pianist and Midge Williams, singer, will be Richard Himber's Monday night guest on the latter's NBC-Red.

Menken Is Returning From Spain Conflict

Arthur Menken, Paramount news cameraman and a son of S. Stanwood Menken, will reach New York Monday on the *Queen Mary* after a number of exciting experiences in Spain. He was expelled from Spain by the rebel forces after attempting to smuggle uncensored negative out of the country.

In spite of his expulsion Menken was commended by General Franco, head of the rebel forces, for his work during the campaign. Menken was injured by a falling stone and schrapnel at Alcatraz and was instrumental in securing the release of John Dored, another Paramount News cameraman, who was captured by rebel forces and whose two associates were executed.

Lease Newsreel Site

Grand Central Terminal's newsreel theatre, to be constructed immediately on the parking lot site at 43d St. and Lexington Ave., will have 242 seats and accommodations for 60 standees. A 20-year lease on the theatre calls for an aggregate rental of about $586,-500. The lessor is Grand Central Newsreel Theatre, Inc.

Sidney Bernstein Weds

LONDON, Nov. 27.—Sidney L. Bernstein, managing director of Bernstein Theatres, Ltd., was married yesterday at Paddington to Zoe Farmar, fashion editor of the *Daily Express*.

R. & B. Take the Rugby

Rugoff & Becker has assumed operation of the Rugby, Brooklyn, with Dave Rosenzweig, former operator, maintaining an interest in the new corporation, Redfield Operating Corp.

Quintuplets in Color

The Dionne quintuplets will appear in color for the first time in the next issue of Pathe News. The pictures were made by Larry O'Reilly and Nick Rogali.

Wall Street

Small Losses Spot Board

	High	Low	Close	Net Change
Columbia	37¼	36⅞	37¼	.....
Columbia, pfd.	43	43	43	—1
Consolidated	4⅞	4¾	4⅞	+ ¼
Consolidated, pfd.	17½	17½	17½	+1
Eastman	180	180	180	.....
Gen. T. Equip.	30⅝	29¾	30½	+1
Loew's, Inc.	65¼	64¼	65	+1¼
Paramount	22⅜	21¾	22⅛	— ¼
Paramount 1 pfd.	160½	159¼	160¼	+1¼
Paramount 2 pfd.	20¾	19¾	20⅛	— ⅛
Pathe Film	8½	8⅜	8⅜	— ¼
RKO	8⅛	8	8⅛	+ ⅛
20th Century-Fox	37¼	36⅞	37¼	+ ¼
20th Century, pfd.	46⅝	46	46⅝	+1¾
Universal, pfd.	103	103	103	—1½
Warner Bros.	17⅝	17⅜	17⅜	+ ⅛
Warner, pfd.	66	65¾	65¾	+1¾

Little Curb Activity

	High	Low	Close	Net Change
Grand National	3½	3⅜	3⅜	.....
Sonotone	2¼	2⅛	2⅛	.....
Technicolor	22¾	22½	22½	+ ¼
Universal Pict.	14⅞	14⅞	14⅞	— ⅛

RKO Bonds Off 3¼ Points

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	101	100⅞	101	.....
Paramount Pict. 6s '55	101	100¾	100¾	— ¼
RKO 6s '41	117¾	116½	117	—3¼
Warner Bros. 6s '39 wd	98¼	98¼	98¼	+ ½

(Quotations at close of Nov. 27)

Allied Law to End Exhibition By Producers

(Continued from page 1)

is chairman of the special "defense committee" which will conduct the legislative campaign, his aides being Sidney Samuelson, New Jersey; James Ritter, Detroit; Col. H. A. Cole, Texas, and Henry M. Richey, Detroit. Ritter is treasurer of the defense fund of $250,000 which Allied has been seeking to collect since the national convention in Cleveland last June. Thus far, it is said, only $15,000 in cash and about $20,000 in pledges has been collected.

Under the proposed legislation, no producer or distributor could have any direct or indirect interest in a theatre. The penalties would be a $10,000 fine and one year in jail for violations.

An exhibitor permitting such producer or distributor activity in his theatre also would be liable, facing possible loss of his right to operate a theatre in the state.

"Allah" Is $84,000 Hit at Music Hall

(Continued from page 1)

of "Pigskin Parade" at the Roxy drew $34,000. This theatre also has a stage show. "Reunion" opened Thanksgiving Day to good business. "Come and Get It," in its second stanza at the Rivoli, wound up with $20,000. "Rembrandt" opens next Wednesday.

"Tarzan Escapes" garnered approximately $25,000 at the Capitol. The final four days of "Charge of the Light Brigade" at the Strand ended with $10,000. Long lines formed at the theatre yesterday morning, the second day of "Three Men on a Horse."

"Wedding Present," at the Criterion, tallied about $7,000 on the week. "Murder with Pictures" at the Rialto grossed approximately $6,500.

Break Boston Record

BOSTON, Nov. 27. — Eddie Cantor and Bobby Breen broke the house record for a single day's take at the RKO Boston yesterday, tallying $8,100. "Smartest Girl in Town" is the screen attraction.

Italian Accord Is Reached on Funds

(Continued from page 1)

limitations on the importing of American pictures. It was not learned whether any concessions in the way of cooperation with film production in Italy are to be made by American companies.

The Hays office here said yesterday that it still was uninformed officially of an agreement having been reached with the Italian Government.

411 Sold Mirrophonic

Erpi has sold its new Mirrophonic equipment to 411 theatres up to Nov. 14, this total including 68 Loew houses.

2nd Coward Cycle Amuses; Honors to Miss Lawrence

(Continued from page 1)

all arranged. But by this time it is morning and the spell is gone, and with it the romance. Coward goes on his way and that appears to be that. Yet, it is very clever, adroitly stage-managed and flawlessly acted with Miss Lawrence leading all.

"Fumed Oak" tells of a cockney family, composed of a slatternly and disagreeable wife, played by Miss Lawrence; her husband, Coward; his mother-in-law, Miss Carey, and his child, Moya Nugent. For 15 years Coward has held his peace and his words. Then one night he returns with a couple of whiskies under his belt, about $1,500 secretly saved from salary and a determination to tell his family where it gets off. He does, one by one, and walks out on their lives, bound for the high road to adventure. The program describes this as an "unpleasant comedy." It is, but it is effectively done in keeping with its sorry people and their cheerless and bedraggled existence. Coward has the fat part here and plays to the limit the emergence from his Milquetoast innards to the full estate of his asserted manhood. Miss Lawrence, however, runs him a very close second.

Again the Flashback

"Shadow Play," reverting to the flashback technique as in "The Astonished Heart," is utterly pleasing and a trifle obscure, which may be a pointless criticism about an endeavor which is not supposed to have much point beyond its nostalgia. Married to Coward, Miss Lawrence is about to lose him for another woman. A third sleeping powder proves too much. In her delirium, she re-lives their romance and their honeymoon and, as she does, the stage transcribes into lilting and lovely scenes and dancing the combined unrest and happiness of her memories. Finally, she wins back her husband.

"Shadow Play" is charmingly done. Miss Lawrence is entrancing and thoroughly captivating and the well-known Coward charm and suavity, of course, are present.

It is this reviewer's impression last night ended up a trifle further down the scale than the exciting evening which was Monday. Nevertheless, it was playgoing emphatically worthwhile and time assuredly well spent if lacking in discovery of material of interest to Hollywood.

Three Plays Closing

"And Stars Remain," which opened at the Theatre Guild Theatre Oct. 12, closes tonight.

"Double Dummy," which made its debut at the Golden Nov. 11, folds tonight also.

Third closing tonight is "St. Helena," which opened at the Lyceum Oct. 6.

"Forbidden Melody" is the fourth play to call it a day tonight. It opened at the New Amsterdam Nov. 2.

Blumenthal on Coast

HOLLYWOOD, Nov. 27.—A. C. Blumenthal arrived today by American Airlines.

Critics a la Nazi

Berlin, Nov. 27.—Adverse criticism of films, literature, music or the other art forms will henceforth be forbidden in Germany, according to a new decree from Nazi Minister of Propaganda and Public Enlightenment Joseph Goebbels.

Critics, said Goebbels yesterday in a speech before the German Cultural Chamber, must merely review and describe the subject, but adverse criticism will not be permitted.

Moyne Group Asks 10-Year Quota of 50%

(Continued from page 1)

Minister or some other appointee for the purpose.

In the hands of this body would fall the important principle of establishing a quota for each year "on the basis of the actual output of British long films of a good standard of quality in the calendar year immediately preceding."

The report stressed that there will be a statutory obligation on the Commission in fixing the quotas to have regard to the past year's quality of films "from the point of view of the public who sees them."

Separate quotas for features and shorts are recommended, beginning with a quota for shorts of 15 per cent for distributors and 10 per cent for exhibitors. Both features and shorts, to qualify for the distributor quota, must pass a quality test "based directly on the viewing of the films."

Blind Booking Rules to Remain

Pictures not accepted or not submitted for registration for the distributor quota still will rank for the exhibitor quota. The exhibitor quota will be computed on a three-month basis, and the distributors' on a six-month basis, with a default in one period to be made good in the next.

The blindbooking provisions of the present Films Act would be retained, the report declared, and would be strengthened by the demand that distributors shall make a statutory declaration on the registration of a film that it has not been blind booked. The penalty for blind booking would apply to distributors only, with the maximum penalty increased to £250. On a second conviction the distributor would be liable to a cancellation or suspension of license. Restrictions on advance bookings would be abolished.

A statutory declaration would be required from each distributor at the end of each year that no exhibitor was forced to take unwanted films as a condition of booking any picture. All penalties attaching to blind booking would apply to block booking.

The report also recommended abolition of the British scenarist clause. Ten per cent of total footage or 20 per cent of studio scenes, whichever is less, may be foreign in any registered British film.

Three tryouts would be allowed before registration. Exhibition up to 12 weeks of specially approved foreign films outside of the quota obligation would be permitted to take care of the art film problem.

The Commission would take care of such problems as redundancy (overbuilding), oppressive trade combinations, problems of capital and liaison with local authorities. The Moyne committee specifically recommended that the Government should watch the danger of transfers of British interests to prevent control passing abroad, and also should "encourage financial interests to constitute one or more organizations to finance British production on reasonable terms."

Production Census Suggested

A census of production, to be taken yearly, is also recommended in the report.

Important in the report are the committee's rejection of the cost-footage basis of the quota and its adoption of the quality clause.

The committee proposed a small increase in the import duties on films to provide for the expenses of the proposed Films Commission not covered by registration and license fees.

In the preamble the report emphasized America's advantage in the short release period and suggested a move for the establishment of similar conditions in this country.

It appears initially that the Kinematograph Renters' Society lost out badly in its recommendations, the F. B. I. won a half-loaf, and that the Cinematograph Exhibitors' Ass'n came off best, with a reduced quota as compared to the distributors and the quality clause.

Boettiger Successor Awaits Hays' Return

No successor to John Boettiger, who has resigned as assistant to Will H. Hays, will be named until the latter's return from Europe about Dec. 10. Boettiger, son-in-law of President Roosevelt, leaves Sunday for Seattle to assume his new post as publisher of William Randolph Hearst's *Post-Intelligencer* there.

Boettiger came to the M.P.P.D.A. two years ago, just prior to his marriage to Anna Roosevelt Dall. He was formerly Washington correspondent for the *Chicago Tribune*, with which he was associated for about 12 years. He brought with him to M.P.P.D.A. public relations posts two former newspaper associates, Tom Pettey, now with the Producers' Ass'n in Hollywood, and Kenneth Clark, with the Hays office here. Boettiger said yesterday that Pettey and Clark would remain in their present Hays organization posts.

Flash Preview

"Ellis Island" — Melodrama and comedy, aided greatly by the long arm of coincidence, combine to build here an interesting production.

This film will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

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MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

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Expect a New Drive for FCC Congress Quiz

Anticipate Three Groups Will Urge Inquiry

By BERTRAM F. LINZ

WASHINGTON, Nov. 29.—The renewal of efforts to obtain an investigation of the Federal Communications Commission is expected when Congress reconvenes in January. Three groups, each with its own grievance, are understood planning an attack on the commission, after having failed to obtain an inquiry last session because of its possible effect on President Roosevelt's campaign.

While one Congressional group charges that the commission has wasted time and money in its investigation of the A. T. & T. without any results, a second group, headed by Congressman Connery of Massachusetts, will continue the fight initiated last spring to have the licenses of a number of radio stations revoked because of the broadcasting in a Mexican program of a song contended to be obscene. A third group has been

(*Continued on page* 5)

Additional radio news appears on page 5 today.

New Delay on Roxy Plan Now Foreseen

Another delay in the filing of a reorganization plan for the Roxy by the bondholders' protective committee is seen. The tentative date scheduled as Dec. 4 will be delayed until Dec. 20, according to Howard S. Cullman, trustee, who late last week filed a petition for $20,000 interim allowance for services. Federal Judge Francis G. Caffey reserved decision.

Meanwhile, Carlos Israels of White & Case, attorneys for the first mortgage bondholders, is working out a

(*Continued on page* 10)

S. R. Dunlap Heads Sterling Producing

W. Ray Johnston, Sterling Pictures head, has named Scott R. Dunlap as production chief. He will have the title of vice-president in charge of production.

Dunlap has been a director for Fox,

(*Continued on page* 10)

How Provoking

Hollywood, Nov. 29.—For the second time, Trem Carr has been forced to abandon plans for the production of a John Wayne picture because of labor trouble outside the industry.

Carr postponed production of "Adventure's End," a sea story, because of the maritime strike. He announced "Short Haul" instead, a trucking story, but has called it off now because of a truckmen's strike. He is now seeking a new story for Wayne.

One on knitting might be safe.

Seals Issued On 134 Films In 2 Months

HOLLYWOOD, Nov. 29.—Operating under the provisions of the Production Code Administration, the Hollywood branch of the M. P. P. D. A. previewed and placed seals of approval on 134 features and 50 shorts during the two-month period from Sept. 19 to Nov. 21.

The survey shows that reissued product will continue to occupy a prominent place on exhibitor programs with 50 of the total number of features viewed being reissues.

Since the numerical code seal system was first placed in operation under the supervision of Joseph I. Breen, the number of pictures from major and independent studios to pass through the Hays office machinery and receive certificates was 1,658 features and 944 shorts, dating from July 15, 1934.

The titles and releasing companies

(*Continued on page* 10)

Ostrer on Coast to Meet Kent, Schenck

HOLLYWOOD, Nov. 29.—Isidore Ostrer, president of G. B., arrived from New York today for conferences with Joseph M. Schenck and Sidney R. Kent. The G. B. executive will probably remain two weeks. Kent is understood to be planning to leave for the east in a week or so.

Nicholas M. Schenck, president of Loew's, is due to return from Miami tomorrow. It is understood S. R. Kent, upon his arrival from Hollywood, will confer with Schenck on the purchase of half of the 49 per cent of M. & B. Trust held by Twentieth Century-Fox.

BRITISH SEE HARM IN QUOTA OF 50%

Chicago Games Threatened by Business Men

CHICAGO, Nov. 29.—The Chicago Exhibitors Ass'n. and Allied Theatres of Illinois yesterday received a letter from Kenneth Barnard, general manager of the Chicago Better Business Bureau, warning them that unless they do not end prize-drawing activities in approximately 300 local theatres the Bureau will seek police action to halt the practice.

Barnard's letter said that counsel for the Bureau found that the drawings are in violation of the state lottery laws which prohibit all lotteries and provide for fines and jail sentences for those advertising them.

When questioned as to the motive for the Bureau's action Barnard said that he had received numerous complaints from both individuals and independent exhibitors asking that the chance games be stopped. He said that exhibitors with small theatres protested because they knew the prize awards were illegal and wanted to do away with them. These exhibitors, he said, claimed they had to use the games themselves for the protection of their own businesses.

Barnard said he would give theatre organizations whose membership covers practically all local circuits and

(*Continued on page* 4)

Grand National Will Open Offices Abroad

Grand National will open offices in London and Paris, and possibly in Stockholm, according to Jack Barnstyn, foreign sales head. Although the company has a two-year distribution deal with Associated Film Distributors, Ltd., Barnstyn feels it is necessary to establish offices where a Grand National executive can keep in direct contact with AFD.

Barnstyn will sail for Europe either Jan. 3 or Jan. 5. He plans to make a four-month tour. Edward L. Alperson, president, will arrive from the coast today after completing producing deals with Richard A. Rowland, Victor Schertzinger and Zion Meyers. Negotiations are under way with a number of stars and players and will probably be completed on Alperson's next trip west.

Fear Added Danger in Virtual Government Film Control

By BRUCE ALLAN

LONDON, Nov. 29.—"Sensational," was the initial reaction of the British industry to the report yesterday of the Lord Moyne committee which has been working on revision of the present Films Act since its appointment on March 26.

The startling recommendation in the report which called for scaling the quota up to an ultimate 50 per cent in 10 years was seen in many quarters as dangerous in principle. Likewise viewed as fraught with potential danger to the industry's future was the suggested establishment of a Film Commission, which in effect would amount to Government control.

In general, the report was taken at this early stage of its general consideration to be a big disappointment to the industry. The extreme quota provisions came as a distinct surprise. It was evident from an examination of the report that the footage basis for determining the quota is now considered obsolete.

Many comments noted the absence of any consideration having been given the plan of Simon Rowson for American reciprocity and the absence of any concessions to the Kinematograph Renters' Society (distributors).

The press, trade and general, reacted sharply to the report, for the most part scoring the recommendations which called for virtual Government control, and the suggestion that British financial interests arrange to finance British production.

"Onlooker," well known film commentator writing in the *Daily Cinema*, declared that the proposals will increase the playing time on British

(*Continued on page* 10)

Hays Off to London After Paris Talks

By PIERRE AUTRE

PARIS, Nov. 29.—After a series of conferences here with American film distributors' representatives Will H. Hays left yesterday for London with Mrs. Hays. He expects to sail for the United States Dec. 2.

Hays arrived Thursday, but refused to comment on his negotiations with the Italian Government on foreign exchange restrictions.

"I had a most significant, interesting

(*Continued on page* 10)

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Legion Approves All Of 9 New Pictures

The Legion of Decency, in its list for the current week, has approved, for general patronage or adults, all of the nine new films reviewed and classified. Six of the nine were approved for general patronage, and three for adults. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Born to Dance," "Lawless Land," "Mandarin Mystery," "Pennies from Heaven," "West of Nevada," "White Hunter." Class A-2, Unobjectionable for Adults—"Das Lockende Ziel" (German), "Smart Blonde," "Weekend Millionaire."

Beginning Dec. 10, the Legion's weekly release list form will be altered. The special estimate will be omitted. New pictures will be listed in the four classifications, with the name of the producing company, and in the case of films classed as objectionable in part or condemned, the reason for the classification will be stated.

Insiders' Outlook

By RED KANN

DR. JOSEPH GOEBBELS, Nazi propaganda minister, in Berlin:

> "We employed every means to bring the critics to their sole and proper rôle of art observation, giving them with it the possibility of continued existence. All these efforts have failed. It sometimes looked as if all the scolds who could no longer exercise their faculties in other fields centered on the arts.
>
> "We had to call a halt. I therefore found it necessary in the decree announced today to forbid all criticism and replace it with art observation or art description. That does not mean the limitation of free expression of opinion."

▼

And so, in the eyes of Goebbels, who is minister of public enlightenment as well as chief propaganda water-carrier, this fails to impose any "limitation of free expression of opinion." The world today understands, of course, that there can be no crossing of paths with Nazi doctrine. It gets inspiration by streamlined endowment directly from Heaven and it brooks no counter argument. Motion pictures, quite naturally, are embraced in the sweep of this latest decree with ultimate consequences apparent to even a slow-thinking mind. Without fair criticism, the German film industry will decay and ultimately it will die. So the course of history has decreed and so will it decree again. . . .

▼

With somewhat a different kind of spots, the business in England will be speckled with much the same eventual outcome if the Moyne committee recommendations for a fifty per cent quota in ten years replace the expiring Films Act. British production is gaining ground with the distance to traverse yet considerable. But a most serious doubt might well be voiced if work in progress is traceable to the first quota law. It might indeed be that English production has been hampered by subsidy which is what the quota legislation is tantamount to through the enforced outlet it guarantees pictures made there regardless of merit or point. The more significant among British producers feel exactly this way about the current situation and are very apt to voice such criticism much more sharply in the light of Lord Moyne's proposal for the decade starting with 1938.

▼

The quota has skyrocketed English production into a mushroom growth. It has encouraged public stock flotations with little to back them in many cases, as all who are honest with themselves in London know full well. It has endowed poor and indifferent home-made product with a guaranteed outlet which, on the basis of fair competition, certainly it does not deserve. It has placed on the maker of the usually superior product, which is to say the American, an unfair and an unreasonable burden as his reward for keeping British theatres prosperous. The first quota law was an out-and-out piece of discriminatory legislation and the second is even more definitely etched along identical lines. . . .

▼

We wonder what the producers here will say and do about it. We are curious to see what the State Department in Washington which is supposed to step into matters such as these will say and do. We shall more than interestedly await what, if anything, reflects itself in the free and untrammeled sale of British pictures in this market. If American and other foreign product are stifling and retarding the growth of the production industry in England, why doesn't each playdate accorded British product here keep American dollars out of the hands of American companies?

Rebuttal, you have a chance to speak your mind. . . .

▼ ▼

If "Lloyds of London" is approached from the angle of that which the cast has to offer, the standout, by any calculation, is Tyrone Power who plays the romantic male lead. Endowed with carriage, voice and appearance, here is a young actor, virtually unknown, whose work points the way toward things to come. We'll be matching this one of these years with the results, but, at the outset, are sufficiently set in our appraisal to turn quite positive about the forecast, always allowing for proper handling and material. The picture itself is extremely interesting and done on the big scale, slows up for a time, regains its tempo and holds thereafter and until it has had its say. On paper or in conversation, it would have been simple indeed to conclude that in the story of Lloyds, the world-renowned insurance firm, no straight entertainment, in the accepted sense, might be found. But dramatic characters have been dropped between the historical and a personalized love tale moved in front of the background. It worked and the evidence is on display at the Astor Theatre. "Lloyds of London" is interesting and even ironic in the light of the latest fuss from London. It demonstrates again and as did "David Copperfield," "Tale of Two Cities," "Cavalcade" and others before it that the best job of Union Jack waving is being done consistently and constantly in Hollywood. . . .

▼ ▼

With football on its last seasonal lap and many of the nation's newspapers fuming over their own selected All-American, here are our nominations for the All-Celluloid:

Left End—Al Lichtman.
Left Tackle—Jimmy Grainger.
Left Guard—George Schaefer.
Center—John Clark.
Right Guard—Grad Sears.
Right Tackle—Ned Depinet.
Right End—Neil Agnew.
Quarterback—Adolph Zukor.
Left Half—Carl Laemmle, Jr.
Right Half—Chas. R. Rogers.
Full Back—Darryl Zanuck.
Left Back—Bill Fox.
Coaches—Nick and Joe Schenck, "Doc" Giannini, Sidney Kent, Leo Spitz, Bob Cochrane.
Cheer Leader—Will Hays.

MGM Says "Dance" Betters "Ziegfeld"

M-G-M reported on Saturday "Born to Dance," on the basis of its first dozen openings Wednesday and Thursday of last week is running far ahead of "The Great Ziegfeld" and "Broadway Melody" in identical situations.

In Denver in two days, the picture did twice "Melody" business and ran $600 ahead of "San Francisco." In Albany, the opening day was reported as five times the take of "Broadway Melody" and double that of "San Francisco." Pittsburgh checked in with two and one-half times ahead of "Ziegfeld" and more than twice ahead of "San Francisco." Philadelphia's opening on "Born to Dance" was a trifle more than twice that of "Ziegfeld" and "San Francisco." Harry Zeitz of the State, New Bedford, wired the debut there broke all house records which have been registered in the last seven years.

Edward J. Grubel Dies

KANSAS CITY, Nov. 29.—Edward J. Grubel, 66, the first circuit operator in this area, was found dead in the bathroom of the home of A. F. Baker, Grubel's general manager, in Kansas City, Kan. It was assumed that Grubel died of a heart attack. His brother, Frank Grubel, associated with him in the Electric Amusement Co., survives him.

George Salmon Buried

LONDON, Nov. 18.—George Salmon, chairman of the Scottish Branch of the Cinematograph Exhibitors' Ass'n., who died in Glasgow, was buried there. The meeting of the Scottish branch was postponed out of respect to his memory.

A Statement to the Trade

Hollywood, Calif.

On my periodic visit to our studio, I have seen a number of new pictures. While I have made it a rule to be sparing in personal endorsements of pictures, I feel you should know that "Banjo On My Knee" is one of the truly great productions of the season.

No picture has ever before told the real story of the singing, dancing, brawling, foot-loose and happy Mississippi River folk. This tells about them with a power that spells bigness.

The story has all the dramatic force of "Tobacco Road" and the mellowness of "Steamboat Round the Bend", with a quality of its own that makes "Banjo On My Knee" refreshing and different. Added to that are the songs and dances which faithfully reflect the fascinating lives of the river people.

Darryl F. Zanuck and everybody else connected in any way with "Banjo On My Knee" can be proud of an exceptional job.

I most strongly urge exhibitors who play this picture to handle "Banjo On My Knee" with the enthusiasm it so richly warrants.

Sidney R. Kent

President, 20th Century-Fox Film Corp.

M-G-M Reich Cost Is $36,750 Per Film

BERLIN, Nov. 18.—The expense of the M-G-M branch in Germany amounts to approximately 175,000 reichsmarks ($36,750) per picture imported in the course of a year, according to F. D. Strengholt, managing director here. The company has 170 employes, with the payroll and maintenance of distribution channels costing 1,000,000 reichsmarks. If 10 films are imported the cost will be 100,000 reichsmarks each. The sum is increased to about 175,000 reichsmarks by the cost of post-synchronization, of 40 prints and the import license.

* * *

Robert A. Kreier has succeeded Peter Brinch as manager of the German branch of Twentieth Century-Fox, which employs 200 people.

Beekman Files Details

Beekman Film Co., in its $50,000 damage suit against Warners, filed a bill of particulars in Federal Court Saturday in which it was asserted that it registered "This Is America" on June 17, 1935, in Washington. Admission was made that portions of the film were stock shots, but other parts were filmed by the company. The bill of particulars stated that the picture was shown to Warners in the summer of 1933 with a view to distribution.

Sterling Sets 4 Titles

W. Ray Johnston has purchased "New Orleans" by Barrett McDonald, "Thirteenth Man" by Raymond Ray and "Flying Orders" by William Noble for Sterling Pictures production, and has set "Dreams Come True" as the title for "Tintype of a Lady."

Purely Personal

FENN KIMBALL, president of General Pictures, leaves today for the coast with stopovers at Chicago and Denver.

•

REG WILSON, G. B. district representative, and CLINTON M. WHITE, assistant to GEORGE W. WEEKS, will leave today for Columbus to attend the two-day convention of the Ohio I.T.O. Dec. 1 and 2.

•

R. R. COBIAN, president of United Theatres, Inc., San Juan, Puerto Rico, is in town for a 10-day stay. He is negotiating product deals while here.

•

LOET BARNSTYN has delayed his departure from the Hague for the United States until January. He wants to attend the marriage of his daughter, LOEBI before he sails.

•

RICHARD ALDRICH has started rehearsals of "Aged 26," which will open on Broadway Dec. 22. ROBERT HARRIS, the lead, is en route from England.

•

HERSCHEL STUART, general manager of Consolidated Amusements, is making his headquarters at the Earle, in the Bronx.

•

VIRGINIA FIELD will leave the coast by plane this evening for New York, from where she will sail for England and a vacation.

•

HARRY SHIFFMAN will celebrate his next birthday, Dec. 6, by visiting HASKELL MASTERS' new home in Toronto.

FRANKLIN R. FIELDING, traveling public relations representative for RKO, has completed a tour of the Atlanta territory and is in New York for conferences with LEON J. BAMBERGER. Next week FIELDING will cover the Comerford Circuit.

•

ABE MONTAGUE is due here today from the west coast and he will leave immediately for a regional sales meeting in New Orleans.

•

HOWARD S. CULLMAN claims "Reunion" broke a six-year record for Thanksgiving Day attendance at the Roxy.

•

BOBBY BREEN arrived from Boston yesterday and will remain in New York for two weeks before heading back west.

•

JACK LEE, former manager of bands, has joined Fanchon & Marco Agency in the club department.

•

EMLYN WILLIAMS, star of "Night Must Fall," which M-G-M will film, is en route to London.

•

COLE PORTER, tunesmith, goes west this week on an assignment at M-G-M.

•

ANNA NEAGLE may be back on these shores early next year for a stage version of "Nell Gwyn."

•

ETIENNE PALLOS, general sales manager for London Films, plans to leave for the coast in about two weeks.

•

WESLEY RUGGLES arrived Saturday from Hollywood via American Airlines.

•

MAURICE OSTRER and JANET JOHNSON, Australian film actress, are due on the *Queen Mary* today.

•

LILY PONS has left for Chicago after a week in New York. It's a concert engagement.

•

E. B. HATRICK plans to leave for the coast about the middle of January.

•

MAXIE THORPE, sales manager for Columbia in England, is on his way home following a vacation here.

•

BOB RIPLEY, J. L. SIMPSON and E. F. GARNER flew to the coast yesterday. So did LOU IRWIN.

•

W. A. CLARKE of NBC left for the coast yesterday via American Airlines.

•

MARION DAVIES will head for Hollywood around Christmas.

•

ED FINNEY is planning another trip to Hollywood in a fortnight.

•

. . . Omaha

RALPH HINTZ has purchased new house and stage draperies, a new screen and mazda units for the Sterling at Sterling, Neb.

MORRIE COHN has installed a new screen and stage draperies in the Strand in Council Bluffs, Iowa.

G. D. LARSON has been appointed assistant Paramount booker here.

CHARLES WILLIAMS, M. P. T. O. head here, still is ill at his home.

"THE GARDEN OF ALLAH"

Thanksgiving Day
Aldine, Philadelphia

Sets all-time record for attendance and receipts!

P. S. This is great news, but read Page 9 for an even more sensational report on this giant of entertainment!

Chicago Games Threatened by Business Men

(*Continued from page* 1)

a majority of the independents several days to reply to his letter and explain what action they would take before presenting the matter to the police department and Mayor Edward J. Kelly.

This action by the Better Business Bureau is the most direct blow that chance games have received here. Bank Night, which is used in approximately 250 local theatres with weekly awards totaling over $100,000, is regarded as being the most vitally affected. The game as run here is generally conceded to be a lottery as the participants must buy a ticket to be eligible for the prize. Two theatres which will be significantly affected if the Bureau's action results in the banning of the game are the State-Lake and the Oriental, both Loop houses with awards now totaling more than $3,000 apiece.

A decision handed down in municipal court here last week by Judge John Lyle declining a judgment in favor of a woman plaintiff who sued for a giveaway award on the ground that she found the game to be a lottery, is understood to have been the forerunner of the Bureau's action. An expected police investigation following Lyle's decision did not materialize, however.

B. & K. and other exhibitor officials here declined comment on the Bureau's letter but are understood to be conferring on a reply.

B. N. Arrests in Denver

DENVER, Nov. 29.—Managers of four of the seven of the "Lucky 7" theatres were hailed before Police Judge Phillip B. Gilliam on charges of running a gambling game in connection with Bank Night. The specific charge was that purchase of a ticket was required in order to secure a courtesy matinee registration card, which permits participation in the drawing without attendance at the time.

The case was taken under advisement and attorneys for the managers and the city will file briefs. The judge said he would not hand down a decision for about two weeks. This is the first time the validity of Bank Night has been tested in court here.

Reach Bank Night High

DES MOINES, Nov. 29.—Bank Night reached an all-time high peak here when the Tri-States first and second prizes each reached $1,000 and the Independent Theatre prizes were $600 and $400 each. Tri-States are raised $250 a week, while the Independents are raised $50.

Bank Night Denounced

NEW BERN, N. C., Nov. 29.—Bank Night, used by some theatres here, was referred to as gambling and denounced at the closing session of the North Carolina Conference of the Methodist Episcopal Church, South, by Bishop Paul B. Kern, who called for action against the practice.

Expect a New Drive for FCC Congress Quiz

(*Continued from page 1*)

assailing the commission for its alleged refusal to provide adequate facilities for educational broadcasting. These criticisms of the commission are of long standing.

During the coming session, politics will be less important, Congress will have more time on its hands than it did last winter, and it is possible an investigation may be obtained. However, Congressional leaders feel the F. C. C. is doing all right with the Telephone inquiry and that other complaints can be ironed out .

Use Television Camera

LONDON, Nov. 18.—Baird Television for the first time has just used a new electron camera for direct transmission purposes in a B. B. C. television program. Previously, all Baird transmissions have been through intermediate film. The new apparatus permits dissolving without a black-out and is generally the equivalent of the Emitrone camera used for the E. M. I. transmissions, by direct methods.

Kathleen Addison Assigned

BOSTON, Nov. 29.—Kathleen Addison, daughter of H. M. Addison, division manager for Loew's, who made her radio debut over WMEX recently, is now featured on the weekly program known as "Moments of Poetry."

Miss Addison is a student at Emerson College and comes into her radio and stage talent from her parents, both having been identified with the stage, her mother being the former Kitty Barry, at one time one of the most brilliant stock actresses in the country.

New Antenna for WBOW

TERRE HAUTE, Ind., Nov. 29.—William W. Behrman, manager of WBOW, has let a contract for the erection of a new broadcast antenna. The new tower will be a vertical radiator, 215-feet in height. The reason for installing this expensive type tower, according to Behrman, is that the station's business is growing by leaps and bounds and that the new tower and modernization of other equipment will give better reception to the listeners of the Wabash Valley.

WLBF Changed to KCKN

KANSAS CITY, Nov. 29.—WLBF, recently acquired by the *Kansas City Kansan*, has changed its call letters to KCKN, and its place on the dial from 1,420 to 1,310 kilocycles. KCKN has inaugurated a new series of Wednesday morning (11:45) programs, "Keeping Hubby Happy."

Plans New Station

SCRANTON, Pa., Nov. 29.—Lou Poller, of Jessup has applied to the Federal Communications Commission for permission to establish a 250-watt station, operating on 930 kilocycles during the day only. It will be a commercial station if the permit is granted, Poller said.

RCA Sponsors Metropolitan Opera Series on NBC-Blue

For some time it appeared that NBC would have to place the Metropolitan Opera broadcasts on the air as a sustainer, but late Saturday RCA came through with an offer. As a consequence the series will be broadcast under the RCA aegis, beginning Saturday, Dec. 26 over the NBC-Blue network. The air time for the broadcasts is indefinite, but it is expected that the operas will be heard each week between the hours of 1:30 to 2:30 P.M., E.S.T.

There will be a special pre-Christmas broadcast on Thursday, Dec. 24, probably at 2 P.M. of "Hansel" with the usual pick-up of the performance direct from the stage of the Metropolitan.

Less than two seasons ago, sponsors were engaged in a mad scramble to sign operatic programs with the result that the airways were surfeited with sponsored programs of a "heavy" musical nature.

But apparently the programs were profitless to the sponsors, for it has become increasingly difficult for network salesmen to find backers for operatic programs.

Perhaps it is of no significance, but the fact remains, nevertheless, that David Sarnoff, president of RCA, is also chairman of the board of the Metropolitan Opera Ass'n.

The operatic series will not affect the RCA "Magic Key" program, the Sunday afternoon NBC feature.

Network Gross Gaining

Network business continues to break all preceding records. The gross revenue from national spot and local advertisers (non-network) on NBC-operated stations in October is estimated at $373,986, which is 22 percent higher than the same month last year. This represents the largest revenue from this source for any October and the largest figure for any month in the history of NBC.

National spot advertisers accounted for $231,042, an increase of 19 percent over October, 1935. Local advertisers accounted for $142,944, with the political parties responsible for part of this amount.

Coward and Lawrence Next

Noël Coward and Gertrude Lawrence will make their twice-postponed appearance on Rudy Vallee's Variety program this Thursday (NBC-Red, 8 P.M., E.S.T.). They will offer a sketch from their Broadway vehicle, "Tonight at 8:30."

Other guests on the program will include Ed Wynn, who is returning the call Rudy made on his program last Saturday, Don Cossack's chorus, Doris Hare, English comedienne, and Eddie Peabody, banjoist.

Telephone Co. Goes Radio

The New York Telephone Co., up to now a stranger to radio, begins sponsorship of a new series on Dec. 9, featuring Martha Deane in talks to housewives. The series will be heard thrice-weekly, Mondays, Wednesdays and Fridays from 2 to 2:45 P.M., E.S.T. Batten, Barton, Durstine and Osborne, New York, is the agency.

Another new WOR program, sponsored by the Vick Chemical Co., bows in tomorrow at 5:10 P.M., E.S.T., through Morse International, Inc.

Heidt to Originate in N. Y.

After an absence from New York of more than three years during which time they have been broadcasting from Detroit, Horace Heidt's Brigadiers return to their weekly program over CBS starting Monday, Dec. 7, at 8 P.M., E.S.T.

The Brigadiers are now on tour and will arrive here Dec. 4. The orchestra broadcasts for the Alemite Corp., a division of Stewart-Warner.

Selassie Over WHN

Haile Selassie, Emperor of Ethiopia at present making temporary headquarters in London, will be heard over WHN on Dec. 3 at 11 P.M., E.S.T. The address, direct from London over transatlantic short wave, is an exclusive WHN feature.

As far as is known, this is the first transoceanic broadcast exclusive with an independent station. Selassie will thank Ethiopian sympathizers for their support in his fight against Italy.

East-West "Bakers" Show

The Dec. 6 "Bakers" broadcast, featuring Robert Ripley, and Ozzie Nelson's band, will be aired from both ends of the nation with Nelson performing from Radio City and Ripley from Hollywood. The "Believe It or Not" cartoonist is now enroute to the coast for a series of personal appearances and is expected back in New York for the Dec. 13 broadcast.

Film Players, Cooper Guests

Ralph Bellamy and Patsy Kelly will be Jackie Cooper's guests on the "WOR Lessons" in Hollywood program this week. Miss Kelly will be heard tonight and Bellamy on Wednesday, from 8 to 8:15 P.M., E.S.T.

Victor Young and his orchestra provide the musical background.

Thibault, Schipa, Et Al

Short Shots: Conrad Thibault will remain on the Packard program for at least another 15 weeks. . . . Tito Schipa signed for guest shot on the Nash-Lafayette speed show on Saturday, Dec. 5. . . . Martin Starr's "Movie Star Dust" program, heard over WMCA, shifts to a new day and time—Sundays, 8:45 P.M., E.S.T, beginning this Sunday. . . . The "Ma Perkins" NBC serial, is the heaviest mail puller in radio, according to a network survey. . . . Gloria Grafton will make her first appearance on the air since the death of her husband, Orville Knapp, tomorrow night at 10:30 P.M., when she guest stars with Eddie Duchin on the latter's NBC-Red network program. . . . Frank Knight of New York and Jerry Lawrence, formerly of the Don Lee network, join the announcing staff of WOR this week. . . . Morton Downey guest solos with Mark Warnow tonight at 10:30 over the CBS network. . . . The sponsors of the Ted Husing-Dal Sharbut "Sport Talk" series over CBS have renewed the pair for another 13 weeks, with personality chatter instead of sports talks to be the new feature.

"Theodora" Is Top in Poor Week in L.A.

LOS ANGELES, Nov. 29.—"Theodora Goes Wild," with a stage show headed by Milton Watson at the Paramount, went $6,400 over a par $18,000 to gross $24,400 and lead the parade here in what was otherwise a very mediocre week of business.

"The Devil Is a Sissy" did $5,800 at the 4-Star. Average is $3,250.

Total first run business was $88,522. Average is $90,950.

Estimated takings for the week ending Nov. 25:

"REUNION" (20th Fox)
"OUR RELATIONS" (M-G-M)
CHINESE—(2,500), 30c-55c, 7 days. **Gross:** $9,424. (Average, $12,500)

"THE DEVIL IS A SISSY" (M-G-M)
4 STAR—(900), 30c-55c, 7 days. **Gross:** $5,800. (Average, $3,250)

"CLOISTERED" (Best Film)
GRAND INTERNATIONAL—(750), 35c-40c, 7 days, 3rd week. **Gross:** $1,600. (Average, 1,200)

"LUCKIEST GIRL IN THE WORLD" (Univ.)
"WANTED: JANE TURNER" (Radio)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $5,600. (Average, $8,000)

"REUNION" (20th Fox)
"OUR RELATIONS" (M-G-M)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $13,598. (Average, $14,000)

"LUCKIEST GIRL IN THE WORLD" (Univ.)
"WANTED: JANE TURNER" (Radio)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $5,600. (Average, $8,000)

"THEODORA GOES WILD" (Col.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: Milton Watson, Peggy Bernier, F. & M. revue. **Gross:** $24,400. (Average, $18,000)

"COME AND GET IT" (U. A.)
"THE CAPTAIN'S KID" (F. N.)
WARNER BROS. (Hollywood)—(3,000), 30c-65c, 7 days, 2nd week. **Gross:** $12,000. (Average, $14,000)

"COME AND GET IT" (U. A.)
"THE CAPTAIN'S KID" (F. N.)
WARNER BROS. (Downtown)—(3,400), 30c-65c, 7 days, 2nd week. **Gross:** $10,500. (Average, $12,000)

Hubbard Now Heads KSTP in St. Paul

ST. PAUL, Nov. 29.—Stanley E. Hubbard, pioneer northwest radio man and one of the founders of KSTP, Twin Cities independent station, is the new president and general manager of the company. Kenneth M. Hance, formerly one of the owners and founders of WDAY in Fargo, was appointed vice-president and treasurer of KSTP.

Hubbard succeeds the late L. J. Shields, his partner in the station, who died recently. Prior to his elevation to the presidency, Hubbard was vice-president and general manager.

The elections were held at a meeting of the KSTP board of directors. C. R. Bachmann was appointed secretary.

W9XBY to Have Film Spot

KANSAS CITY, Nov. 29.—W9XBY this week will inaugurate a 15-minute spot of film chatter on Tuesday and Thursday afternoons, with Manny Marget and Bruce Robertson doing the chatting. Most of the material will come from studios, Robertson said. The station has had a similar program the past two years.

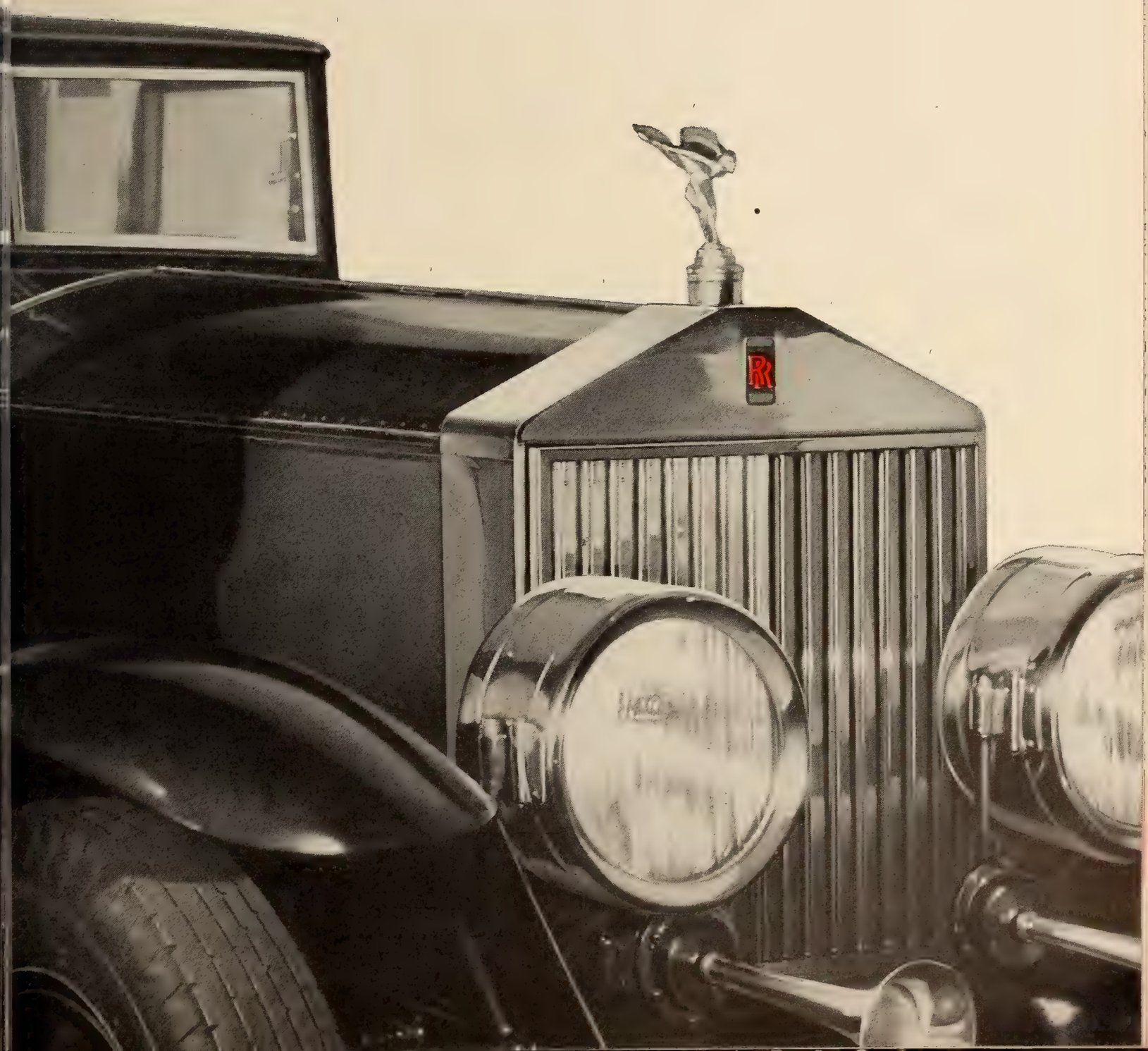
You can deliver it for New

Bros.' GOLD DIGGER



Year's--I'm playing Warner

S of 1937' on Christmas!



Short Subjects

"Turkey Dinner"

(*Universal*)

Meany, Miny and Moe, the cartoon characters, are preparing for their Thanksgiving dinner and while doing so encounter all manner of difficulties when the turkey outwits them at the chopping block. There is much destruction and spectacular action combined with cleverly invented sequences, finally resulting with the bird, denuded of its tailfeathers but still intact, escaping. It is amusing. Production Code Seal No. 2,601. Running time, 8 mins. "G."

"Royal Cafe"

(*Mentone-Universal*)

"Lazy Dan" Kaufman, in a restaurant, is trying to land an engagement by demonstrating to Eddie Bruce. While doing this he also introduces various acts among which are the Cecil Mack Choir, Kay Mayfield, the Dunn Brothers and Dotty, and Powers' Chorines. Light, tuneful and entertaining, the film concludes when Kaufman discovers he has been talking to the head waiter. Average material. Production Code Seal No. 01,288. Running time, 10 mins. "G."

"Gold Diggers" Fly Up to Albany Today

Warners' flying "Gold Diggers of 1937" will leave the Newark Airport this morning on the last lap of their coast-to-coast trip. Their next stop will be Albany, with 10 cities to follow.

It was a busy week-end for the blue-uniformed girls. They made a personal appearance at the Strand Friday night and then went to the Stork Club. Saturday night they saw "White Horse Inn" and went to the French Casino. Sunday afternoon they were guests at the home of H. M. Warner.

They are due at Albany at 11 o'clock today with a welcome by city and state officials scheduled. At 1 o'clock they will be guests at the Denial Day Civic Luncheon, and Jeanne Madden, Rosalind Marquis and Fred Lawrence will broadcast over WOKO at 4:30 o'clock. In the evening they will go to a dance at the DeWitt Clinton and on Tuesday morning will fly to Syracuse.

Loew's Doing 2-Reelers

Loew's is making four two-reel shorts with casts chosen by audiences at its local theatres. The pictures will be limited to showings in the boroughs in which they are taken. The titles are "It Happened in Manhattan," "It Happened in The Bronx," "It Happened in Brooklyn" and "It Happened in Long Island."

United Coupons Shifted

United Profit Sharing Corp. of America has taken over M. G. Felder's distribution contract for the coupons among theatres and will open offices in the RCA Bldg. Dec. 1.

"Tundra" to Criterion

"Tundra" will open at the new Criterion Wednesday morning.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Banjo On My Knee"

(*Twentieth Century-Fox*)

HOLLYWOOD, Nov. 29.—To make folksie entertainment plenty has been put into this. A Mississippi River love story, it moves to the pitch of comedy, romance, melodrama, music, dancing, excitement and a whole welter of fights. Different from anything occupying the screen, it is slam-bang amusement, leavened by considerable human interest that promises to surprise first run audiences and give a worthy account of itself in the subsequents.

The marriage of Joel McCrea, a river boy, to Barbara Stanwyck, a land girl, starts the ball rolling. Walter Brennan, as McCrea's father, visions the union as a medium for perpetuating the lineage, and is disappointed when his girl friend, Katherine DeMille, sets off the first fireworks. Believing himself to be a murderer, McCrea flees. Miss Stanwyck, falling for Walter Catlett, a photo peddler, goes to New Orleans. Always awaiting for her never-returning spouse, McCrea, who in the meantime beats up Catlett, Miss Stanwyck then becomes interested in Tony Martin, a honky tonk singer. Brennan, with a ridiculous music contraption, is the backbone of a floor show which includes Martin, Miss Stanwyck and Buddy Ebsen.

McCrea returns to see Catlett passing money to Miss Stanwyck, which impels him to stage a one-man riot, wrecking the cafe. Bailed out by Miss DeMille, McCrea is ready to marry her when Miss Stanwyck returns to break up the party. With the river surging in flood, McCrea, Miss Stanwyck and Brennan are adrift. The latter barricades the couple in a cabin where, as calm replaces the turmoil, he settles down to await his grandchild.

Miss Stanwyck, McCrea, Ebsen, Miss DeMille and Brennan come up with high calibre performances, always in keeping with the mood of the story. The support, including Martin, Helen Westley, Minna Gombell, the Hall Johnson Choir, Spencer Charters and George Humbers, is effective.

Based on a novel by Harry Hamilton. Nunnally Johnson did the screenplay. Jimmy McHugh and Harold Adamson contributed the music and lyrics. John Cromwell directed.

Production Code Seal No. 2,848. Running time, 93 minutes. "A."

"Ellis Island"

(*Invincible*)

HOLLYWOOD, Nov. 29.—With melodrama and comedy nicely balanced, this is good average entertainment. The story, although weakly constructed in many sequences, nevertheless sustains interest, and the fact that a great deal of the action hinges on coincidences does not mar the general effect.

The plot concerns a million dollar holdup. Jack LaRue and his mobsters cache the loot, but are caught and are sentenced to 10-year terms. Upon their release they are sent to Ellis Island for deportation and the complications center around the recovery of the hidden money which is eventually retrieved through the efforts of Donald Cook, immigration official. Two romances run through the story, one involving Cook and Peggy Shannon, the other Johnny Arthur and Joyce Compton.

Phil Rosen's direction is speedy and manages the transitions from comedy to drama well. Supporting players include Bradley Page, Maurice Black, Bryant Washburn and Matty Fain. Arthur T. Horman wrote the original story and screenplay, and Maury M. Cohen produced. The picture will sustain dual bill programs satisfactorily in most situations.

Production Code Seal No. 2,800. Running time, 65 minutes. "G."

Ampa Meets Thursday

The Ampa will hold its first fall meeting with a net program in the College Room of the Hotel Edison Thursday. One of the speakers will be District Attorney William C. Dodge who will talk on "Crime Prevention and the Movies."

There will be a master of ceremonies and other speakers and some entertainment. Gordon White will announce the new board of directors and committees. The lunch will start at 12:45 and the plan is to have it completed by 2:15.

Columbia Men Return

Abe Montague, general sales manager of Columbia, and Rube Jackter, his assistant, will arrive from San Francisco today. The second of a series of mid-season regional sales meetings will be held this week at New Orleans.

To Show "Plainsman"

Cecil B. DeMille's "The Plainsman" will be given a trade showing at the Astor this morning at 10:45 o'clock.

RCA Declares Dividend

A dividend of 87½ cents per share on the outstanding $3.50 Cumulative Convertible First Preferred stock of Radio Corp. of America has been declared by the company's board of directors. It is payable Dec. 26 to holders of record Dec. 9 and covers the period from Oct. 1 to Dec. 31.

Rogers Theatre Opened

SHELBY, N. C., Nov. 29.—Approximately 3,000 attended the opening of the new $79,000 theatre here, named in honor of and dedicated to the late Will Rogers. R. H. Rogers is owner and W. H. Webb manager.

Eagle Stanley Manager

PITTSBURGH, Nov. 29. — Charles Eagle has been named manager of the Stanley, succeeding William Scott. Eagle was succeeded at Warners' Enright at East Liberty by John McCurdy.

Takes Ceylon Picture

World Pictures Corp. has taken for release in this country "Song of Ceylon," produced in Ceylon by Basil Wright, which was awarded the Gold Cup at the Brussels International Exposition.

20th-Fox Buys Two

Twentieth Century-Fox has purchased two best sellers. One is "Wake Up and Live," by Dorothea Brandes, and the other is "Drums Along the Mohawk," by Walter D. Edmonds.

Fawcett Expands Office

Fawcett Publications has moved into larger quarters on the 23rd floor of the Paramount Building. Walter E. Knowles has been named assistant advertising director.

Podoloff Promoted

Joseph Podoloff, Minneapolis salesman for Twentieth Century-Fox, has been promoted to branch manager of that exchange, starting Jan. 1.

Wall Street

Small Board Changes

	High	Low	Close	Net Change
Columbia	37⅝	37½	37½	+ ¼
Consolidated, pfd.	17½	17½	17½	.....
Eastman Kodak	180¾	180¾	180¾	+ ¾
General Theatre Equipment	30⅞	30½	30½	.....
Loew's, Inc.	65¼	64¼	64⅜	— ⅝
Paramount	22⅜	21⅜	21½	— ⅝
Paramount 1 pfd.	161	155	155	—5¼
Paramount 2 pfd.	20¼	19⅝	19⅝	— ½
Pathe Film	8½	8⅜	8⅜	.....
RKO	8¼	8	8	— ⅛
20th Century-Fox	37¾	37⅜	37¾	+ ½
20th Century, pfd.	47	47	47	+ ¾
Warner Bros.	17½	17	17⅛	— ¼

Trans-Lux Curb Gain

	High	Low	Close	Net Change
Grand National	3⅜	3¼	3¼	— ⅛
Technicolor	21⅞	21⅞	21⅞	— ⅝
Trans Lux	5¼	5	5¼	+ ⅜

RKO Bonds Off 1 Point

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	101⅛	100¾	101	+ ⅜
Paramount Pictures 6s '55	101	100¾	101	.....
RKO 6s '41 pp	116½	116	116	—1
Warner Bros. 6s '39 wd	97¾	97¾	97¾	— ⅛

(Quotations at close of Nov. 28.)

David O. Selznick's

THE GARDEN OF ALLAH

started its second week at the
RADIO CITY MUSIC HALL N. Y.,
with a NEW record gross of

$20,200
FOR THE DAY!

This is the greatest weekday-holiday gross in the history of the world's largest motion picture theatre!

Released thru
UNITED ARTISTS

British View Quota of 50% As Dangerous

(*Continued from page* 1)

screens, but he doubted the adequacy of the proposals to help in America, "supposing that the Americans consider that if to lose 50 per cent of the British market they must take greater precautions to retain their own."

Ernest W. Fredman of *The Daily Film Renter* declared that the proposed Film Commission "beyond any dispute is the outcome of the recent negotiations on the G.B. deal." He said the commission will be the "old man of the sea" to the industry and he regards the report generally with misgivings, since he sees it definitely to the disadvantage of distributors.

The Times, in its leading editorial, praised the commission idea, but on the phase which urged the Government to guard against British company control passing to foreign hands, said, "This would be a deplorable development and of the alternatives, the one most immediately in prospect is scarcely less to be desired."

Inference Touches GB Deal

The statement was interpreted in most quarters as having specific reference to the deal by which John Maxwell would gain control of G.B., the alternative being the American deal for G.B. control.

The Times continued, "This (Maxwell control presumably) is the gradual acquisition by one British financial group of a controlling interest in the industry, amounting to a monopoly."

A further interpretation took the latter statement as referring to the Moyne committee suggestion that British financial interests support the industry's production programs.

The Financial Times lauded the report, taking an opposing view to *The Times* with the statement, "The recent G.B. negotiations stress the importance of the film industry as a national asset and the desirability of thwarting foreign control."

The Daily Telegraph declared that the quality test for quota determination, as recommended, is the most valuable suggestion.

Plain Speaking from *Post*

The Morning Post praised the quota provisions, but said, "The suggestion that the Government should encourage the financing of British films is a lamentable reflection on the timid outlook of some British producers. It is pernicious nonsense to suggest that British companies would be able more easily to compete with America if it paid salaries on the fantastic scale of Hollywood. It is doubtful whether the British industry has lacked money during the last few years. What it has lacked is sufficient initiative to leave the film track which was beaten dead flat years ago."

Lord Moyne, chairman of the committee, broadcast an exposition of the report last night.

Yonkers Co. Dissolved

ALBANY, Nov. 29.—A certificate dissolving Yonkers Theatres Corp. has been filed with the Dept. of State here.

It's a Film House

Hartford, Nov. 29. — The first basketball game on the stage of the newly-opened 4,000-seat State was a real attraction. This will be a regular midweek feature.

Incidentally, the theatre shows two pictures regularly.

Hays Off to London After Paris Talks

(*Continued from page* 1)

and happy visit with Il Duce and we discussed the film question at length," he said, "but any statement will, of course, have to come from the American ambassador."

Thanksgiving morning Hays and Mrs. Hays attended services at the American church and began the first of his conferences with American representatives in the afternoon. These were continued Friday.

Relations of the American industry with the French Government are fixed in the recently negotiated trade treaty, he said. There are no Governmental questions pending at this time, he asserted.

British Government Critical of B. F. I.

LONDON, Nov. 18.—Malcolm MacDonald, Lord President of the Council, stated in a written reply to Sir Arnold Wilson, M. P., that changes in the constitution and working of the British Film Institute were called for "if the Institute is to have the continued assistance from the Cinematograph Fund."

The question from Sir Arnold Wilson, who is a member of the Advisory Committee under the Films Act and also of the Moyne Committee, referred to evidence in a recent libel case, in which the activities of certain members of the Institute were severely criticized.

The Cinematograph Fund was set up to receive contributions from licensing authorities, as a percentage of the amounts paid by exhibitors to "Charity Levy," authorized by the Act permitting Sunday opening. During the last three years the Treasury has received from licensing authorities the amounts of £3,367, £7,620 and £9,117, and has used a proportion of these amounts as a subsidy of the British Film Institute's work in connection with cultural, teaching and non-entertainment films.

Shape British Plan To Register Titles

LONDON, Nov. 18.—M. Neville Kearney, secretary of the Film Group of the Federation of British Industries, is shaping a plan for the registration of film titles by British producers. The aim is to prevent such situations as that which has arisen in connection with "Calling All Stars," claimed as a musical title by both British Lion and Joe Rock.

On completion of an agreement the F.B.I. will invite the cooperation of American organizations to place it on an international basis, so that a title registration in either New York or London would establish priority in both countries.

Seals Issued On 134 Films In 2 Months

(*Continued from page* 1)

of the pictures passed by the board during the past two months follow:

ALLIED
(*Feature*)

"Clearing the Range."

CHESTERFIELD
(*Feature*)

"House of Secrets," "Ellis Island."

COLUMBIA
(*Features*)

"Pennies From Heaven," "Theodora Goes Wild," "Come Closer Folks," "Lady From Nowhere," "North of Nome," "Guns of the West," "Dodge City Trail," "Rio Grande Ranger," "Counterfeit Lady."

(*Shorts*)

"Star Gazers," "Fibbing Fibbers," "Two Lazy Crows," "Krazy's Newsreel," "Screen Snapshots" (2 issues), "Norton L," "Love Comes to Mooneyville," "A Boy and His Dog," "Ay Tank Ay Go," "Dizzy Ducks.'

CRESCENT
(*Feature*)

"Rebellion."

GRAND NATIONAL
(*Feature*)

"Navy Spy," "Song of the Gringo."

M-G-M
(*Features*)

"General Spanky," "Tarzan Escapes," "Mad Holiday," "Love on the Run," "Born to Dance."

(*Shorts*)

"Sport on Ice," "Olympic Ski Champion," "How to Be a Detective," "Wanted—A Master," "To Spring," "Hurling," "Annie Laurie," "Little Cheeser," "Dexterity."

PARAMOUNT
(*Features*)

"Along Came Love," "Hopalong Cassidy Returns," "Easy to Take," "Champagne Waltz," "Go West Young Man," "Hideaway Girl," "Jungle Princess," "The Plainsman," "Arizona Mahoney," "Mind Your Own Business," "College Holiday." (Reissues) "Now and Forever," "Monkey Business."

(*Shorts*)

"Popular Science J-6-2," "Western Sketches," "Deadly Females," "Schubert's Serenade," "In Old Wyoming," "Trees," "Spirit of the Plains."

PURITAN
(*Feature*)

"A Million to One."

RADIO
(*Features*)

"We Who Are About to Die," "Make Way for a Lady," "Smartest Girl in Town," "Winterset," "Wanted—Jane Turner," "Portrait of a Rebel," "The Plot Thickens," "Night Waitress," "Racing Lady."

(*Shorts*)

"Singing in the Air," "Bad Housekeeping."

REPUBLIC
(*Features*)

"Country Gentleman," "The Big Show," "The Bold Caballero," "Mandarin Mystery," "The Old Corral," "Roarin' Lead," "Beware of Ladies."

SPECTRUM
(*Feature*)

"Singing Buckaroo."

STATES RIGHTS
(*Features*)

"Polygamy," "Stormy Trails," "I Demand Payment," "Gun Ranger," "Ambush Valley," "Vengeance of Rannah," "Lawless Land," "Two Minutes to Play."

TWENTIETH CENTURY-FOX
(*Features*)

"Glory," "Wild Brian Kent," "Pigskin Parade," "Charlie Chan at the Opera," "Career Woman," "Can This Be Dixie?" "Under Your Spell," "Lloyds of London," "White Hunter," "Reunion." (Reissues) "Bad Girl," "Daddy Long Legs," "Soup to Nuts," "What Price Glory," "Seas Beneath," "Hush Money."

UNITED ARTISTS
(*Features*)

"Garden of Allah," "Come and Get It," "Beloved Enemy."

(*Shorts*)

"Mother Pluto," "More Kittens," "The Worm Turns," "Don Donald."

UNIVERSAL
(*Features*)

"The Man I Marry," "Four Days' Wonder," "Empty Saddles," "Love Letters of a Star," "Flying Hostess," "Luckiest Girl in the World." (Reissues) "Broadway," "The Mummy," "Horse Play," "Love Birds," "Let's Talk It Over," "Reckless Living," "Heaven on Earth," "Secrets of the Blue Room," "Terror Trail," "The Trail Drive," "Be Mine Tonight," "Kiss Before the Mirror," "Rome Express," "King of Jazz," "Cohens and Kellys in Trouble," "All American," "The Big Cage," "I'll Tell the World," "The Conflict" ("The Showdown").

(*Shorts*)

Serial—"Ace Drummond"—Episodes Nos. 7 to 12, inclusive. Serial—"Jungle Jim"—Episodes Nos. 1 to 3, inclusive. "Turkey Dinner," "The Unpopular Mechanic," "Gopher Trouble."

WARNERS
(*Features*)

"King of Hockey," "Fugitives in the Sky," "God's Country and the Woman," "Boulevardier From the Bronx," "Green Light," "The Great O'Malley," "Gold Diggers of 1937," "Black Legion," "Smart Blonde," "Once a Doctor," "Penrod and Sam," (Reissues) "Son of a Sailor," "Bedside," "Jimmy the Gent," "Fashions of 1934," "Dark Hazard," "Wild Boys of the Road," "Havana Widows," "Mind Reader," "Narrow Corner," "The Little Giant," "Wonder Bar," "Employee's Entrance," "The Silver Dollar," "Girl Missing," "Lawyer Man," "Private Detective No. 62," "Forty-second Street," "Cabin in the Cotton," "Untamed Africa," "Hard to Handle."

(*Shorts*)

"Don't Look Now," "Little Bean Porky," "Under Southern Stars," "The Coocoonut Grove," "Village Smithy."

Rogers Fund Seeks Incorporation Here

Application for incorporation of the Will Rogers Memorial Fund in New York has been made to the State Dep't. of Social Welfare by State Senator Henry J. Walters, Harold Rodner of Warners, Capt. Edward V. Rickenbacker, Gene Buck and Joseph M. Hartfield of White & Case.

Directors will be the incorporators and F. Trubee Davidson, Will H. Hays and Alfred E. Smith. The application will be considered Dec. 15.

The corporation will run the former NVA sanitarium at Saranac, will have rights to beds at the French Hospital and will aid underprivileged children.

S. R. Dunlap Heads Sterling Producing

(*Continued from page* 1)

Warners and Columbia and for the past seven years has been a partner in the agency of Frank & Dunlap. He will retire from the agency to take his new post Jan. 1.

Monogram stockholders will meet Dec. 18, either in New York or Chicago, to decide whether Sterling Pictures will merge with the company or absorb it entirely.

W. Ray Johnston, president of both companies, is slated to leave the coast tomorrow for Denver and other key cities to complete negotiations with franchise holders for Sterling's output.

New Delay on Roxy Plan Now Foreseen

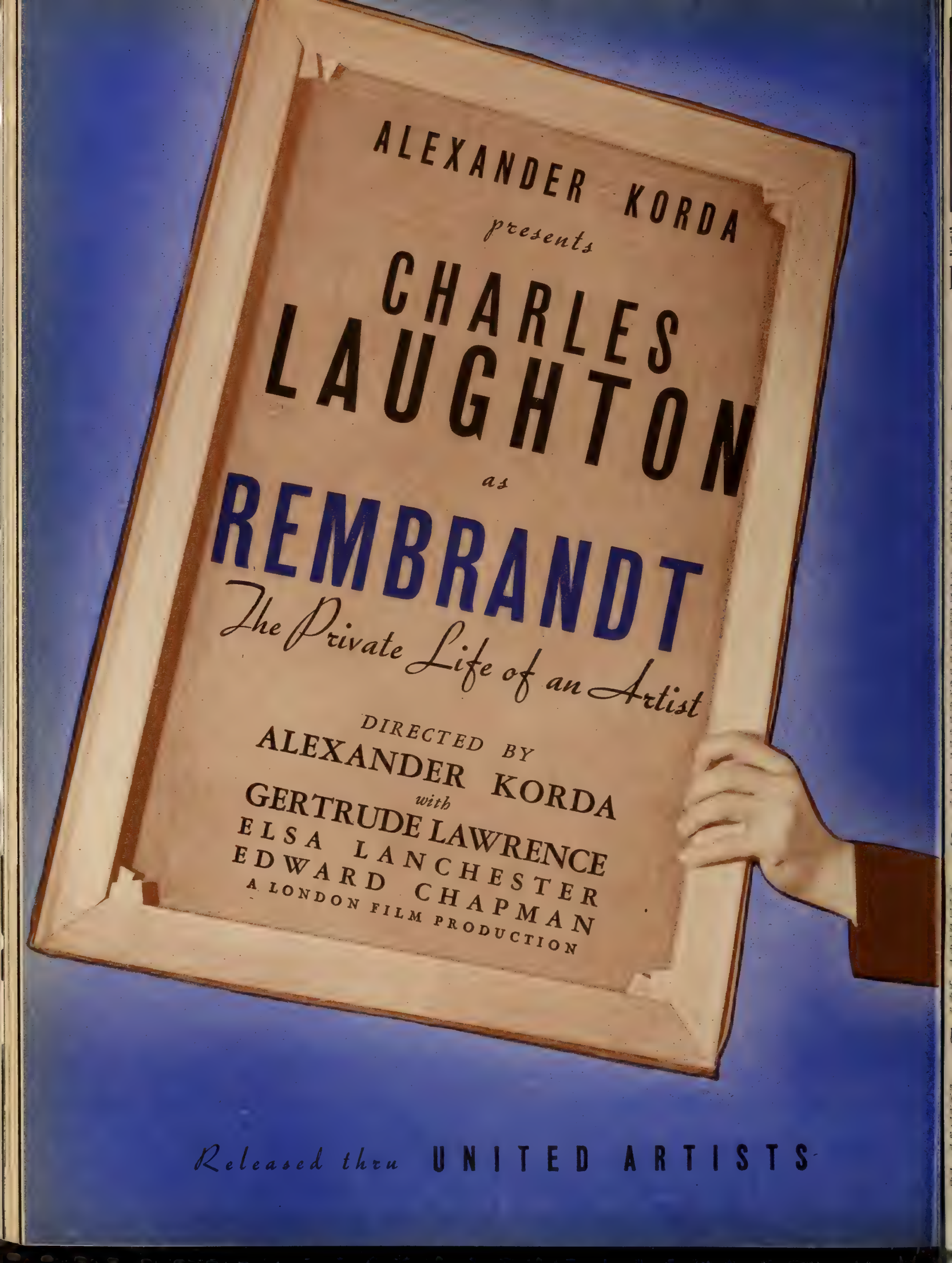
(*Continued from page* 1)

leasing arrangement with the Taft Hotel on the lobby. As soon as this deal is completed, it is expected the reorganization plan, providing for a 10½-year lease of the theatre to Twentieth Century-Fox, will be submitted for court approval.



We're handing you a
MASTERPIECE

{details on other side}


ALEXANDER KORDA
presents
CHARLES LAUGHTON
as
REMBRANDT
The Private Life of an Artist
DIRECTED BY
ALEXANDER KORDA
with
GERTRUDE LAWRENCE
ELSA LANCHESTER
EDWARD CHAPMAN
A LONDON FILM PRODUCTION
Released thru UNITED ARTISTS

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 129 NEW YORK, TUESDAY, DECEMBER 1, 1936 TEN CENTS

Details Asked On "U's" 10% Cancellations

Kuykendall Inquires on Two-Way Splits

An inquiry as to whether or not Universal's 10 per cent cancellation will apply to situations where the company's product is split between two or more exhibitors and each takes all of the pictures thus offered him has been addressed to the distributor by Ed Kuykendall, M.P.T.O.A. president, it was learned yesterday.

Universal's grant of a 10 per cent cancellation in line with concessions made to exhibitors under the M.P.T.O.A. 10-point trade practice program stipulated that the exhibitor had to purchase Universal's entire lineup in order to qualify for the cancellation privilege. Kuykendall's letter points out that a distributor's product frequently is divided between two exhibitors and asks whether such exhibitors, who take all the product offered them, although it may be less than the distributor's entire lineup, are eligible for the 10 per cent cancellation. Universal's reply has not been received.

The cancellation policy defined by Twentieth Century-Fox last week in replying to the M.P.T.O.A. specified that it would apply to exhibitors who

(*Continued on page 8*)

Stockholder Opposes Option for Schenck

Frank A. Harden, a Loew stockholder, has written a letter of protest to Leopold Friedman, secretary of Loew's, Inc., against the proposal to give Nicholas M. Schenck an option on 9,600 shares of stock per year for five years at a discount below the market price.

Harden insists that unissued stock belongs to all the stockholders and that Schenck should be on a straight salary.

UMPTO Decides on M-G-M Date Strike

PHILADELPHIA, Nov. 30.—A date strike in retaliation for M-G-M's allegedly unfair selling point was unanimously approved today by the U.M.P.T.O. and the board of managers was authorized to decide the details and the starting date.

An effort will be made to extend the move to other cities. The plan is to draw up an agreement not to purchase

(*Continued on page 8*)

Second Ostrer Says Maxwell Has No Option

Admits He Must Sell If 20th-Fox Does

John Maxwell does not hold a five-year option on the 5,100 "A" shares of Metropolis & Bradford Trust held by the Ostrers, Maurice Ostrer, managing director of G. B., declared on his arrival yesterday on the *Queen Mary*. This substantiates the statement made last week by his brother, Isidore.

Ostrer added some light to the confused reports emanating from London when he stated that "in the event Maxwell is successful in purchasing the 4,900 'A' shares owned by Twentieth Century-Fox, then Maxwell has an option to buy our stock."

"So long as Twentieth Century-Fox doesn't sell, we can't sell Maxwell anything," he added. "It doesn't look as if Joseph M. Schenck and Sidney R. Kent will sell, from what I understand." Ostrer said he referred to published statements by Schenck and Kent that they did not intend to dispose of their M. & B. holdings.

"Maxwell doesn't hold an option with us, but if Twentieth Century-

(*Continued on page 12*)

Chicago Meet Today In Giveaways Fight

CHICAGO, Nov. 30.—A meeting scheduled for tomorrow between exhibitor heads and representatives of the Better Business Bureau is the latest development in the move being made by the commercial organization

(*Continued on page 6*)

Awaiting Maurice

Hollywood, Nov. 30.—Sidney Kent and Joseph M. Schenck, who met today with Isidore Ostrer and Darryl Zanuck on the G. B. deal, stated:

"We met with Ostrer for preliminary discussions concerning the deal. Further talks await the arrival of Maurice Ostrer who leaves New York tomorrow. We will be joined by Nicholas Schenck next week when the matter will be more fully considered.

"There will be no definite announcement until the middle of next week at which time the negotiations probably will be completed."

RKO's Net May Go Up to $2,250,000

RKO's consolidated net earnings for 1936 will pass the $2,000,000 mark and may approximate $2,250,000 if the seasonal December recession is no greater than usual, it was indicated yesterday. Net for the first two months of the current and final quarter is estimated at $600,000.

RKO's net for the entire year of 1935 amounted to $684,732. Net for the first three-quarters of 1936 was $1,446,922. The anticipated $800,000 net for the final quarter would give the company earnings of approximately $2,250,000 for the year.

Kuykendall Coming To Talk Convention

Ed Kuykendall, M.P.T.O.A. president, is expected to advance plans for the national exhibitor organization's annual mid-winter meeting, following his arrival here on Friday.

Present indications are that the con-

(*Continued on page 6*)

Wagner Play Interesting; Might Have Been Better

The playwright is bold, indeed and courageous, who would attempt to transform onto any stage and in broad strokes make live again renowned figures in history and art. It is at best a speculative enterprise and an experience in dramaturgy which invites criticism to bowl in, full sail and with all canvas flying.

For its second offering of the season, the Theatre Guild tried it last night at its namesake playhouse with an effort based on the life of Richard Wagner by William McNally. An interesting venture, with music on and off stage from Lohengrin and Tristan und Isolde and with good and something less in performance, the evening was not quite as satisfying as it

(*Continued on page 20*)

Radio News on Page 4 Today

CEA-KRS May Jointly Fight Moyne Report

United Moves Indicated At Hays Luncheon

By BRUCE ALLAN

LONDON, Nov. 30.—Joint action by Cinematograph Exhibitors' Ass'n and the Kinematograph Renters' Society (distributors) in opposition to the report of the Lord Moyne committee recommending revisions in the Films Act, was foreshadowed here today in remarks at the British industry's luncheon for Will H. Hays at the Trocadero.

The elements in the report which recommend virtual Government control of the British industry and the flexible quota which would carry the figure to 50 per cent in the course of a 10-year period, are seen as particularly objectionable by both branches of the industry.

The exchange of remarks which was interpreted as indicating the opposition to the Moyne report had Theodore H. Fligelstone, president of the C.E.A., on the one side, and John C. Graham, speaking for D. E. Griffiths, president of the K.R.S., on the other.

Fligelstone, quoting the Moyne report reference to the differences among the three branches of the industry, and the failure of attempts at self-government, said the C.E.A. always had sought the cooperation and assistance of the other sections, but that such cooperation was not always

(*Continued on page 12*)

Shell Oil Planning Publicity Picture

HOLLYWOOD, Nov. 30.—Coast officials of J. Walter Thompson Co., advertising agency, convened here today with representatives of Shell and Eastman Kodak Co. to discuss plans for the production of an advertising film for Shell Oil. Arthur Farlow, local Thompson executive, met with Harlan Smith and Norman Strauss of the San Francisco office and Thayer Jaccacia of Eastman.

Harold L. Hutchins and John L. Cobb, Shell officials, arrived today for participation in the discussions.

Discuss Renewal of Para.-Blank Deal

Negotiations for a new operating agreement for the A. H. Blank circuit were begun yesterday at Paramount following Blank's arrival here from

(*Continued on page 8*)

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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Columbia's Chicago Meet Due This Week

Columbia will hold its second mid-season sales session at the Drake, Chicago, on Saturday and Sunday. The meeting will be attended by 12 midwest branch managers in addition to Abe Montague, Rube Jackter, Joe McConville and Lou Weinberg of the home office.

Montague, Jackter, McConville and Weinberg will leave for the Windy City Friday. The third session will be held at the Roosevelt in New Orleans in about two weeks. The final meeting, scheduled for New York, is not set.

Skouras Flies to Coast

Spyros Skouras left for the coast via TWA last night to confer with Sidney R. Kent, president of Twentieth Century-Fox and National Theatres. He will be gone about 10 days for talks understood to be in connection with the acquisition of a number of Harry Huffman's houses in the city of Denver.



'GOLD DIGGERS' TAKE ALBANY by storm—and array of city and state officials stand by to watch. It's stop No. 15 for the coast-to-coast ballyhoo for the Xmas release of Warners' musical ace, 'Gold Diggers of 1937.' SYRACUSE NEX! (Advt.)

Arthur Menken Back From Spanish Front

Arthur Menken, Paramount News cameraman, sat by his camera and watched the bombing of Madrid by planes while the cap of a censor covered his lens, he said yesterday upon arrival aboard the *Queen Mary*. He has no use for censors, especially General Franco's rebel censors.

They wouldn't let him photograph foreign military equipment or operations, or executions, or horror scenes. Most of the other scenes didn't interest him, although he got some fine shots of the rescue of 1,200 rebels at the Alcazar.

Menken was shot in the leg some months ago.

At first he used chartered planes to ship exposed film out of the country and raw stock and money in. This became too dangerous for the flyers, however, and motor cars were used as far as the French border. Then the censor troubles became more acute.

Feist Here for Talks

Felix Feist, Jr., short subject producer for M-G-M, will produce two shorts with Bob Benchley in the east. Feist arrived from Hollywood over the weekend to confer with Benchley. He will be here 10 days.

The shorts will be produced here after the first of the year, Feist stated yesterday. He will return after New Year's to supervise production. Meanwhile, Feist is on a hunt for material for "Crime Doesn't Pay" and musicals.

Morrones Honored

PITTSBURGH, Nov. 30.—The Art Morrones were honored on their silver wedding anniversary last night by film people at a testimonial dinner in the Commodore Restaurant.

Roxy Back to Fridays

With the opening of "Luckiest Girl in the World," the Roxy this week will revert to Friday openings. "Reunion" will wind up an eight-day run Thursday night.

Neilan Acts Again

Hollywood, Nov. 30.—Marshall Neilan is back acting after directing for 15 years. He plays the role of a director in "A Star Is Born" for United Artists.

Neilan says he became a director because of all the rough stuff he had to do in Mary Pickford's "Daddy Long Legs."

Johnston Will Tour; No Studio Deal Yet

HOLLYWOOD, Nov. 30.—W. Ray Johnston will leave here tomorrow night on a tour of the exchange centers. Denver probably will be the first stop.

Johnston has decided not to select studio space for Sterling at this time. His decision resulted from the unavailability of desirable quarters.

Sterling Budget $2,300,000

W. Ray Johnston, president, and Scott R. Dunlap, recently named vice-president in charge of production for Sterling Pictures, have set a production budget of $2,300,000 on 26 features and eight westerns. The serial end of the program has not been set.

Dunlap will begin work with his editorial and writing staff Jan. 1. Ten writers will be used, with five unit supervisors for the 26 features and a special unit for the westerns.

New Erpi Pacts Near

Erpi's new recording license agreements with producers may be closed by the year end, Whitford Drake, executive vice-president, said yesterday on his return here from a month's visit to the coast. The new agreements have been the subject of lengthy negotiations but only two points of difference now remain to be settled, it was said.

Grainger to Start Sales Meet Series

James R. Grainger will hold the first of a series of winter sales conferences for Universal next Wednesday. "Three Smart Girls" and "Top of the Town" will be the principal topics of discussion.

Those scheduled to attend include: F. J. A. McCarthy, eastern sales manager; E. T. Gomersall, western sales manager; Sig Wittman, eastern district manager; H. D. Graham, southern district manager; Clair Hague, Canadian general manager, and A. J. Herman, New England district manager; Edward Bonns, Sidney Sugarman and William Kraemer of the home office, and the following exchange managers: Leo Abrams, New York; Dave Miller, Cleveland; J. Kaufman, Pittsburgh; Nate Sauber, Buffalo; Joe Engel, Philadelphia; Edward Heiber, Washington; Peter Dana, Albany; Morris Joseph, New Haven; W. P. Kelly, Boston, and S. Brint, Toronto.

A second general session will be held at the Blackstone in Chicago on Dec. 10, and then Grainger will visit exchanges to the coast and back.

Loew's Distributing

Loew's, Inc., now is officially releasing all M-G-M product, according to a realignment of corporate structure recently completed by both companies. All checks and new advertising matter have been changed whereby the parent company is the new distributing agent.

Notables to "Rembrandt"

Herbert Winlock, director of the Metropolitan Museum of Art; Lord and Lady Duveen, Leslie Howard and a party, Gertrude Lawrence, Ben Hecht, Roger Livesey and other notables are scheduled to attend the early evening showing of "Rembrandt" tomorrow at the Rivoli.

Janet Johnson Here

Janet Johnson, musical comedy actress who was signed by Joseph M. Schenck on his last European trip, has a five-year contract with Twentieth Century-Fox, she stated yesterday on her arrival on the *Queen Mary*. She plans to leave for Hollywood on Friday.

Set Drew Sales Drive

CLEVELAND, Nov. 30.—Celebrating Frank D. Drew's 10th anniversary as local M-G-M branch manager, the Cleveland office has set the period from Thanksgiving Day to Washington's Birthday for a sales drive.

Ascap Meet Routine

The monthly meeting of the board of Ascap was held yesterday. Only routine business was transacted, according to E. C. Mills, general manager.

Correction

Theatre Profit Sharing Corp., not United Profit Sharing Coupon Corp., has taken over the contract held by M. G. Felder for distribution of the coupons in the motion picture theatre field in this country, as it was erroneously stated in yesterday's MOTION PICTURE DAILY.

SMASH HIT!

THE Hollywood REPORTER

21, 1936

E MILLE'S 'THE PLAINSMAN' SMASH HISTORIC WESTERN

ary Cooper, Jean Arthur Excellent

"THE PLAINSMAN"

(Paramount)

oducer-Director.....Cecil B. deMille
ssociate Director.....Arthur Rosson
tory Sources: Courtney Ryley Cooper, Frank J. Wilstach.
Compilation ..... Jeanie Macpherson
Screenplay: Waldemar Young, Harold Lamb, Lynn Riggs.
Photography: Victor Milner, George Robinson.
Special Effects: Farciot Edouart, Gordon Jennings.
Original Music.....George Antheil
Musical Direction.....Boris Morros
Dialogue Supervision....Edwin Maxwell
Film Editor.....Anne Bauchens
Ass't Director.....Richard Harlan

Cast: Gary Cooper, Jean Arthur, James Ellison, Charles Bickford, Helen Burgess, Porter Hall, Paul Harvey, Victor Varconi, John Miljan, Frank McGlynn Sr., Granville Bates, Frank Albertson, Purnell Pratt, Fred Kohler Sr., Pat Moriarty, Charles Judels, Harry Woods, Anthony Quinn, Francis McDonald, George Ernest, George MacQuarrie, George Hayes, Fuzzy Knight.

Cecil B. deMille here delivers a super-western that has had few if any equals in the history of pictures. It condenses a whole period of our most romantic history into two hours of glamorous entertainment, superbly presented, excitingly realized. There is not the least doubt that it will take the boxoffices of the world by storm and roll up a magnificent record.

To the magic of the deMille name is added that of Gary Cooper in a role to which he brings all the best qualities of his recent work and which gives him one splendidly realized opportunity after another. And teamed with him for a gorgeously effective portrait of the famous frontier woman, Calamity Jane, is Jean Arthur, doing the most characterful work of her career and winning high acclaim.

DeMille may have romanticized his history as well as condensed it but he has done it to exceedingly good purpose. The picture makes no claims to be documentary and it does introduce such romantic figures as Buffalo Bill Cody, Wild Bill Hickok and General Custer with sufficing accuracy. It even sacrifices a happy ending to follow history in ending Wild Bill's career with a bullet in a finale that is the one draggy sequence.

All the ingredients of every good western are present in ample measure and have, of course, been glorified under deMille's magic touch. Oddly and wisely he has concentrated on the personal drama so that the mass scenes are kept to an unexpected minimum. Even the Custer massacre is told in a few shatteringly effective feet.

The story concerns itself with the army's campaign to make the west safe for settlers immediately after the Civil War. And it pits Hickok (played by Gary Cooper) and Buffalo Bill Cody, scouts extraordinary, against a gang led by Charles Bickford which was selling rifles to the Indians. Cody has brought his young bride from the east. Hickok is girl-shy but is pursued with frankness and determination by the boisterous and heroic Calamity Jane. The laughable and delightfully sympathetic interplay between these two through the most blood-curdling adventures is the heart of the story—and what a love affair!

The very youthful but vigorous and winning Bill Cody, in the competent hands of James Ellison, takes second-ary place but scores high for Ellison, and his timid eastern wife is charmingly realized by Helen Burgess, an interesting newcomer.

Among the many outstanding portrayals in support are Porter Hall as a cowardly stool-pigeon for the heavies, John Miljan as Custer, Paul Harvey and Victor Varconi as Indians, Fred Kohler Jr., George Hayes and Fuzzy Knight as western types and Frank Albertson, Purnell Pratt, Pat Moriarty, Harry Woods, and George MacQuarrie as soldiers.

DeMille's gifted technical staff must share high honors with him. For direction there is Edwin Maxwell on dialogue and Arthur Rosson, associate, contributing admirable guidance to an outstanding job. The writing, with emphasis on the screenplay of Waldemar Young, Harold Lamb, and Lynn Riggs, is keen, clear, and admirably direct. Brilliant photography that is frequently breath-taking has been delivered by Victor Milner and George Robinson, with effects by Farciot Edouart and Gordon Jennings. George Antheil's vigorous and dramatic music has been built into a highly effective scoring by Boris Morros, and the accoutrements of production are obviously studied with care and are richly contribute... grand pictorial...

With reaching cafe has tablecloths

'Theod 'Pigski Lead

New York. Wild" did $74,0 for the week end grosses were Roxy, $47,500; Rivoli, $32,000;

THE Film DAILY

Tuesday, Nov 24, 1936

☆ ☆ Reviews of the New Films ☆ ☆

Gary Cooper and Jean Arthur in
"THE PLAINSMAN"
with James Ellison, Charles Bickford, Helen Burgess, Porter Hall, Paul Harvey, Victor Varconi

(HOLLYWOOD PREVIEW)

Paramount 115 mins.

STIRRING PICTURE OF THE SETTLEMENT OF THE WEST IS GRAND B. O. MATERIAL.

Cecil B. DeMille has drawn the well-known historical characters, Wild Bill Hickok, Calamity Jane and Buffalo Bill Cody as such dynamic figures in the settling of the West that one cannot help but be fascinated by them. With Gary Cooper, Jean Arthur and Jimmy Ellison as those characters, more perfect players could not have been chosen. The piece is a stirring one with battle scenes that are terrific. Everywhere the DeMille touch for the spectacular is to be found. It is a big production of the "Cimarron" "Covered Wagon" type and its appeal should be to the same kind of audience, and its box-office returns should therefore be great. Cooper in one of those he-man roles which made him famous and which are tailor-made to his talents is superb. A more perfect Calamity Jane could not be dreamed of than Jean Arthur. The handsome Jimmy Ellison as the youthful Buffalo Bill is a natural. While injecting his very likeable qualities into the characterization, he still gives it forcefulness. His acting is of the calibre that stamps him as one of the better of the younger players. Helen Burgess, as his youthful wife, is very capable, and Charles Bickford, as the white man who sells rifles to the Indians, is all that the villain should be. Porter Hall, as a stool pigeon for Bickford, is excellent, and Frank Albertson's work as the hysterical soldier is praiseworthy. Victor Varconi, John Miljan and Purnell Pratt are others who do well in important parts. With data from stories by Courtney Ryley Cooper and Frank J. Wilstach, and material compiled by Jeanie MacPherson, the continuity writers, Waldemar Young, Harold Lamb and Lynn Riggs, have fashioned a screenplay... interesting in historical material, characterizations and situations. Their dialogue is most fitting. As director, Cecil B. DeMille, has injected a fast moving tempo to the proceedings, something worthwhile is always on the screen, and the performances of the players are of the highest order. As producer, he has come through with a big scale production of merit. Victor Milner and George Robinson have done fine work on the photography, especially on some of the scenery. The music, as directed by Boris Morros, is important; in the battle scenes especially it is very effective in gaining the effect. With the end of the Civil War, Cooper returns to the West as a scout. Ellison has married and wants to settle down. The Indian raids make it imperative that the latter return to scouting. Jean Arthur is in love with Cooper and even though he refuses to admit it, he loves her. Cooper and Ellison take part in Indian battles and Cooper learns that Bickford is selling guns to the redskins. Cooper, in self-defense, kills three Army men who really are deserters associated with Bickford. He becomes a hunted man and his old pal, Jimmy, is the one assigned to bring him in. Following the gold strike to Deadwood, Cooper meets Bickford there, where in a gun battle he kills him. While holding Bickford's henchmen awaiting the arrival of the Army Cooper is shot in the back and dies in Jean's arms.

Cast: Gary Cooper, Jean Arthur, James Ellison, Charles Bickford, Helen Burgess, Porter Hall, Paul Harvey, Victor Varconi, John Miljan, Frank McGlynn, Sr., Granville Bates, Frank Albertson, Purnell Pratt, Fred Kohler, Sr., Pat Moriarty, Charles Judels, Harry Woods, Anthony Quinn, Francis McDonald, George Ernest, George MacQuarrie, George Hayes, Fuzzy Knight.

Producer, Cecil B. DeMille; **Associate Director,** Cecil B. DeMille; **Authors,** Courtney Ryley Rosson; Frank J. Wilstach; **Material compiled by** Jeanie MacPherson; **Screenplay,** Young, Harold Lamb, Lynn Riggs; **Cameramen,** Victor Milner, George Robinson; **Special Effects,** Farciot Edouart, Gordon Jennings; **Musical Director,** Boris Morros; **Original Music,** George Antheil; **Film Editor,** Anne Bauchens; **Dialogue Supervision,** Edwin Maxwell; **Assistant Director,** Richard Harlan.

Best. Photo...

as does Eric Linc... of their weakling... ment of Milton... ducer, under Sc... required intelli... can be proud... Trevor, just o... Whalen, a s... the ethics... Isabel Jewe... father, Clai... There is e... convicted... census of... help Cla... sees tha... them, s... their p... sets s... break... her... court... hone...

Cecil B. DeMille's
"THE PLAINSMAN"
starring
GARY COOPER • JEAN ARTHUR
with James Ellison • Charles Bickford • Helen Burgess • Porter Hall • Directed by Cecil B. DeMille
Paramount Pictures

Uses Radio in Reply On Film Guide Fight

NEW HAVEN, Nov. 30.—Declaring that the entire position of *Theatre News* is misstated in a recent article in the *Bridgeport Herald*, Jack Schaefer declared in the regular weekly radio broadcast over WELI that the local film guide has no "murderous intentions" or desire to "rule the local movie situation some sweet day." The editor insisted the work of the magazine is "not a crusade against anything," but rather an attempt to get people to spend more money on entertainment and to do so with the basic idea that they have a right to shop for films, as they would for an article in a store. The policy, he stated, is nothing more than to give an "accurate, impartial" description of the current pictures in a compact form which also includes all other available information on events in the territory.

The *Herald* article is believed to have originated when a manager complained that *Theatre News* had given his feature an unfavorable review.

Explain Deal with NBC

TOLEDO, Nov. 30.—Contending that this area is being adequately covered by nearby WJR, a CBS affiliate at Detroit, and that there was a definite demand for NBC programs over local WSPD, which conditions were verified by Herbert Akerburg, vice-president of CBS in charge of studio relations, who recently visited here, WPSD will join the NBC-Blue May 1 next, under a five-year agreement.

Contract with CBS, from which WSPD will be released, was on a three-year basis.

Drama in Armco Show

MIDDLETOWN, O., Nov. 30.—Beginning yesterday the Armco Band, under direction of Frank Simon and sponsored by the local American Rolling Mill, includes a brief dramatization on its Sunday night hour over NBC. The vocal stanza previously considered has been turned down in favor of drama. The account is handled by N. W. Ayer.

WCPO Featuring Link

HAMILTON, O., Nov. 30.—Joseph Link, Jr., staff organist at WCPO, *Cincinnati Post* radio station, is being featured in organ recitals at the Paramount here each Sunday, as an added attraction to the regular programs.

May Join WLW Staff

CINCINNATI, Nov. 30.—Mary Paxton Young, vocalist on WTBM, Indianapolis, was given an audition on WLW here and may become a regular member of the staff, replacing Edith Karn, soprano.

Seeks Station Permit

MANSFIELD, O., Nov. 30.—Hearing has been set on petition of Frazier Reems for a new daytime station here to be operated on 1,370 kilocycles, with 100 kilowatts.

W1XBS and Theatres Tie Up

NEW HAVEN, Nov. 30.—The Poli in New Haven and Waterbury get a new daily plug on the "Piano Antics" program over W1XBS.

Martin of KFAB Marries

LINCOLN, NEB., Nov. 30.—Reginald B. Martin, station manager of KFAB-KFOR, has married Kay Gustafson of Des Moines.

Film Producers Tie in on NBC South American Talks

Film producers, business ears and eyes keenly attuned to the South and Central American markets, are tying in heavily on a new program especially arranged for those areas by NBC.

To date Francisco Barrionuevo, Mrs. De Pinilloe and S. Adelantavo, of the Spanish divisions of United Artists, M-G-M and Paramount respectively, have made addresses on the series lauding their respective outputs. Others are to follow.

Two Spanish-speaking members of the NBC staff, Dan Russell, announcer, and Charles Carvajal, production man, are in charge of the program, which is broadcast over W3XAL, NBC's short wave transmitter at Bound Brook, N. J. The program, originally a thrice weekly presentation, has now been extended into a twice daily presentation, 6:20 P. M. on the Red network, and 11:15 P. M., E. S. T., on the Blue.

The series has met with such favorable reception in South and Central America that NBC is now having constructed a new directional-beam antenna, which will be completed sometime in January. The beam will have a spread sufficient to cover all of the South and Central America regions.

It is understood that John Royal's current trip to Latin-America was made specifically to arrange an exchange of broadcasts between this country and the other Americas, rather than for the Pan-American Peace Conference, as has been announced by NBC.

Henceforth, a standing feature on the series will be Edith Ortega, daughter of the publisher of *Cine Mundial*, Spanish film publication. Miss Ortega will conduct a series of film chats and will present stars from the various production firms. The first picture guest will be Helen Lynd, a principal in Grand National's "Hats Off."

Drop Jessica Dragonette

The Cities Service Concerts, unchanged in pattern or personalities since 1930, will undergo a radical alteration within the next broadcast or so, it was reliably learned by MOTION PICTURE DAILY yesterday. Jessica Dragonette, the program mainstay for the past seven years, will be replaced by Lucille Manners in the initial shake-up.

Lord and Thomas admit that Miss Manners had been signed for the series and that Miss Dragonette has received notice that her option will not be taken up. The change becomes effective on Feb. 5.

News of the impending change will probably come as a shock to Radio Row and listeners, for the program and Miss Dragonette have always placed fairly high in the official popularity polls.

The series is one of the oldest on the NBC books, having begun shortly after the inception of the network in 1925. It started unostentatiously with a quartet and two years later, in 1927, added the Goldman concert band. In 1927, Rosario Bourdon's band replaced Goldman's, and in 1930 Miss Dragonette joined the troupe.

The series always has been an NBC-Red presentation, 8 to 9 P. M., E. S. T.

Still Pending

No official action has been taken yet on the Fred Waring-Ford Motor Co. renewal, but it was ascertained yesterday that the orchestras of Red Nichols and Paul Whiteman have been auditioned *sotto voce* for the berth.

The Waring contract expires on Dec. 25; Whiteman leaves the Woodbury program on Jan. 3; and Nichols is currently off the air.

Crosby Anniversary Nears

Bing Crosby will celebrate his first anniversary on the Kraft Music Hall program next Thursday, Dec. 3. Bing made his first appearance on the series on Dec. 5, 1935, when he sang over the air from Hollywood with the rest of the show originating from New York. Early in January of this year he took over the full-hour variety program, originating in Hollywood.

Crosby will begin his second season by featuring as guest artists Gene Raymond, Alice Faye, and Gregor Platigorsky, cellist.

May Use Hal Kemp

Pall Mall cigarettes yesterday afternoon auditioned Hal Kemp's band for a proposed new series which is expected to be placed on the CBS channel some time next month. The series will be in the interest of the new popular priced package of cigarettes the company recently placed on sale.

Warner Talks Charity

MAJOR ALBERT WARNER spoke on "Business Leadership and Philanthropy" over WHN last night in connection with the annual drive of the Federation for the Support of Jewish Philanthropic Societies.

Montgomery to Lux

Robert Montgomery will return to the Lux "Radio Theatre" on Dec. 7 and will offer the "Grand Duchess and the Waiter." The grand duchess' role is as yet unassigned.

Thompson, Kennedy, Et Al

Short Shots—Kay Thompson's all-girl choral group, now heard on the Kostelanetz Chesterfield, yesterday auditioned for a new series of programs. . . . Reed Kennedy's last appearance this season with the Pittsburgh Symphony Orchestra will be on the Dec. 6 CBS broadcast. . . . Jolly Gillette, youngster heard on the CBS Community Sing program with Milton Berle will be signed for pictures by Sol Lesser. . . . Bunny Dryden and Gladys Hammer, will be Edward Everett Horton's guests on the Shell program of Dec. 5. . . . Alexander Gray and Clare Whitney will be guests on Leo Reisman's "Morning Matinee" program on WOR on Thursday. . . . Dave Rubinoff's series of electrical transcriptions, currently heard on more than 300 stations, will end next week. It is expected that a new band will be signed to replace Rubinoff.

KSTP Takes to Air With New Equipment

ST. PAUL, Nov. 30.—Backed by a heavy promotion campaign, KSTP went on the air today with its new $300,000 transmitter.

In addition to the promotion drive to acquaint the Northwest with the opening, a followup campaign is being planned by Ray Jenkins, KSTP general sales manager. It will run far into 1937 and will include a new type of listener survey, developed exclusively by Jenkins; issuance of a new standard market data book for the Northwest; a 10-day broadside on "Sales Tales," the station's publication, which will feature the new transmitter; and the placing in stores throughout the area of a new series of listen-in posters, featuring the new installation.

The new transmitter, centrally located between the two cities includes among its features a 363-foot vertical uniform cross-section antenna, an auxiliary transmitter for emergency use, a specially designed trouble supervisory system for location and automatic rectification of any sort of trouble and inclusion of room for additional transmitters.

Another Theatre-Radio Co-op.

LOUISVILLE, Nov. 30.—The Mary Anderson is co-operating with WAVE in the airing of a "Man on the Street" broadcast in the interest of Minute-Rub. The session of questions and answers is held in the lobby of the theatre and each participant is given a pass to attend the current film being shown. George Patterson, program director, assisted by Homer Burton Blackwell of the announcing staff, team up to keep the program moving and sustain the interest. The program is heard daily at 1 P.M. and is popular.

WHAS in Bank Hookup

LOUISVILLE, Nov. 30.—The Liberty National Bank is sponsoring the Philadelphia Symphony Orchestra, released over CBS through WHAS for this territory. This is not the first instance of a banking institution in this city advertising on the air, for back in 1924 the Liberty National and the First National Banks, respectively, were sponsoring musical programs and are viewed as the pioneers in the radio advertising field in this part of the country.

WBOW Starts Artists' Bureau

TERRE HAUTE, Nov. 30.—A new venture to be known as the Wabash Artists' Bureau, under the personal direction of Ralph Tucker, was introduced over WBOW Sunday and will be a weekly feature thereafter. The WAB will be affiliated with David P. O'Malley enterprizes, with offices in Chicago and New York.

Dean After Coast Talent

HOLLYWOOD, Nov. 30.—Louis Dean of the Campbell-Ewald agency is here lining up talent for the Irvin Cobb-"Paducah Plantation" show sponsored by Oldsmobile. It is emphasized that there would be no more guest stars on the program.

Speed CBS Coast Switch

HOLLYWOOD, Nov. 30.—With the arrival Saturday of Hugh Cowhan, Larry White and William Lewis of the CBS eastern department, preparations gained momentum for the switch-over to KNX Dec. 29.



WM. POWELL

KAY FRANCIS

'One Way Passage'

Directed by Tay Garnett

Re-Book It! Re-Advertise It! Re-Date It for Preferred Time and You'll Realize the Big Reason for

WARNER BROS.' Simultaneous Nation-Wide Re-Release December 12th!

Chicago Meet Today In Giveaways Fight

(Continued from page 1)

to eliminate all giveaway games in this city's theatres. It is understood that the exhibitors will try to strike a compromise in order that the prize games may be continued.

The latest attack on the giveaway policy was made today by Irving S. Roth, president of the Lawyers Legislative League of America, who sent a message to Attorney General Otto Kerner requesting that he seize all cash prizes now offered at theatres and recover for the state all prizes won by patrons since the drawings started. This demand may result in a ruling by the attorney general regarding the games since the police commissioner here has refused to take action, saying that the attorney general is the only one with power to act in the matter.

In the meantime, theatres are continuing the drawings and games. Theatre executives are non-committal other than to say that they are doing nothing which is illegal.

Action Against Game Filed

San Francisco, Nov. 30.—Ten-O-Win Amusements has filed suit in Federal Court here against Blumenfeld Theatres and Edward LaMontagne, operator of Rolleo Amusement Co., charging infringement of the Ten-O-Win copyright, and unfair competition. Ten-O-Win is a wheel device used as a theatre promotion.

Blumenfeld's DelPaso Theatre in Sacramento is declared to be the scene of the infringement against which a restraining injunction is asked. A temporary injunction pending trial of the case also is asked, with damages claimed said to be "more than $100,000."

Ten-O-Win is now being distributed nationally through National Screen Service, and it is claimed Rolleo is identical with it except that Rolleo uses three separate wheels to be employed on the theatre stage, while Ten-O-Win uses three wheels on the same center pin. It is claimed in the action that LaMontagne obtained the Ten-O-Win plans while seeking employment with that company, according to Arthur Miller, manager.

Allied Fights Bank Night License

Minneapolis, Nov. 30.—The squabble over the legality of a copyright to Bank Night is still on in Minneapolis with Northwest Allied fighting the attempt by Affiliated Enterprises to collect payment from users of the cash giveaway.

Not opposed to the system itself, Allied is endeavoring to clarify the system and to determine whether or not Affiliated Enterprises legally can collect a license fee from users of the system which it allegedly owns through copyright. Allied has suggested a suit by Affiliated against an exhibitor to develop a test case.

Advertise Games in N. O.

New Orleans, Nov. 30. — Bank Night is now being advertised here on billboards and the radio, while Broadway Handicap users employ half-sheets. Bank Night users are covering their fronts with banners. Insurance companies, "insuring" the payoff, charge 10 cents a night.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Gold Diggers of 1937"

(Warners)

Hollywood, Nov. 30.—Maintaining the "Gold Diggers" tradition, the 1937 version is an elaborately staged musical comedy. The expected quota of girls and glamour makes up the gackground, with plenty of music and dancing, and comedy is, of course, the keynote of the yarn.

A life insurance company suddenly finds itself in the show business, with the wild agent, Dick Powell, aided by Joan Blondell, Glenda Farrell, Lee Dixon and Rosalind Marquis, trying to keep Victor Moore, $1,000,000 policy-holder, alive, while the heavies, Osgood Perkins and Charles D. Brown, seek to finish him.

About that premise is woven the laugh-provoking comedy, the dancing culminating in a black and white military silhouette scene which is an elaborate feature of the production.

Moore almost steals the show as he introduces a new character in the "Gold Diggers" series. Miss Marquis and Dixon are excellent, and the standbys, Powell, Miss Blondell and Miss Farrell, measure up to their previous work. Perkins and Brown add pace to the story as the pair of chiselers out after Moore. William Davidson, as a motto-slinging insurance executive, contributes a high caliber performance.

Harry Warren and Al Dubin and Harold Arlen and E. Y. Harburg did the music and lyrics, three of which are Powell solos and one a duet with Miss Blondell.

The dance numbers were created and directed by Busby Berkeley, and Leo Forbstein directed the musical arrangement of Ray Heindorf. Based on a play by Richard Maibaum, Michael Wallach and George Haight, the screen play was by Warren Duff and Lloyd Bacon directed.

There are one or two spots where the dialogue becomes a bit intimate, but not to the extent where it should cause any serious difficulties.

Production Code Seal No. 2,504. Running time, 100 minutes. "G."

Looking 'Em Over

"Three Smart Girls"

(Universal)

Deanna Durbin, 13-year-old radio singer heard with Eddie Cantor, and Charles Winninger, that pleasant old veteran of musical comedy, pick up most of the available fun and honor in "Three Smart Girls" and send it over the line neatly as a refreshing and extremely likable comedy with slight, but unimportant dramatic overtones.

This is the young Miss Durbin's first picture. In the light of it, she does an extraordinarily good job. Not only has she a voice with a quality that is astonishing for her tender age, but she also has on her credit side acting ability of a stature that surprises along with her abilities as a singer. Winninger, of course, has long since established his reputation as a comedian. But here, he demonstrates he can induce sympathy without turning maudlin.

It appears he has been divorced from his wife, Nella Walker, for 10 years. In that time their three children—Deanna, Nan Grey and Barbara Read—have grown old enough and sensible enough to understand that their mother continues to love their father. When word reaches them in Switzerland that he is about to be encompassed by the foils of an old-fashioned gold digger, played extravagantly by Binnie Barnes, the three girls leave for New York determined to stop the romance. They do and they do it smartly after several amusing mixups which bring Ray Milland into the picture as the man Miss Reade falls in love with, and John King as the stalwart with whom the other older girl, Miss Grey, seeks her happiness. It is Deanna, however, who pulls the final coup via a runaway which blocks the Winninger-Barnes nuptials and clears the way finally to the family reconciliation.

There is Alice Brady in the cast. She is the grasping mother ferreting out a wealthy match for Miss Barnes and is splendid in her usual way. Mischa Auer does a fine, perpetually drunken Hungarian count and the remainder of the cast is effective.

"Three Smart Girls" ought to please mightily. It is good and wholesome fun based on an original story and script by Adele Comandini. Joseph Valentine photographed expertly and Henry Koster directed under Joseph Pasternak as associate producer.

Production Code Seal No. 2,730. Running time, 84 minutes. "G."

Kann

(Additional Review on Page 8)

Kuykendall Coming To Talk Convention

(Continued from page 1)

vention will be held at Miami in February, although the place and date are subject to a vote of the organization's directors. The vote is expected to be made by mail in the near future in lieu of a board meeting in advance of the convention.

Kuykendall may also decide while here on whether or not he will attend the projected conference of representatives of this industry and Administration officials in Washington on Dec. 10 and 11 in connection with discussions of wage and hour and trade practice agreements. Invitations to the session, which probably will be held apart from the general conference sponsored by the National Council for Industrial Progress, are expected to be received from Washington this week.

Instructional Films Use Doubles in Year

Madison, Wis., Nov. 30.—The demand for films and slides for educational and other community uses has doubled during the past year, according to J. E. Hansen, chief of the bureau of visual instruction, University of Wisconsin.

Film shipments during the past year totaled 18,000 against 9,185 for the year before. More than 85 per cent of the bureau's film service is asked by schools, it was declared, with others going to farm and community meetings, churches, CCC camps, service and other clubs.

Simons Given Dinner

Boston, Nov. 30.—Matty Simons of Twentieth Century-Fox was guest of honor at a bachelor dinner tonight. He will be married tomorrow to Marsha Kantor of Brookline.

Wall Street

Small Losses on Board

	High	Low	Close	Net Change
Columbia	37¾	37¼	37¼	— ¾
Columbia, pfd.	43¼	42	42	—1
Consolidated	4⅞	4¾	4¾	— ⅛
Consolidated, pfd.	17½	17¼	17⅜	— ⅛
Eastman Kodak	180	179⅝	180	— ¾
Eastman, pfd.	162	160½	162	+1¾
Gen. T. Equip.	30⅛	29½	29½	+ ⅛
Loew's, Inc.	64¾	63	64¼	— ⅛
Paramount	21⅝	21	21⅛	— ⅜
Paramount 1 pfd.	156½	154	154	—1
Paramount 2 pfd.	19½	19	19¼	— ⅜
Pathe Film	8⅜	8¼	8¼	— ⅛
RKO	8⅛	7¾	7⅞	— ⅛
20th Century-Fox.	37¾	37¼	37½	— ¾
20th Century, pfd.	47½	47	47½	+ ½
Warner Bros.	17¼	16¾	16¾	— ⅜

Curb Off Slightly

	High	Low	Close	Net Change
Grand National	3¼	3¼	3¼	.....
Sentry Safety	¾	¾	¾	.....
Sonotone	2⅛	2	2⅛	.....
Technicolor	22⅛	22	22	— ⅛
Trans-Lux	5¼	4¾	4⅞	— ⅛

Bonds Have Small Gains

	High	Low	Close	Net Change
Keith B. F. 6s '46	99	99	99	.....
Loew's 6s '41 ww deb rights	101	101	101	— ¼
Paramount B'way '3s '55	71	71	71	+1
Paramount Pict. 6s '55	101	100¾	101	+ ¼
RKO 6s '41	116½	116	116½	+1¼
Warner Bros. 6s '39 wd	98½	98	98½	+ ¾

(Quotations at close of Nov. 30)

Poem

'Twas the month before Xmas
And all through the industry
not a creature was stirring
Except Leo the M-G-M Lion
who was gifting exhibitors
with "Born To Dance" and
"Love On The Run" "Tarzan Escapes"
and "Libeled Lady" and lots of
other nice things to make
Everybody forget Christmas Shopping
And go to theatres playing
M-G-M Pictures.

Details Asked On "U's" 10% Cancellations

(*Continued from page 1*)

took all of the product "offered" them by the distributor as well as to exhibitors who bought the company's complete domestic lineup.

Kuykendall is expected here on Friday and will attend the annual convention of the M.P.T.O. of North and South Carolina at Charleston, Dec. 7 and 8.

Trade practice statements in reply to the M.P.T.O.A. program are expected this week from Paramount and RKO.

Horstmann Rites Held

BOSTON, Nov. 30.—Funeral services were held today for Ernest H. Horstmann, 68, pioneer exhibitor, who died Saturday at the Salem Hospital from injuries received last Monday when he was hit by a brick while workmen were blasting on his estate in Marblehead for the construction of an additional building.

He was one of the original organizers of the Gordon and Olympia circuits, was once president of the New England unit of the M.P.T.O.

At the time of his death he operated two theatres in Wakefield and Middleboro. He is survived by his widow, Mrs. Alice Horstmann, and a daughter who is married.

"Dance" Record in Sight

PITTSBURGH, Nov. 30.—"Born to Dance" is on the way to a new house record at the Penn. It is expected to hit $31,000 and to top the mark of "Mutiny on the Bounty" by at least $5,000. It topped the old Sunday mark by $700. It will be held a second week and then probably will be moved to the Warner for a continued run.

Fuller to Shift Action

NEW ORLEANS, Nov. 30.—Counsel for George S. Fuller, Florida exhibitor suing major distributors and two Saenger Theatre executives, is expected to change the original action to one for damages under the anti-trust laws. The amended petition must be filed by Dec. 5, or the suit will be dismissed in Federal Court here.

Sue Harley L. Clarke

CHICAGO, Nov. 30.—Suit for $3,000,000 has been filed in U. S. District Court here against Harley L. Clarke, former head of the Utilities Power & Light Co. and of Fox Film Corp. The plaintiff is Utilities Power & Light. Clarke is still a director. He resigned recently as president.

Scott, Flyer, for Films

LONDON, Nov. 30.—Charles W. A. Scott, winner of the England-South Africa air race, has been added to the list of players managed by Dave Bader.

Palace Made First Run

PITTSBURGH, Nov. 30.—To relieve the booking jam at the Alvin, the Harris Amusement Co. has converted the 600-seat Palace into a first run.

Out Hollywood Way

HOLLYWOOD, Nov. 30.—EDWARD L. ALPERSON off by plane today for Kansas City following closing of Grand National product deals with Turner and Danker and McNeil theatres of San Francisco. Meeting with JAMES WINN set for Kansas.

Paramount signs CAROLE LOMBARD to new three-year contract calling for three a year with fourth optional.

SCOOP CONLON resigns as B. P. SCHULBERG publicity director. . . . Succeeded by LINCOLN QUARBERG. . . . WESLEY RUGGLES at Lake Placid for background shots for "I Met Him in Paris." . . . BRUCE CABOT back at work in "Sinner Take All," M-G-M, after three-day attack of influenza. . . . WELLYN TOTMAN back from Mexican vacation and working at Republic.

BUDDY DESYLVA returns from New York to start at Universal. . . . BOBBY CONNOLLY begins dance routine at Warners for "The King and the Chorus Girl" after finishing "Ready, Willing and Able."

WILLIAM VON WYMETAL, opera adviser at M-G-M, cancels plans for staging opera in Cincinnati and Cleveland. . . . He's busy on "Maytime." . . . MELVIN and MRS. THORSEN parents of a boy born at Cedars of Lebanon Hospital. . . . JAMES E. FRANCIS, western division manager of RCA Mfg. Co., to Camden for two weeks of conferences.

✚

Casting—DONALD WOODS in "The Case of the Stuttering Bishop," replacing RICARDO CORTEZ who has been transferred to "The Go-Getter," Warners. . . . ALAN BAXTER in "I Hate Horace," Universal. . . . NIGEL BRUCE in "The Last of Mrs. Cheney," M-G-M.

JOHN HOLLAND in "Join the Marines," Republic. . . . DON WELDON and GEORGETTE RHODES in "The King and the Chorus Girl," Warners. . . . LEO WHITE in that film and also in "The Prince and the Pauper," same studio.

✚

Cameraman—GREGG TOLAND borrowed from SAMUEL GOLDWYN by WALTER WANGER to shoot "History Is Made at Night," replacing DAVE ABEL who was recalled by Radio for the next Astaire-Rogers musical.

✚

Art Director—LOU RACHMIL on "Bring Me His Ears," HARRY SHERMAN'S next "Hopalong Cassidy" film.

Still "Digging"

Albany, Nov. 30.—The flying "Gold Diggers" arrived here today amid a convoy of planes and zero temperature, to be welcomed by the Chamber of Commerce and Mayor John Boyd Thacher, to be photographed in the Governor's room at the Capitol, to lunch at the DeWitt Clinton, and to personally appear at the Strand.

Tomorrow they go to Syracuse, where the same thing probably will happen all over again.

Miss Miller Fan Editor

HOLLYWOOD, Nov. 30.—Llewellyn Miller of the local office of Quigley Publications has resigned to become editor of *Screen Play*, one of the Fawcett Publications. She was drama editor of the Los Angeles *Daily Record* for several years before joining the Quigley Publications.

Projectionist Burned

PORTLAND, ORE., Nov. 30.—I. J. Vinson, operator at the Rex here, was severely burned when the film in the projector jammed and ignited. A capacity crowd left the theatre without incident. The loss was $500.

Plan Town's First House

RIDGEFIELD, CONN., Nov. 30.—Washington Theatres Corp., headed by Joseph Reed, has set plans for a 500-seat theatre here, the first in this town, which has a population of 3,700.

Looking 'Em Over

"Ride 'Em Cowboy"

(*Universal*)

With a story that departs widely from the routine, although it follows a familiar pattern, "Ride 'Em Cowboy" is an excellent western. The story by Buck Jones, the production, photography and melodrama and comedy, are well blended. It is a fine item for all western picture audiences.

Briefly, the story concerns Jones' adventures after he leaves his home town pursued by a posse. When he hops on a freight train his neighbors are glad to be rid of him because of his mischief on pay day visits to town. In a box car he teams up with George Cooper, who poses as a racing car mechanic. Persuaded by Cooper, he learns to handle the machine which is being delivered to a ranch owner who will race it to forestall attachment of his holdings. After many amusing situations Jones comes through, wins the race and Luana Walters.

Herbert Kirkpatrick and Allen Thompson have turned in a fine photographic job, particularly in riding scenes. A strong supporting cast includes William Lawrence, Joseph Girard, J. P. McGowan, Donald Kirke and Charles Lemoyne. Les Selander directed.

Production Code Seal No. 2,303. Running time, 60 minutes. "G."

UMPTO Decides on M-G-M Date Strike

(*Continued from page 1*)

M-G-M product for a period of 30 days or more.

In spite of the warfare with M-G-M, the unit voted to send a basket of flowers to Robert Lynch, M-G-M manager, who is ill in a hospital.

Rodgers Amazed at Report

William F. Rodgers, general sales manager of M-G-M, yesterday stated he was amazed to learn of an impending strike in Philadelphia. He added that the territory was 95 per cent sold.

He left last night for Columbus with Al Lichtman, who is to speak at the I.T.O. of Ohio convention. From there he will go to Cincinnati, Indianapolis and other spots before returning. Lichtman is due back tomorrow.

Lichtman to Address ITO

COLUMBUS, Nov. 30.—Al Lichtman is scheduled as the chief speaker before the I.T.O. of Ohio annual convention at the Deshler-Wallick here tomorrow and Wednesday. Lichtman will defend M-G-M's selling policy for the current year, to which exhibitors in this state have taken exception.

Other speakers announced are: Gov. Martin L. Davey; Pete Harrison, who will give an analysis of this year's product; Abram F. Myers, general counsel for national Allied; ex-Gov. A. O. Eberhart of Minnesota, special administrator to the Federal Housing Administrator; Roy Reichelderfer, supervisor of film censorship; Carlton S. Dargusch, vice-chairman of the Ohio Tax Commission; Lieut.-Governor Harold Mosier; Congressman Arthur P. Lamneck and Attorney General-elect Herbert S. Duffy.

The annual convention banquet will be held tomorrow evening. On Wednesday is the final business session and election of officers. Martin G. Smith of Toledo is now serving his second term as president.

Discuss Renewal of Para.-Blank Deal

(*Continued from page 1*)

Des Moines. Y. Frank Freeman, vice-president of Paramount in charge of theatres, represents the company in the negotiations.

Under the present operating agreement which expires at the end of the year, Paramount is privileged to repurchase from Blank his 50 per cent stock interest in the circuit. Whether the option will be exercised or a new permanent deal negotiated has not been determined yet, it was said yesterday.

Keep 5 Houses Closed

NEW HAVEN, Nov. 30.—Five of Warners' more than 50 houses in New England have not been reopened this fall. More than double this number remained dark two years ago. Closed are the Globe, Clinton; Comique, Lynn; Capitol, New Britain; Rialto, South Manchester. The Alhambra, Torrington, now dark, still may reopen this season.

To Have Film Section

Ladies Home Journal, a Hearst publication, shortly will inaugurate a motion picture section.

Guarantees

GB ~~WISHES~~ YOU A MERRY XMAS AND A HAPPY NEW YEAR . . .

4 IN DEC.
4 IN JAN.

December

CONSTANCE CUMMINGS • HUGH SINCLAIR
STRANGERS ON A HONEYMOON
NOAH BEERY • BEATRIX LEHMANN
Based on the novel, "The Northing Tramp," by Edgar Wallace
Director, Albert de Courville

CLIVE BROOK • HELEN VINSON
LOVE IN EXILE†
with MARY CARLISLE
Author, Gene Markey · Director, Alfred L. Werker

BUDDY ROGERS • MARY BRIAN
WEEK END MILLIONAIRE*
Director, Arthur Woods

OTTO KRUGER • LEONORA CORBETT
LIVING DANGEROUSLY*
From the play by Reginald Simpson and Frank Gregory
Director, Herbert Brenon

January

JESSIE MATTHEWS
HEAD OVER HEELS IN LOVE
Song hits by Gordon and Revel
Author, Francois de Croisset · Director, Sonnie Hale

SYLVIA SIDNEY
THE HIDDEN POWER
OSCAR HOMOLKA • DESMOND TESTER • JOHN LODER
Adapted from the novel by Joseph Conrad
Director, Alfred Hitchcock

GEORGE ARLISS
MAN OF AFFAIRS
From the play, "The Nelson Touch," by Neil Grant
Director, Herbert Mason

JOHN LODGE • JOHN LODER
RIVER OF UNREST*
ANTOINETTE CELLIER
From the play, "The Trouble," by Dudley Sturrock and Noel Scott
Director, Brian Desmond Hurst

* An Alliance Production
† A Capitol Film

TOPS 'EM ALL

Canada Distributors
EMPIRE FILMS, Ltd.

DRAMATIC

TODAY'S GB NEWS

ROMANTIC

THE STORY THEY COULDN'T SUPPRESS



Revealed at Last!

The truth about the love affair that set the whole world gossiping.

PREMIERE DECEMBER 9th. DAY AND DATE
GRAUMAN'S CHINESE • LOEW'S STATE, LOS ANGELES

CLIVE BROOK • HELEN VINSON

LOVE IN EXILE

With MARY CARLISLE • Directed by ALFRED L. WERKER

A CAPITOL FILM Adapted from Gene Markey's novel "His Majesty's Pyjamas" **A GB RELEASE**

2 EXPLOITATION NATURALS HOT OFF THE FRONT PAGES!



BUDDY ROGERS and MARY BRIAN

WEEK END MILLIONAIRE

Directed by Arthur Woods

An ALLIANCE Production

A GB RELEASE

TOPS 'EM ALL

CANADA DISTRIBUTORS
EMPIRE FILMS, LTD.

CEA-KRS May Jointly Fight Moyne Report

(Continued from page 1)

forthcoming. The exhibitor leader expressed the hope that the same mistake would not be made now as was made in 1926.

Graham, speaking later, said, "The K.R.S. is ready and willing to stand shoulder to shoulder with the C.E.A. to discuss things for the common good."

Fligelstone's reference to 1926 was to the failure of the Americans at that time to help exhibitors in their fight against the quota bill.

The general feeling in informed circles here is that the exhibitors and distributors will fight the Moyne report, while producers appear to be divided. It is seen as highly unlikely that the Government will adopt the full report.

Talks Resume Dec. 8

Meanwhile, the General Purposes Committee of the C.E.A. adjourned the meeting held today on the Moyne report until Dec. 8, presumably to permit a contact with the K.R.S. in the interval.

Approximately 20 attended the luncheon for Hays, including Sir Walter Womersley, assistant Postmaster General; Arthur Loew and George Hall, M.P. C.E.A. and exhibitor leaders included Sir Arthur Clavering, Richard Dooner, former C.E.A. president; Arthur Jarratt, Joseph Pollard, R. E. Richards, A. J. Gale and Kenneth Nyman, chairman of the London and Home Counties Branch, C.E.A.

Distributor representatives included: Graham, Paramount managing director; Maurice Silverstone, head of United Artists here; Sutton Dawes, W. J. Gell, managing director for Pathe, Ltd., Samuel Eckman, M-G-M managing director here. Others included: James M. Beck, Hays office representative here; Harold Smith, Paris representative of the Hays office; J. Neville Kearney, secretary of the F.B.I. Films Group, and Harry Marks.

Fligelstone in Tribute

John Maxwell was out of town, and Lord Tyrell, Griffiths and Thomas Ormiston also were absent.

Fligelstone, acting as chairman of the affair, referred to the frequent British cry in crises, "We want a Will Hays." In welcoming the guest of honor as a model of leadership for all trade officials, Fligelstone called Hays an ambassador extraordinary of a very great nation, and expressed the hope that his visit here would further bind together English-speaking races.

If Hays could give the British industry a lead in self-government his visit would go down as one of the greatest events in the history of the industry, Fligelstone indicated.

Hays, in a lengthy address, said it was not his purpose to discuss potentially controversial matters, but to advocate confidence and cooperation. He prophesied third dimension and more progress in color work as film's next developments, saying that although the screen's major objects were entertainment, "to use films for that purpose only would be as intelligent as to use English only for novels."

The screen's 250,000,000 patrons each week are a challenge to the teacher, to science and to art to use the power of the screen, he said. Hays found a strange parallel in the fall of civilizations and the decadence of their amusements. He did not know which was cause and which effect, he said, but their effort was to improve films in the belief that they might be riveting the girders of society. Films might be a definite contributing factor to the advancement of our own civilization, he said.

Hays Reception Cordial

Pointing to the improvement in films in the last three years, Hays said America's reply to criticism was to say it with pictures. "I am a friend to everyone in the business and I want everyone in the business to be a friend of mine."

The president of the M.P.P.D.A. received a hearty reception. Graham, acting for the distributors in Griffiths' absence, presented several other of the notable guests, mentioning specifically Loew as the son of the greatest pioneer in the business. Hays will sail for New York on Wednesday.

One comment concerning the quota provisions of the Moyne recommendations was to the effect that American "B" pictures could not be imported if the quota cover for them is too expensive, which would have the result of leaving British exhibitors with a shortage of product.

Maxwell was quoted in the *Daily Film Renter* as being generally in favor of "a fair attempt at compromise on conflicting viewpoints." He was quoted as believing that the quality test recommendation for the quota and the Film Commission proposal called for considerable thought.

Korda Talks on Quota

Alexander Korda viewed the report as highly satisfactory, praising the quality clause and Film Commission, and on the 50 per cent quota said, "If we can do it, why not? I would not keep out a single good American film and there is nothing hostile to American producers in the recommendations."

Capt. Richard Norton, B. & D. directed the practicability of the quality test, favored the continuation of the quota, but refused comment on the 50 per cent eventual figure.

Basil Dean declared the Film Commission would be highly dangerous, believing it might permit control of the industry to pass to the Government. Max Schach was entirely in favor of the report, praising the quality clause.

Editor Likes It

Half the nation's crime battle might be won if present and prospective racketeers saw and learned the lesson of the picture "You Can't Get Away With It," the *N. Y. -Herald-Tribune* observed yesterday in an editorial entitled "Law Enforcement on the Screen."

The picture, made with the cooperation of J. Edgar Hoover, depicts highlights of the work of the Federal Bureau of Investigation.

Second Ostrer Says Maxwell Has No Option

(Continued from page 1)

Fox sold out, then we would be forced to sell," he said. Ostrer explained that the 240,000 non-voting shares recently purchased by Maxwell were the balance of this classification held by the Ostrers.

Contradicting his brother in part, Ostrer said Maxwell is a director of G. B. and has been on the board for the past two months. "However," he continued, "Maxwell has nothing at all to say about running the company." Isidore, when he arrived last week, claimed that Maxwell was not a member of either the G. B. or M. & B. directorates.

Ostrer denied he was here on the Twentieth Century-Fox-M-G-M deal, throwing a bouquet to his brother at the same time time. "Isidore is very capable and doesn't need me on it." He also said he was not acting as liaison for Maxwell. "You don't think I would come all the way for that?" he asked. He explained he was here on a talent hunt, mostly stars, and planned to remain three weeks.

Queried on Conferences

Asked if he would confer with Schenck and Kent when he arrived on the coast, he said he had no such plans "although we are very friendly." Later in the interview, he intimated he may confer with his brother and the Twentieth Century-Fox executives during his contemplated 10-day stay in Hollywood. Notwithstanding, he insisted he was not concerned with the three-way alliance. He admitted Isidore was here to try to conciliate Schenck and Kent and believes "he will patch up" the ill-feeling which is said to have existed since the tri-company pact fell through.

Queried on whether there was a possibility of reviving the original deal, Ostrer smiled and evaded the question. It was repeated. The smile disappeared, he talked.

"There may be," he said.

Leaving for Dallas

Accompanied by Arthur Lee, Ostrer and his wife will leave tomorrow via American Airlines for Dallas, where they will spend a day and then head for the coast where Isidore Ostrer and A. C. Blumenthal arrived late last week.

Ostrer admitted he knew Michael Balcon was leaving G. B. at the end of the year. He said he had heard reports that Balcon was joining M-G-M as head of British production. When Isidore was interrogated on this point, he said Balcon's contract would not end for many months and that he was not aware of reports that he would join M-G-M.

Sam Eckman, head of M-G-M activities in England, cabled a denial of the Balcon report. He said: "Balcon is still under contract to G. B. and statements that he is under contract to M-G-M are premature at this time."

Ostrer indicated he may be appointed G. B. production chief when Balcon leaves. He now has charge of Gainsborough studios. Balcon is head at Shepherd's Bush, which turns out the bulk of the G. B. program. The board of directors, he said, first must approve the appointment. G. B. will make 24 next season, the same as the current year, he said. London has reported several times that production would be trimmed to 12.

Maxwell Maintains Silence

LONDON, Nov. 30.—John Maxwell today refused to comment on Isidore Ostrer's New York statement that the former held no option to buy the latter's "A" stock in M. & B. Maxwell is believed awaiting copies of the interview published in America.

Phillips in New Firm

LONDON, Nov. 30.—Sam Phillips, former general sales manager of G. B., has become associated with a producing and distributing company handling Sound City product.

British Censors End Clause in Agreement

LONDON, Nov. 20.—The British Board of Film Censors has deleted from its agreement with distributors the clause by which the latter agreed only to handle films passed by the board.

The change gives formal recognition to the legal situation that an appeal from a B. B. F. C. ruling to the local licensing authority has always been open and has, in fact, often been exercised. The B. B. F. C. clause was regarded as illegal by many.

The change now announced was reported many months ago. It means that a distributor can exercise his legal right of appeal against the B. B. F. C. without disloyalty to an agreement between the K. R. S., representative distributors' body, and the censorship body.

The change is credited to the entertainments committee of the London County Council which made the representations to the censor board.

English Court Gives "Kleig Eye" Verdict

LONDON, Nov. 20.—Justice Porter, in the King's Bench Division, has handed down a decision which amounts to a declaration that producing companies are responsible for "Klieg Eye" in artists working in their films.

Peggy Crawford sued Criterion Film Prod., Ltd., and Gunther Krampf, cameraman, alleged that her eyes had been seriously injured by the studio lights used in a ballroom scene for "The Amateur Gentleman."

Awarding her £126: 19 s., the judge said Miss Crawford's eyes were severely burned. He did not find the lights were kept on for too long a period or that they were of supra-normal power or intensity.

The action against Krampf was dismissed, the judge finding no proof that he had control of the lights.

English Imports Heavy

LONDON, Nov. 20.—Figures supplied by Rt. Hon. Walter Runciman, President of the Board of Trade, in the House of Commons, show the following imports of positive and negative film into the United Kingdom in the year ending Oct. 31:

From U. S. A.: Positive, 16,018,396 feet, value £91,741; negative, 1,587,652 feet, value £21,144. From Germany: Positive, 177,465 feet, value £11,057; negative, 164,105, value £2,889.

"Rose Bowl," Unit $10,500 Tops Denver

DENVER, Nov. 30.—"Rose Bowl," aided by a stage show featuring Olsen and Johnson, grossed $10,500 against an average at the Denham of $4,500, in a generally fair week.

"The Charge of the Light Brigade" was only fair at the Denver, doing $6,000 against a house average of $7,500. "Come and Get It," with a fair $3,500 at the Aladdin in a second Denver week, went to the Broadway for a third. "Love on the Run" and "Without Orders" did a good $9,500 at the Orpheum.

Total first run business was $36,750. Average is $28,000.

Estimated takings for the week ending Nov. 26:

"COME AND GET IT" (U.A.)
ALADDIN—(1,500), 25c-40c-50c, 7 days, following a week at the Denver. **Gross:** $3,500. (Average, $3,000)
"THE GAY DESPERADO" (U.A.)
BROADWAY—(1,500), 25c-40c, 7 days, following two weeks at the Aladdin. **Gross:** $2,000. (Average, $2,000)
"CRASH DONOVAN" (Univ.)
"GENTLEMAN FROM LOUISIANA" (Republic)
CENTER—(1,500), 15c-25c-35c, 7 days. Stage show. **Gross:** $2,250. (Average, $2,000)
"ROSE BOWL" (Para.)
DENHAM—(1,500), 25c-35c-40c, 7 days. Stage show with Olsen and Johnson. **Gross:** $10,500. (Average, $4,500)
"CHARGE OF THE LIGHT BRIGADE" (W.B.)
DENVER—(2,500), 25c-35c-50c, 7 days. Stage band. **Gross:** $6,000. (Average, $7,500)
"LOVE ON THE RUN" (M-G-M)
"WITHOUT ORDERS" (Radio)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $9,500. (Average, $6,000)
"MAGNIFICENT BRUTE" (Univ.)
"THE MAN I MARRY" (Univ.)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $3,000. (Average, $3,500)

"Come and Get It" Is Houston's Best

HOUSTON, Nov. 30.—"Come and Get It," at Loew's State had a slight edge on other pictures in a short week, but at that reached only a good average of $7,000.

"Go West, Young Man," at the Metropolitan had a take of $7,000 for eight days, the average gross for seven. "Reunion" played to a scant $6,300 at the Majestic, slumping definitely the last two days. Average here is $7,000. The Kirby had a par week of $5,000 with "Satan Met A Lady," "Back to Nature" and Bank Night, and "Can This Be Dixie?"

Total first run business was $25,300. Average is $26,000.

Estimated takings for the week ending Nov. 25:

"SATAN MET A LADY" (W.B.)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,000. (Average, 7 days, $5,000)
"BACK TO NATURE" (20th-Fox)
KIRBY—(1,450), 15c-35c, 1 day. Bank Night. **Gross:** $1,000. (Average, 7 days, $5,000)
"CAN THIS BE DIXIE?" (20th-Fox)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,000. (Average, 7 days, $5,000)
"COME AND GET IT" (U. A.)
LOEW'S STATE—(2,750), 25c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)
"REUNION" (20th-Fox)
MAJESTIC—(2,250), 25c-50c, 7 days. **Gross:** $6,300. (Average, $7,000)
"GO WEST, YOUNG MAN" (Para.)
METROPOLITAN—(2,600), 25c-50c, 8 days. **Gross:** $7,000. (Average, 7 days, $7,000)

"Love on Run" Gets $16,500, Cincy Top

CINCINNATI, Nov. 30.—"Love on the Run" led the field last week, turning in $16,500 at the RKO Palace, up $6,500. It was moved to the RKO Capitol.

"The Girl on the Front Page," plus Dave Apollon and his "Star Parade" on the stage, went $500 over the line with a $12,500 take at the RKO Shubert. "Come and Get It" did an average $2,750 on its second downtown week at the RKO Grand. "Reunion" went $2,000 under at the RKO Albee on a six-day run.

The weather was milder than seasonal. Pre-holiday shopping crowds were no help to theatres.

Total first run business was $57,900. Average is $58,700.

Estimated takings:

Week Ending Nov. 26:
"REUNION" (20th-Fox)
RKO ALBEE—(3,300), 35c-42c, 6 days. **Gross:** $10,000. (Average, 7 days, $12,000)
"LOVE ON THE RUN" (M-G-M)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $16,500. (Average, $10,000) Moved to RKO Capitol.
"GIRL ON THE FRONT PAGE" (Univ.)
RKO SCHUBERT—(2,150), 40c-60c, 7 days. Stage: Dave Apollon and his "Star Parade." **Gross:** $12,500. (Average, $12,000)
"THEODORA GOES WILD" (Col.)
RKO CAPITOL—(2,000), 35c-42c, 7 days, 2nd downtown week. **Gross:** $5,300. (Average, $6,500) Moved to RKO Grand.
"CAN THIS BE DIXIE" (20th-Fox)
RKO LYRIC—(1,400), 35c-42c, 7 days. **Gross:** $3,750. (Average, $6,500)
"COME AND GET IT" (U. A.)
RKO GRAND—(1,200), 25c-40c, 7 days, 2nd downtown week. **Gross:** $2,750. (Average, $2,750)
"SWORN ENEMY" (M-G-M)
RKO FAMILY—(1,000), 15c-25c, 4 days. **Gross:** $1,200. (Average, $1,250)
"YELLOWSTONE" (Univ.)
RKO FAMILY—(1,000), 15c-25c, 3 days. **Gross:** $1,100. (Average, $1,200)
"POLO JOE" (W. B.)
KEITH'S—(1,500), 30c-40c, 7 days. **Gross:** $4,800. (Average, $6,500)

Enlarge Victoria Studio

VICTORIA, B. C., Nov. 30.—Central Films, Ltd., is enlarging its plant with developing and printing equipment.

Previously films have been airmailed to Hollywood for processing. The winter schedule for the company includes a 30-episode serial "Invisible Ray," and two features. They are marketed almost exclusively in England.

Constance Worth Signed

HOLLYWOOD, Nov. 30.—Constance Worth, Australian actress, has been signed to a term contract by Radio. Miss Worth, who is a star in her native country, has never appeared on the American stage or screen. She was on her way back to Australia when signed.

M-G-M Gets Churchill

HOLLYWOOD, Nov. 30.—Randolph Churchill, son of Winston Churchill, has been signed by M-G-M to play the role of a member of Parliament in "Parnell." Young Churchill stood for Parliament three times, but was never elected.

Jamiel Hasson to Produc

HOLLYWOOD, Nov. 30.—Jamiel Hasson, technical adviser on Bedouin customs and atmosphere, will leave soon for his home in Damascus where he will organize a production unit to make films in Arabic.

"Reunion" on Dual Big in Milwaukee

MILWAUKEE, Nov. 30.—"Reunion" and "Our Relations" at Fox's Wisconsin won high money for the week with an $8,500 take, just $500 above average. Second money went to "Come and Get It" and "Here Comes Carter" at the Warner, which grossed $7,500, or $2,500 above par.

Business was slowed down by the auto show in the Auditorium, which drew more than 120,000 people in eight days at 40 cents a crack, one of the big attractions being a free automobile each day. As a result, business at the other houses was below par.

The weather was generally fair and mild.

Total first run business was $25,700. Average is $24,500.

Estimated takings:

Week Ending Nov. 25:
"VALIANT IS THE WORD FOR CARRIE" (Para.)
"FOLLOW YOUR HEART" (Republic)
PALACE—(2,400), 25c-35c-50c, 6 days. **Gross:** $4,500. (Average, $5,000)
"CHARGE OF THE LIGHT BRIGADE" (W. B.)
STRAND—(1,400), 25c-35c-50c, 6 days. **Gross:** $1,000. (Average, $1,500)
"COME AND GET IT" (U. A.)
"HERE COMES CARTER" (F. N.)
WARNER—(2,400), 25c-35c-50c, 7 days. **Gross:** $7,500. (Average, $5,000)
"REUNION" (20th-Fox)
"OUR RELATIONS" (M-G-M)
WISCONSIN—(3,200), 25c-35c-50c, 7 days. **Gross:** $8,500. (Average, $8,000)
Week Ending Nov. 26:
"BULLDOG EDITION" (Republic)
RIVERSIDE—(2,300), 20c-25c-30c, 7 days. Stage: "International Varieties." **Gross:** $4,200. (Average, $5,000)

"Hideaway" on Dual High in New Haven

NEW HAVEN, Nov. 30.—Opening a day early with "Hideaway Girl" and "Murder with Pictures," the Paramount got in a full week and beat the pre-Thanksgiving slump to a $6,000 gross, $1,200 to the good.

The Poli and College were cut to six days by the new holiday opening, instead of the regular Friday, the former doing $7,000, average, on "Ladies in Love" and "Killer at Large;" and the latter dipping under $800 to a $2,000 take. "In His Steps," on the dual with "Down the Stretch" at the Roger Sherman, slipped to $3,500 from the $4,700 average.

Saturday business was hit by the Yale-Harvard game and the events following it.

Total first run business was $18,500. Average is $19,300.

Estimated takings for the week ending Nov. 26:

"PEPPER" (20th-Fox)
"STATE FAIR" (20th-Fox)
COLLEGE—(1,499), 25c-35c, 6 days. **Gross:** $2,000. (Average, $2,800)
"HIDEAWAY GIRL" (Para.)
"MURDER WITH PICTURES" (Para.)
PARAMOUNT—(2,348), 35c-50c, 7 days. **Gross:** $6,000. (Average, $4,800)
"LADIES IN LOVE" (20th-Fox)
"KILLER AT LARGE" (Col.)
POLI—(3,040), 35c-50c, 6 days. **Gross:** $7,000. (Average, $7,000)
"IN HIS STEPS" (G. N.)
"DOWN THE STRETCH" (F. N.)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $3,500. (Average, $4,700)

Reich, Egypt in Deal

BERLIN, Nov. 20.—Ufa has concluded an agreement with the newsreel department of the Societe Misr in Cairo, Egypt, calling for an exchange of reels of common interest.

"Come Get It" Chicago Hit; Gets $17,500

CHICAGO, Nov. 30.—"Come and Get It" hit the high spots at the Roosevelt, going to $17,500, up by $6,500, on the week.

"The Big Broadcast of 1937" also was in the money in a big way with a take of $8,200 at the Apollo, over normal by $3,700. "Born to Dance" got off to a flying start at the United Artists by rolling up $16,000 in four days.

The weather was stormy and cold and this hurt business. Thanksgiving Day was very big, however.

Total first run business was $122,400. Average is $115,000.

Estimated takings:

Week Ending Nov. 25:
"LUCKIEST GIRL IN THE WORLD" (Univ.)
PALACE—(2,509), 35c-55c-75c, 6 days. Stage: Harry Richman and Revue. **Gross:** $15,700. (Average, $19,000)
"GO WEST, YOUNG MAN" (Para.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Three Samuels and Revue. **Gross:** $23,000. (Average, $32,000)
"ROSE BOWL" (Para.)
ORIENTAL—(3,490), 30c-55c, 7 days. Stage: Major Bowes All-Girl Unit. **Gross:** $20,200. (Average, $15,000)
"COME AND GET IT" (U. A.)
ROOSEVELT—(1,591), 35c-55c-75c. **Gross:** $17.500. (Average, $11,000)
Week Ending Nov. 27:
"BORN TO DANCE" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 4 days. **Gross:** $16,000. (Average, $15,000)
"THE BIG BROADCAST OF 1937" (Para.)
APOLLO—(1,400), 35c-55c-65c, 7 days. **Gross:** $8,200. (Average, $4,500)
"POLO JOE" (W. B.)
GARRICK—(900), 35c-55c-65c, 7 days. **Gross:** $7,000. (Average, $5,500)
"END OF THE TRAIL" (Col.)
STATE-LAKE—(2,776), 25c-35c-40c, 7 days. Stage: Fifi Dorsay and Revue. **Gross:** $15,800. (Average, $13,000)

"Theodora" $4,100 Smash at Lincoln

LINCOLN, NEB., Nov. 30.—Setting a new house record for the Varsity, "Theodora Goes Wild" piled up $4,100, which was $3,000 above average. No picture had passed the $3,000 figure in the house since it became the property of the L. L. Dent Westland string more than two years ago. The feature was held a second week.

"Libeled Lady" got $4,200, but it was only $1,100 over par. All houses boomed.

Total first run business was $15,250. Average is $9,000.

Estimated takings:

Week Ending Nov. 25:
"AVENGING RIDER" (Diversion)
"SILLY BILLIES" (Radio)
"LAWLESS RANGE" (Republic)
"FLYING HOSTESS" (Univ.)
LIBERTY—(1,200), 10c-15c, 7 days. **Gross:** $950. (Average, $850)
"REUNION" (20th-Fox)
LINCOLN—(1,600), 10c-20c-25c, 6 days. **Gross:** $3,000. (Average, 7 days, $2,200)
"LOVE LETTERS OF A STAR" (Univ.)
"CAN THIS BE DIXIE" (20th-Fox)
"COUNTRY GENTLEMAN" (Republic)
ORPHEUM—(1,350), 10c-15c-20c-25c, 6 days. Stage: "Casa Manana Revue" with first film 3 days, Sid Page headlining. **Gross:** $3,100. (Average, $1,750)
Week Ending Nov. 26:
"THEODORA GOES WILD" (Col.)
VARSITY—(1,100), 10c-25c-35c, 7 days. **Gross:** $4,100. (Average, $1,100)
Week Ending Nov. 27:
"LIBELED LADY" (M-G-M)
STUART—(2,000), 10c-25c-40c, 7 days. **Gross:** $4,200. (Average, $3,100)

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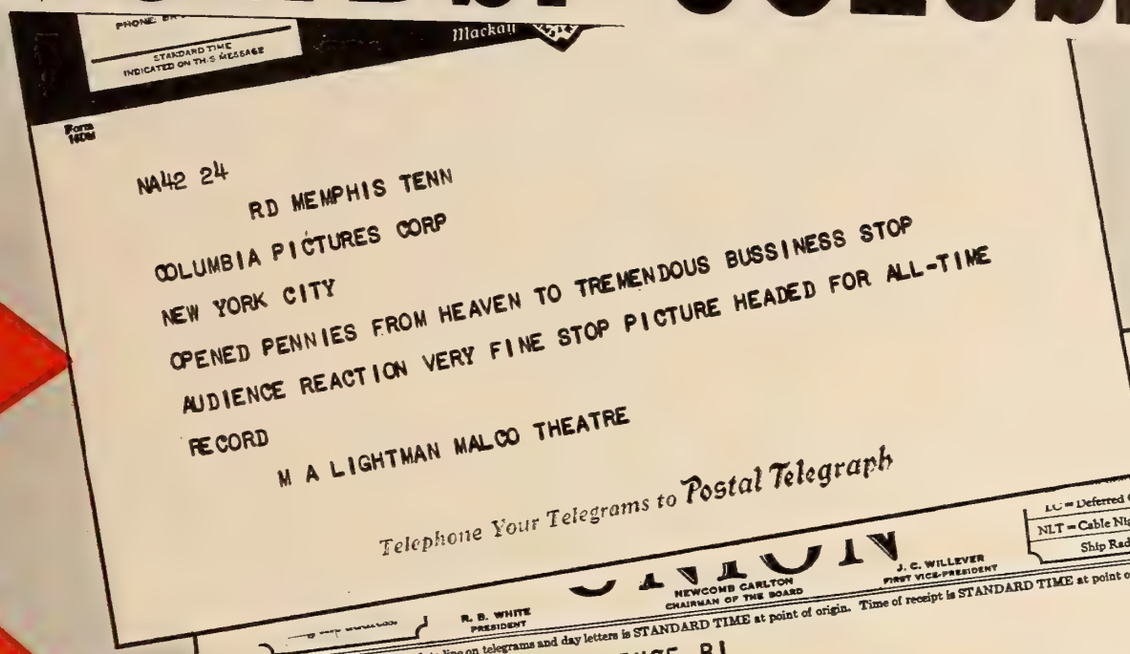
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"Theodora" Up In St. Louis With $18,750

ST. LOUIS, Nov. 30.—"Theodora Goes Wild" on the screen, plus a stage show that featured Jackie Heller, proved the most profitable attraction of the week, grossing $18,750 at the Ambassador, or $9,750 above average.

"Come and Get It" and "Our Relations" at Loew's did $15,600, which was $5,600 above average, while "The Big Broadcast of 1937" and "Without Orders" in a second week at the Orpheum did $7,000.

The weather was pleasant for this season. Principal opposition was a stage show at the American, an ice carnival and hockey games at the Arena and the Auto Show.

The Grand Opera House folded up on November 18.

Total first run business was $70,450. Average is $49,300.

Estimated takings for the week ending Nov. 18-19:

"THEODORA GOES WILD" (Col.)
AMBASSADOR — (3,018), 25c-40c-55c, 7 days. Stage show. **Gross:** $18,750. (Average, $9,000)
"SMARTEST GIRL IN TOWN" (Radio)
"HERE COMES CARTER" (F.N.)
FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $9,500. (Average, $14,000)
"THE INFORMER" (Radio)
GRAND OPERA HOUSE—(2,200), 25c-35c, 6 days. Stage, vaudeville. **Gross:** $1,500. (Average, $2,500)
"COME AND GET IT" (U.A.)
"OUR RELATIONS" (M-G-M)
LOEW'S — (3,162), 25c-35c-55c, 7 days. **Gross:** $15,600. (Average, $10,000)
"CAN THIS BE DIXIE?" (20th-Fox)
"ALONG CAME LOVE" (Para.)
MISSOURI — (3,514), 25c-40c, 7 days. **Gross:** $10,300. (Average, $9,000)
"BIG BROADCAST OF 1937" (Para.)
"WITHOUT ORDERS" (Radio)
ORPHEUM—(1,950), 25c-35c-55c, 7 days. **Gross:** $7,000. (Average, $6,000)
"YELLOW CARGO" (Judell)
"BULLDOG EDITION" (Republic)
SHUBERT-RIALTO—(1,725), 20c-25c, 7 days. **Gross:** $2,700. (Average, $3,500)
"LADIES IN LOVE" (20th-Fox)
ST. LOUIS—(4,000), 25c-40c, 7 days. **Gross:** $5,100. (Average, $7,000)

Ross Promotes Lund

PITTSBURGH, Nov. 30. — Harold Lund, manager of the Ross Federal office here, has been promoted to the home office in New York, where he will specialize in research. William Graner, Lund's assistant, will succeed him.

Mahn Is Koerner's Aide

BOSTON, Nov. 30.—Richard Mahn, formerly on the treasury department staff of RKO theatres here, has been appointed secretary to Charles W. Koerner, divisional director for the RKO circuit in New England.

Warners Transfer Green

PITTSBURG, Nov. 30.—Jules Green, assistant manager at Warners' Schenley in Oakland, has been moved downtown to the Stanley, replacing Bill Beck, resigned.

Van Borssum Manager

TERRE HAUTE, Ind., Nov. 30.—Jack Van Borssum, son of Benny Van Borssum, operator of the Savoy here, has been named manager of the New West in West Terre Haute.

"Go West" Is Frisco's Lead In Dull Week

SAN FRANCISCO, Nov. 30.—Business was off all along the line with "Go West, Young Man," on a dual with "All-American Chump," the best draw of the week at $16,500 in the Fox.

The weather became quite cold. This, combined with the waterfront strike and other sporadic labor disturbances, was felt by first runs.

Total first run business was $78,900. Average is $85,000.

Estimated takings:

Week Ending Nov. 24:
"GAMBLING WITH SOULS"
(International)
EMBASSY — (1,400), 10c-30c-35c-40c, 7 days, 3rd week. **Gross:** $3,800. (Average, $4,000)
"SMARTEST GIRL IN TOWN" (Radio)
GOLDEN GATE—(2,850), 10c-30c-35c-40c, 7 days. Stage: Vaudeville. **Gross:** $15,500. (Average, $16,000)
"COME AND GET IT" (U.A.)
UNITED ARTISTS—(1,200), 15c-30c-35c-40c-65c, 7 days, 2nd week. **Gross:** $6,700. (Average, $7,000)

Week Ending Nov. 25:
"CLOISTERED" (Best)
CLAY—(400), 15c-35c, 7 days, 3rd week. **Gross:** $800. (Average, $1,000)
"GO WEST, YOUNG MAN" (Para.)
"ALL-AMERICAN CHUMP" (M-G-M)
FOX—(5,000), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $16,500. (Average, $16,000)
"LADY FROM NOWHERE" (Col.)
"LUCKIEST GIRL IN THE WORLD"
(Univ.)
ORPHEUM — (2,440), 15c-30c-35c-40c, 7 days. **Gross:** $6,300. (Average, $9,000)
"DEVIL IS A SISSY" (M-G-M)
"UNDER YOUR SPELL" (20th-Fox)
PARAMOUNT — (2,740), 15c-30c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $5,300. (Average, $13,000)

Week Ending Nov. 26:
"LIBELED LADY" (M-G-M)
"SITTING ON THE MOON" (Republic)
ST. FRANCIS—(2,680), 15c-30c-35c-40c, 7 days, 5th downtown week. **Gross:** $5,300. (Average, $6,000)
"REUNION" (20th-Fox)
"LAUGHING AT TROUBLE" (20th-Fox)
WARFIELD—(2,680), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $12,500. (Average, $13,000)

Shift Dickinson Men

KANSAS CITY, Nov. 30.—Several managerial changes have been made by Glen W. Dickinson. Paul Dixson of the Varsity, Lawrence, Kan., goes to Parsons, Kan., as manager of both the Uptown and Dickinson. Skeets Mills goes from Parsons to the Varsity, Lawrence.

Ralph Kieffer, who managed at Parsons and then went into the circuit's offices in the booking department, has been made traveling inspector.

Harding Back at Tower

KANSAS CITY, Nov. 30.—Lester Harding has returned to the Tower as master of ceremonies. He has been with F. & M. units in the East.

Bob Hunter, who formerly operated a theatre at Macon, Mo., has been named by W. D. Fulton to manage Fulton's Mokan here.

Hanson Is Transferred

SAN FRANCISCO, Nov. 30.—James Hanson, manager of Golden State's Piedmont for several years, has been appointed manager of the Irving in place of Frank Alberti. Alberti will handle a theatre exploitation project of his own in future.

"Love on Run" Big Providence Grosser

PROVIDENCE, Nov. 30.—Sailing high to a sensational gross of $18,000, Loew's State bettered its par by $6,000 and held "Love on the Run" for a second week.

The holiday also was kind to the Majestic where the take with "Reunion" and "Under Your Spell" mounted to $8,800, over by $1,800. Fay's was another to have a good week, catching $7,600 with "The Sea Spoilers" and vaudeville. The usual take is $7,000.

Midnight shows on the holiday helped, with opposition light. Snow, however, kept a good deal of the suburban trade away.

Total first run business was $45,900. Average is $39,500.

Estimated takings for the week ending Nov. 27:

"WEDDING PRESENT" (Para.)
"STRAIGHT FROM THE SHOULDER"
(Para.)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $6,500. (Average, $6,500)
"SMARTEST GIRL IN TOWN" (Radio)
"GRAND JURY" (Radio)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $5,000. (Average, $7,000)
"REUNION" (20th-Fox)
"UNDER YOUR SPELL" (20th-Fox)
MAJESTIC — (2,400), 15c-40c, 7 days. **Gross:** $8,800. (Average, $7,000)
"LOVE ON THE RUN" (M-G-M)
LOEW'S STATE—(3,400), 15c-40c, 7 days. **Gross:** $18,000. (Average, $12,000)
"THE SEA SPOILERS" (Univ.)
FAY'S—(1,600), 15c-40c, 7 days. Stage: "The Rexola Revue." **Gross:** $7,600. (Average, $7,000)

"Chump" and Bowes Unit Portland Hit

PORTLAND, Nov. 30.—"All American Chump," helped by a Major Bowes unit on the stage of the Mayfair, turned in a sensational $8,600. This topped normal by $5,600.

Another outstanding hit was "Go West Young Man," dualled with "Star for a Night," at the Paramount. The $8,900 gross on this combination was $3,900 to the good.

Business was good all along the line in spite of the fact that the maritime strike was in its 25th day.

Total first run business was $41,200. Average is $24,700.

Estimated takings for the week ending Nov. 21:

"TARZAN ESCAPES" (M-G-M)
"OUR RELATIONS" (M-G-M)
BROADWAY—(1,912), 30c-35c-40c, 7 days. **Gross:** $6,000. (Average, $5,000)
"CAIN AND MABEL" (W. B.)
"ROSE BOWL" (Para.)
BLUE MOUSE—(1,700), 30c-35c-40c, 7 days, 2nd downtown week. **Gross:** $2,000. (Average, $1,700)
"ALL AMERICAN CHUMP" (M-G-M)
MAYFAIR—(1,700), 30c-35c-40c, 7 days. Stage: Maior Bowes' unit. **Gross:** $8,600. (Average, $3,000)
"CRAIG'S WIFE" (Col.)
"15 MAIDEN LANE" (20th-Fox)
ORPHEUM—(1,700), 30c-35c-40c, 7 days. **Gross:** $7,800. (Average, $5,000)
"GO WEST, YOUNG MAN" (Para.)
"STAR FOR A NIGHT" (20th-Fox)
PARAMOUNT—(3,008), 30c-35c-40c, 7 days. **Gross:** $8,900. (Average, $5,000)
"THREE MEN ON A HORSE" (F. N.)
UNITED ARTIST—(945), 30c-35c-40c, 7 days. **Gross:** $7,900. (Average, $5,000)

M. A. Lightman to Speak

MEMPHIS, Nov. 30.—M. A. Lightman has accepted an invitation to speak before the M. P. T. O. of Oklahoma at its convention in Oklahoma City Dec. 14-15.

"Libeled" Is Seattle Top In 2nd Week

SEATTLE, Nov. 30.—"Libeled Lady" was top draw in its second week at the Fifth Avenue and it was moved to the Music Box for an extended run.

"Reunion" and "Here Comes Carter" went $150 over the line on a take of $6,150 at the Orpheum and the bill was moved to the Blue Mouse.

Other houses were off. The weather was cold and the nights were foggy.

Total first run business was $39,850. Average is $41,500.

Estimated takings for the week ending Nov. 27:

"BIG BROADCAST OF 1937" (Para.)
"SWORN ENEMY" (M-G-M)
BLUE MOUSE—(950), 25c-40c-55c, 7 days, 4th week, extended run from Paramount. **Gross:** $3,700. (Average, $4,000)
"LIBELED LADY" (M-G-M)
FIFTH AVENUE—(2,500), 25c-40c-55c, 6 days, 2nd week. **Gross:** $8,100. (Average, $7,000)
"COME AND GET IT" (U.A.)
LIBERTY—(1,800), 15c-25c-30c-40c, 7 days, 3rd week. **Gross:** $4,850. (Average, $5,000)
"PIGSKIN PARADE" (20th-Fox)
"DON'T TURN 'EM LOOSE" (Radio)
MUSIC BOX—(950), 25c-40c-55c, 7 days, 2nd week, extended run from Orpheum. **Gross:** $3,600. (Average, $4,000)
"THE LONGEST NIGHT" (M-G-M)
"HOLLYWOOD BOULEVARD" (Para.)
MUSIC HALL—(2,275), 25c-35c, 7 days. Vaudeville headed by Gault & Co. **Gross:** $4,600. (Average, $5,000)
"REUNION" (20th-Fox)
"HERE COMES CARTER" (F.N.)
ORPHEUM—(2,450), 25c-30c-40c, 7 days. **Gross:** $6,150. (Average, $6,000)
"STRAIGHT FROM THE SHOULDER"
(Para.)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Vaudeville headed by Ted Claire. **Gross:** $4,700. (Average, $4,500)
"TARZAN ESCAPES" (M-G-M)
"WEDDING PRESENT" (Para.)
PARAMOUNT — (3,050), 25c-30c-40c, 7 days. **Gross:** $5,150. (Average, $6,000)

Stars to Be at Ampa

Bobby Breen and Burgess Meredith and Margot of "Winterset" will be on the Ampa program at the luncheon next Thursday at the Edison. Jay C. Flippen will be master of ceremonies.

The principal speaker, as already announced, will be District Attorney William C. Dodge.

Triples Gaining at K. C.

KANSAS CITY, Nov. 30.—Triple bills which were started here Nov. 1 by E. S. Young at the Roanoke are gaining. Young has started them in his other house, the Central, and J. F. Rigney has introduced them at the Westport.

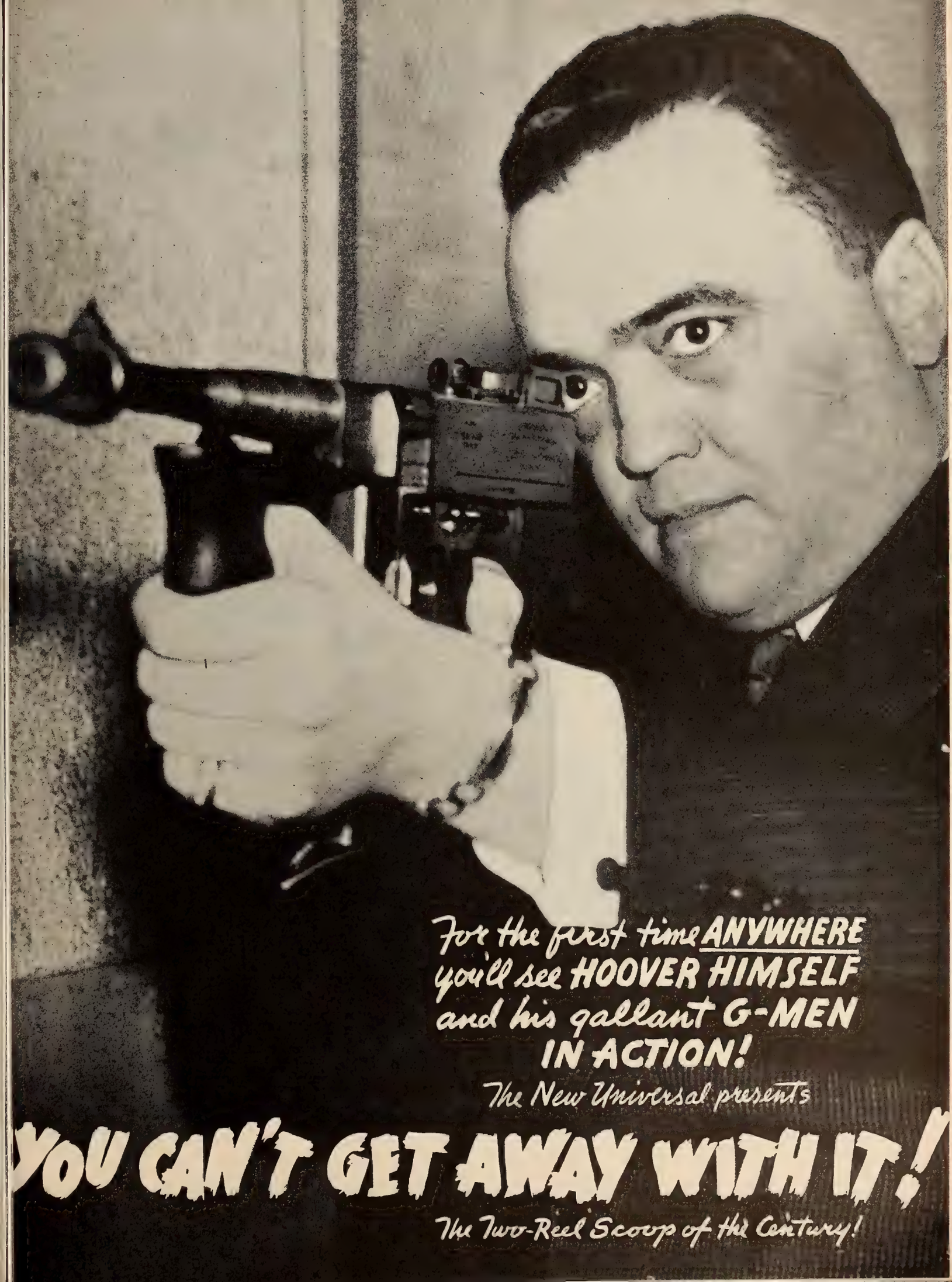
A total of 37 of 44 subsequents is now showing duals.

Beery to Aid Charity

CLEVELAND, Nov. 30. — Wallace Beery has accepted the invitation of *The Press* here to be master of ceremonies at *The Press* Christmas party on Dec. 8. The star will preside over the amateur performances to be given at the Public Hall.

Named Assistant Booker

CINCINNATI, Nov. 30.—William T. Hastings, manager of the RKO Lyric, has been appointed assistant to Joe Goetz, booker for RKO here.


For the first time ANYWHERE
you'll see HOOVER HIMSELF
and his gallant G-MEN
IN ACTION!
The New Universal presents
YOU CAN'T GET AWAY WITH IT!
The Two-Reel Scoop of the Century!


TIMED SHOWMANSHIP GIV
PERFECT SHOW FOR C
RAINBO
R K O
RADIO
PICTURES
Directed by Kurt Newmann
Adapted from Mrs. C. V. Jamison's

YOU THE
ISTMAS!

The boy wonder singer who took the screen by storm in "Let's Sing Again."... MORE AMAZING THAN EVER...in the song-drenched story of a waif adrift away down deep in Dixie!...Romance...Tears...Laughs...and Tug-at-your-heart Drama...in a picture bristling with the angles that smart showmen know mean THE BIG MONEY!

Hear Bobby sing the new hits, "Rainbow on the River" and "Waitin' For The Sun" and many of those never-old songs that echo forever in the garden of your memories!

Bobby BREEN

in

ON THE RIVER

with

MAY ROBSON

Charles

BUTTERWORTH

BENITA HUME ★ ALAN MOWBRAY ★ LOUISE BEAVERS
HENRY O'NEILL ★ MARILYN KNOWLDEN...and the
FAMOUS HALL JOHNSON CHOIR... Produced by
SOL LESSER PRINCIPAL PRODUCTIONS

Purely Personal

MRS. MILDRED ZUKOR LOEW will leave tomorrow by American Airlines for Hollywood. After a short stay in Hollywood, she will go to Tucson, Ariz. JANE LOEW will leave via American Airlines for Tucson tomorrow .

•

MRS. OSCAR SERLIN, with her two children, MICHAEL and DOROTHY, will leave tomorrow for Hollywood to join her husband who is producing "Artists and Models" for Paramount.

•

RUBE JACKTER returned from the coast yesterday with the news that JEROME SAFRON has his leg out of a cast. SAFRON injured his foot playing handball some time ago.

•

JOHN C. GRAHAM, Paramount sales head in England, and EVELYN LAYE, scheduled to arrive on the *Queen Mary* yesterday, were among the list of canceled passengers.

•

HUGH MARLOWE leaves today for Chicago where he will remain a few days and then head for the M-G-M studios. He's one of the new players signed by the company.

•

CECIL B. DEMILLE will leave New York tomorrow for Omaha and Denver for previews of "The Plainsman," following the trade showing at the Astor yesterday.

•

HAL HORNE, RKO producer, was scheduled to leave for the coast last night. While here, he has been working on the JOE PENNER-PARKYAKARKAS script.

•

VIRGINIA FIELD, English actress who appeared in "Lloyds of London," will arrive this morning by plane from the coast and will sail soon for England.

•

ANN MCKNIGHT, former RKO film editor on the coast, has been signed by Trekolog Films, Inc., to edit "White Gods," Ecuador expeditionary film.

•

EDDIE CANTOR, JIMMY WALLINGTON, DEANNE DURBIN and PARKYAKARKAS are back in Boston after their broadcast here Sunday night.

•

SOL STEIN, recently with Consolidated Film Industries, Inc., has opened a plant for the manufacture of photographic prints and enlargements.

•

LOU IRWIN is still around town and according to latest reports will take an American Airlines plane to Hollywood today.

•

PAT CASEY, back from the A. F. of L. convention at Tampa, plans to return to Hollywood this week..

•

MARY GARDEN left Chicago yesterday en route to the M-G-M studios, where she is under contract.

•

IRVING RAPPER, dialogue director for Warners, will leave for the coast either today or tomorrow.

•

FREIDA WOLFE, singing instructor signed by M-G-M, arrived on the *Queen Mary* yesterday and is due to leave for Hollywood tomorrow.

•

CHARLES SCHWARTZ of Schwartz & Frohlich is back in New York after a quick trip to the coast.

•

MAJOR LEVINSON of the Warner legal department will head for the coast in a few days.

•

HARRY BERNSTEIN of the Loew real estate department has returned from Cleveland.

•

HENRI ELMAN, middle west operator, is in town for the closing of product deals.

IRVING BARRY will leave the end of the week for Salinas, Kan., to pick up his car.

•

HENRY AZINE, Minnesota exhibitor, returned yesterday on the *Queen Mary*.

•

HARRY M. WARNER is planning a coast trip in about a month.

•

JOHN and MRS. BOETTIGER left Sunday for Seattle.

•

JAMES LYNCH left for the coast yesterday.

Wagner Play Interesting; Might Have Been Better

(*Continued from page* 1)

should have been considering the potentialities of the subject.

There were lofty moments, such as when Wagner, believing he had found another true love in the person of Mathilde Wesendonck, the wife of his patron on The Green Hill near Zurich in 1858, actually found in her image the inspiration of the famous rapture theme for Tristan.

From time to time and, significantly enough to this reviewer on those occasions only when stirring passages from the Wagnerian genius undertoned the dialogue, the play stepped out of the thongs that seemed to tie it down. But it was the grandeur of the music with which the author had nothing at all to do and the occasional excellent duets of Beal Hober and Arthur Gerry that provided the emotional lift, not anything that had emerged from the McNally workshop.

"Prelude to Exile" was the title. It confined itself to that portion of Wagner's active and stormy career when the plan for his impassioned and lyrical Tristan had begun to take form. He drew his inspiration largely from his attraction for Frau Wesendonck, who collaborated with him, but more importantly furnished the spark that fired his imagination into music.

The Rienzi opera, The Flying Dutchman, Tannhauser and Lohengrin had been written by this time. There in Zurich, an exile from Dresden, he had plotted part of the Nibelungen trilogy, but had temporarily abandoned it for this new work, drawn from the immortal love tragedy out of the mists of the past. With his wife, Minna, Wagner had been constantly quarreling, yet her sacrifices of 20 years and the disregard and almost open contempt in which Wagner viewed them and her make of Evelyn Varden's role perhaps the most sympathetic in last night's play.

Versatility Unequaled

Frau Wesendonck eventually agrees to leave with Wagner. Then, at the last minute and recognizing what the composer did not, that she actually was an artistic mirror from which he drew his notes, decides to stay. Off Wagner goes, history telling that Das Rheingold, Die Walkure, Siegfried and Goetterdammerung were eventually to come.

Wagner was a poet, an essayist, a student of the classics and an omniverous reader. He had mixed in politics, was forced to leave Germany through the assistance of Franz Liszt. Wagner was arrogant, a charlatan, in debt. He used his friends. He was impatient, violent and inclined to fake. He was inconsiderate, but he never deviated one iota from the integrity of his purpose as a musician in the purist sense of the word.

Much of this has been written into the characterization and considerable in Wilfrid Lawson's interpretation grasps it. As Mathilde Wesendonck, Eva La Gallienne returns to the Theatre Guild in a part played well enough technically, but leaving something to be desired. Miss Varden as Minna Wagner, this reviewer thought to be very good, as was Lucile Watson as the Countess Marie D'Agoult, mother of Cosima who eventually, but not in the play, became Wagner's second wife.

There are variations from the authorities, too. Wagner did not part with Minna in 1859, as the play tells but two years later. Yet, in the outline and in much detail, the character is essentially accurate. It is regrettable that the play construction itself did not ramble less, for in a tighter version this corner-lifting chapter into the life of the great musician might have been a better endeavor.

The Coward Plays

The third trio of short plays presented by Noel Coward, triple threat man of the three-sided theatre, in his three-ply program under the bracket title of "Tonight at 8:30," is as barren of picture material as it is rich in the sin and talk of sin sweet enough to the ear of his silk-hatted and sabled public to pack the National theatre with them and rattle its rafters with their applause. Which is, by no means, to say that they are not, in their way, all that they are cracked up to be, which is not, after all, screen material.

The first of the third three offerings is a modern, merry little item entitled "Ways and Means." It is boudoir stuff, first, last and always, played for the most part in bed and for the whole part playfully. In essence, it's the story of stranded young dulyweds who suborn a burglar to steal for them from another house guest enough money to take them on to their next weekend. The lines are good, occasionally hot, and Coward and Gertrude Lawrence, his first aide in all these matters, are what people like Coward and Miss Lawrence call ripping.

The second number, "Still Life," is less sprightly. Under other auspices it would be pronounced dull. It is dull. For several scenes, in the restaurant of a railway station, the principals discuss an imminent act of adultery, go forth to commit it, return to announce and mourn its rude interruption, going their separate ways ultimately while even a worshipping audience yawns. This undoubtedly is Coward's net low for the nine-hole course.

Coward Not Helped by "Album"

The third play, "Family Album," is a kindly caricature of English life in 1860 and quite a lot of engaging humor is dealt with, decorously and in impeccable taste, before sin, represented by the ashes thereof in this instance, raises its reputedly ugly head as the heirs of the paternal deceased, having met to mourn his end, remain to celebrate it in the blood of the grape and toast the kindly servitor who has destroyed his last and overconscientious will and testament. This may also be set down in the history books as the play in which Coward, knowingly or not, conducts himself in the manner of the ham and, for that matter, to the nines.

Of the three, together, it is to be said that they comprise a large evening in the theatre, that they are magnificently mounted, superbly directed, consummately acted plays. That they are not for the screen, were not intended for it, and that no amount of pruning, editing, rewriting and translating—that is, no amount short of that which would make of them something quite different than what they are—would render them suitable screen material, for this or any nation, is perhaps a loss to the filmic medium. After all, the stage, it may be admitted, is entitled to have this much for itself and its faithful if few staunch supporters.

New Enterprises

The following film and theatre companies have been incorporated.

At Albany:

The Bimberg Corp., New York City, to deal in motion pictures, by Abbe Eichel, Belle Balstow, June K. Rothman.

Iris Joyce, Inc., Brooklyn, theatrical business, by Freda Jaret, Bertha Reich, Matilda Weinstein.

Menmor Theatres, Inc., New York City, by Samuel Fluhr, Irving Fishner, Irving R. Solomon.

At Richmond:

Ritz Amusement Co., Inc., Norfolk, and Hill Amusement Co., Inc., Norfolk, both by Harrit Barron.

Darby House Burns

DARBY, Pa., Nov. 30.—The Darby burned to the ground this morning. The house was operated by Melvin Kopf and Carl Munzer.

The damage is estimated at $100,000. The fire started in the basement during the early morning. An adjoining drug store, restaurant, dress shop and tap room were damaged.

S.O.S. Corp. to Move

S. O. S. Corp., of which J. A. Tanney is president, now located at 1600 Broadway, will move to the Film Center in January, which marks the 10th anniversary of the company. Increased space has been found necessary due to expansion plans, according to Tanney.

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Chicago Group Moves Against Theatre Games

Business Bureau Sends Letter to Officials

CHICAGO, Dec. 1.—Kenneth Barnard, general manager of the local Better Business Bureau, tomorrow will send letters to Mayor Edward Kelly, Police Commissioner Allman and Corporation Counsel Barnet Hodes, directing their attention to the use of Bank Night and other games by local theatres, which is characterized by the bureau as in violation of the Illinois anti-lottery laws.

The planned action by Barnard followed a lengthy conference today among Barnard, Morris Leonard, head of the Chicago Exhibitors' Ass'n, and Aaron Saperstein, president of Allied Theatre Owners of Illinois. The conference in turn followed an identic letter addressed by Barnard to the two groups pointing out that the use of games is a law violation.

Barnard said after the meeting that no decision was reached for a settlement of the controversy on drawing in Chicago theatres, that the theatre operators claim they are not violating

(*Continued on page 23*)

Report New English Firm in Major Deal

LONDON, Dec. 1.—Cinema Ground Rents and Properties, Ltd., theatre owning company, has been registered here with a capitalization of £5,000,000. Simmonds and Simmonds, the new company's solicitors, refuse to divulge the names of the principals of the organization.

It is rumored that the large capitalization will be used immediately in connection with a major theatre deal. The reports on the deal tie in either C. M. Woolf, Metro, which has long been reported planning a theatre development in this country, or the Odeon Circuit, which has an arrangement with United Artists.

Another Roxy Delay Will Be Requested

Carlos Israels of White & Case, attorneys for the Roxy first mortgage bondholders' committee, on Friday will make another application for postponement of the filing of a reorganization plan.

At the last scheduled hearing before Federal Judge Francis G. Caffey a continuance until Dec. 4 was granted. Negotiations in connection with a

(*Continued on page 23*)

Film Workers and Salaries Exceeded 1929 Total in '35

By BERTRAM F. LINZ

WASHINGTON, Dec. 1.—The number of persons engaged in the production branch of the industry exceeded even the figure of pre-depression days and total salaries and wages paid was in excess of $100,000,000, it was revealed today by the U. S. Census Bureau.

Making public a summary of its census of film production for 1935, the bureau reported 129 establishments as compared with 92 in 1933 and 142 in 1929. The total number employed today is given as 27,417 as against 19,037 in 1933 and 19,602 in 1929. Of the total persons engaged in the industry, salaried employes number 12,500 compared with 8,260 in 1933 and 8,818 in 1929.

Total salaries and wages paid last year amounted to $101,754,426. The figure two years earlier was $71,343,941, while for 1929 it was $85,027,612. Classifying these totals, $77,068,021 last year went for salaries and the remainder for wages. This compares with $52,948,452 for salaries in 1933 and $60,167,520 in 1929.

Contract work let out by the studios in 1935 totalled $5,144,976. In 1933 it was $4,027,665 and in 1929, $11,311,716. The cost of studio supplies, film

(*Continued on page 23*)

20th-Fox to Present $500,000 This Xmas

HOLLYWOOD, Dec. 1.—Twentieth Century-Fox will distribute $500,000 in Christmas bonus money, it was stated officially today by Joseph M. Schenck and Sidney R. Kent. The bonus will apply to employees in the lower salary brackets and the distribution forces throughout the world. Although individual amounts have

(*Continued on page 23*)

Market Off

At the opening this week cocktail parties went off four points, according to Bob Goldstein.

He figured the depressive influence was a direct consequence of weekend activity.

Chase Sells Heavy Block Of 20th-Fox

WASHINGTON, Dec. 1.—Sale by the Chase National Bank in October of 14,433 shares of Twentieth Century-Fox common and 28,866 shares of $1.50 cumulative preferred stock under escrow agreement was disclosed tonight by the Securities and Exchange Commission in its semi-monthly report of security transactions and holdings. At the close of the month the bank still held 353,192 shares of common and 706,384 shares of the preferred.

This was the second large volume of stock reported as sold by the Chase National, its report for September showing the sale of 13,806 shares of common and 27,612 shares of preferred.

The commission also announced receipt of a report for September from William Goetz, Beverly Hills, showing the sale of 10,000 shares of Twen-

(*Continued on page 23*)

Fred Allen and Jack Benny Topline in Radio Popularity

Fred Allen and the "Town Hall Tonight" hour, sponsored by Ipana Toothpaste and Sal-Hepatica over the NBC-Red network, is the leader of the air lanes in the 60-minute division. Jack Benny, who conducts a 30-minute program for Jello over the same network, fills the honor spot in his division.

The ratings are those of the recognized program analysis looked upon as gospel by advertising agencies and network subscribers and were released yesterday.

Allen with a rating of 22.5, supplanted Major Bowes' Amateur Hour, which occupied first place in the last report released two weeks ago. Allen

(*Continued on page 4*)

More on Radio

Additional news of radio on page 4 today.

"Square Deal" Promised ITO By Lichtman

Producer-Exhibitor Peace Asked in Address

COLUMBUS, Dec. 1.—"A square deal from M-G-M" for every exhibitor was promised by Al Lichtman in the course of an address delivered at the fourth annual convention of the I.T.O. which opened at the Wallick Hotel here today.

Lichtman, whose talk was the highlight of the session, stated that he welcomed the opportunity to clarify the sales policy of his company in an effort to create a better understanding between producer and exhibitor. The day is gone, he said, when the exhibitor and distributor are out to cheat one another and "M-G-M will be no party to the infliction of an injustice on any exhibitor."

Lichtman quoted figures to prove that the tremendous increase in production cost during the past two years is out of proportion to the increased income from domestic business. Only the foreign outlet, he stated, made it possible to exist. He added that production losses were compensated by the profits of Loew's theatres and defended the high salaries paid to executives on the ground that their business is a creative one for which no precedent exists.

M-G-M's policy, Lichtman explained, is that the cost of every M-G-M picture must be justified at the

(*Continued on page 22*)

Hays and MPPDA Praised in London

By BRUCE ALLAN

LONDON, Dec. 1.—Characterizing America's M.P.P.D.A. as an "inspiration" to the British industry, John Maxwell tonight paid tribute to Will H. Hays at a dinner tendered the American executive by the F.B.I. Films Group at the Mayfair.

Maxwell referred to the uphill

(*Continued on page 22*)

Ostrer Gets Word He Will Join Talk

Maurice Ostrer, managing director of G. B., who is scheduled to leave for the coast today, stated yesterday that the only information he had to the effect he was to confer with his brother, Isidore, and Joseph M. and

(*Continued on page 22*)

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Full Trading Sought For Pathe's Common

WASHINGTON, Dec. 1.—An application for unlisted trading privileges in the $1 par common stock of Pathe Film Corp. has been filed with the Securities and Exchange Commission by the Boston Stock Exchange, the commission reported today.

The application states that the stock of Pathe Exchange, Inc., was admitted to unlisted trading privileges, and on Aug. 15, 1935, Pathe Film Corp. was incorporated as its successor in reorganization.

Declare Loew Dividends

Marcus Loew's Theatres (Canada) has voted an accumulation dividend of $1.75 a share on the seven per cent preferred stock, payable Dec. 15. Arrears on the stock total $43.75 a share.

Loew's London Theatres has declared an accumulation dividend of 17½ cents a share on the seven per cent preferred, payable Dec. 15. After this payment arrears will total $2.27½ per share.

Canada Sets Appeal Board on Copyright

TORONTO, Dec. 1.—Not until the closing date for complaints on the fees fixed for the Canadian Performing Rights Society for 1937 did the Canadian Government make known the personnel of the Copyright Appeal Board which was created under the amended Canadian Copyright Act for the hearing of protests by theatres and other amusement operators.

A man of high judicial office has been appointed chairman of the board in Justice A. K. McLean of the Exchequer Court of Canada. The two other members are E. H. Coleman, under Secretary of State, and Paul Fontaine, K. C., of the Federal Dep't. of Justice.

According to Fernand Rinfret, Secretary of State, the office of the board will be maintained at Ottawa, but sittings of the tribunal will be held in the larger centers of Canada. Although it had been announced that appeals against the society's rates would not be accepted after Dec. 1, Rinfret stated that the board would sit from time to time wherever and whenever complaints are received.

Will of A. J. Small Is Upheld in Canada

TORONTO, Dec. 1.—Perhaps the last legal echo has been heard of the mysterious disappearance 17 years ago this month of A. J. Small, Toronto theatre magnate, just after he had received $2,000,000 for his circuit in Ontario.

The final chapter is the dismissal by Justice Nicol Jeffrey of the action by Mary Florence Small, sister of the missing theatre man, to upset the will of Small's widow involving a $2,000,000 estate, much of which had been bequeathed to the Catholic Church. During the recent eight-day trial, an alleged murder confession by Small's widow was thrown out as being an "unquestioned forgery" and the will was allowed to stand.

G. B. Takes 3rd BIP Film for U. S. Sales

G.B. has taken over the American distribution of "River of Unrest," third B.I.P. picture in as many weeks. Budd Rogers represented Alliance Pictures, domestic company for B.I.P., while Arthur Lee acted for G.B.

Arthur Lee, sales manager for G.B., will leave next week for Cleveland, his last trip out of town until the first of the year.

"Brigade" Gets $30,000

"The Charge of the Light Brigade" tallied approximately $30,000 at the Brooklyn Paramount where it is being held a second week. The figure almost hit the high established by "Captain Blood."

G. B. in Coast Deal

G. B. has closed a deal for the complete 1936-37 program with the T. & D. Junior Circuit, San Francisco, consisting of 24 theatres.

Jersey Allied Meets

Allied of New Jersey held a routine meeting yesterday at the Lincoln, according to Lee Newbury, president. The next meeting has not been set.

Restless Scribe

Sidney Skolsky is in town. He journeyed from the coast by rail with his wife and very young daughter, Nina. But time hung heavily on the hands of the *Daily News'* Hollywood columnist and so somewhere between San Berdoo and Kansas City he indelicately applied to Nina the well-known hotfoot.

Nina had lunch with Walter Winchell's Wanda the other day. "My daddy gave me a hotfoot. That's more than you can say about your daddy," ran part of the conversation.

"Gold Diggers" Will Reach Buffalo Today

BUFFALO, Dec. 1.—Warners' flying "Gold Diggers" are due here this morning at 11 o'clock from Syracuse for the 18th stop of their trip. The Kiwanis Club and the Mayor's representatives will greet them at the airport.

After a parade they will go to the City Hall and the Hotel Statler and will broadcast twice in addition to making an appearance at the Great Lakes.

Yesterday the troupe was greeted by the Syracuse football eleven at Syracuse. The flyers are due in Columbus Thursday.

Sterling Sets First 7 Titles on Program

HOLLYWOOD, Dec. 1.—The first release from Sterling Pictures Corp. will be "Legion of Missing Men," according to W. Ray Johnston, president, who at the same time revealed the first seven titles on the program.

The second will be "Paradise Isle," which will start in February, when a production staff goes to Tahiti. The others are "A Romance of the Limberlost," by Gene Stratton-Porter; "The County Fair," "The Marines Are Here," "Dreams Come True" and "The Thirteenth Man."

Install Union Officers

The new officers of the Empire Union were installed last night at the Irving Plaza. They include: A. I. Kindler, president; Benjamin S. Greenstein, vice-president; William Sanparsiero, recording secretary; Louis David, treasurer; William Greenspan, financial secretary; Frank Asch, business agent; Pete Elarde, sergeant-at-arms. All except Sanparsiero, David and Greenspan were reelected.

Legion Founder on Coast

HOLLYWOOD, Dec. 1.—Archbishop John T. McNicholas of Cincinnati, founder of The Legion of Decency, accompanied by 14 other dignitaries of the Catholic Church, arrived here today to attend the enthronization ceremonies of Archbishop-elect John J. Cantwell. The Cincinnati prelate may visit the studios while here.

Disney 35 on Saturday

HOLLYWOOD, Dec. 1.—Walt Disney will celebrate his 35th birthday Saturday.

B. & K. High on Bid To Rent McVickers

CHICAGO, Dec. 1.—Three rental bids have been opened by the Chicago Board of Education, which controls the McVickers. Decision on acceptance will be made when the board meets Dec. 16.

The highest bid was made by Balaban & Katz for a 20-year lease at $60,000 a year for the first five years, $62,500 a year for the second five years, $70,000 a year for the third five-year period and $72,500 a year for the final five-year period. Fifteen percent of the gross would be paid as rental if that figure was more than the specified amount of the rent. This percentage arrangement was also included in the bid from John Jones, who offered to pay $50,000 a year for 10 years and $60,000 a year for the last 10 years of the lease.

The third bid was made by the Hi-Lee, Hi-Lo Candy Co., and was for "$1,000 better than the best bid." This bid will probably not be considered as no definite amount was offered.

Columbia Sales Meet In Chicago Dec. 5-6

Columbia will hold the second of a series of regional sales meetings at the Drake Hotel, Chicago, Dec. 5 and 6. Abe Montague, general sales manager, will preside, and Jack Cohn may attend. The first session was held in San Francisco last month and the third will be at the Jung Hotel, New Orleans, Dec. 12.

At the Chicago session from the home office will be Joe McConville, Rube Jackter, Lou Weinberg, Louis Astor, Max Weisfeldt, Hank Kaufman, Leo Jaffe, Maurice Grad and Milt Hannock. More than 75 will be in attendance, including division and branch managers, office managers, bookers and the sales forces of exchanges in Washington, Pittsburgh, Cincinnati, Detroit, Chicago, Cleveland, Indianapolis, Milwaukee, St. Louis, Kansas City, Omaha and Des Moines.

Essaness Starting Doubles at Chicago

CHICAGO, Dec. 1.—Essaness theatres are beginning to start duals. The American introduces doubles this week and the Broadway-Strand theatre is expected to start shortly, with other houses slated to adopt the plan later.

Warner theatres have no plans for duals, until after the first of the year at least, an executive revealed. The Avalon and Capitol will give away automobiles during the holiday season which is approaching.

Jack Miller Married

CHICAGO, Dec. 1.—Jack Miller, former exhibitor leader here, was married last Friday to Jacqueline Fontaine. The ceremony was performed at the Sherman Hotel by Judge Eugene Holland.

"Woman-Wise" New Title

HOLLYWOOD, Dec. 1.—"Woman-Wise" will be the release title of the Twentieth Century-Fox film produced as "Peach Edition."

"Reunion" Ban Lifted

CHICAGO, Dec. 1.—The censor board has reversed itself on "Reunion" and will permit showing of the picture.


"BIGGEST BUSINESS IN SEVEN YEARS!"
—Harry Zeitz, State Theatre, New Bedford, Mass
DOUBLES BIZ OF "ZIEGFELD" at San Diego, Cal.
NORFOLK TOPS RECORDS OF M-G-M'S "SAN FRANCISCO"
TOPS FURIOUS "FRISCO" AT OMAHA, MILWAUKEE, SEATTLE, OKLAHOMA CITY
RICHES FOR RICHMOND!
First 3 days tops everything!
PITTSBURGH PAYS!
4 days equals 6 days of sensational "San Francisco"
ALBANY AMAZES!
4 days beats *full week* of "Mutiny on Bounty" and "China Seas"! 4 days beats 6 days of "San Francisco" and 2 weeks of "Rose Marie"
CHICAGO ECLIPSES GORGEOUS "GREAT ZIEGFELD" RECORDS!
TOPS TERRIFIC "SAN FRANCISCO" AT PHILADELPHIA
First 5 days are the talk of Philly Film Row!
DENVER DELIVERS!
5 days beats *full week* of "Ziegfeld" and tops 6 days of "San Francisco"
WOW!
(It's just the beginning)
BORN TO DANCE
AND THE M-G-M LION CONTINUES TO ROAR!
"BORN TO DANCE"
starring
ELEANOR POWELL
with
James Stewart • Virginia Bruce
Una Merkel • Sid Silvers
Frances Langford • Raymond Walburn
Alan Dinehart • Buddy Ebsen
Directed by Roy Del Ruth
Produced by Jack Cummings

C B S to Have Coast Traffic Department

HOLLYWOOD, Dec. 1.—Hugh Cowhan, traffic manager for CBS, arrived today to establish a coast traffic department. In the past the western schedule has been handled by the KHJ Don Lee network. This will be lost in a changeover to KNX necessitating the local department.

Whether the office will be located in Los Angeles or San Francisco has not been decided but it is known that it will be a sub-division of the New York traffic department with Donald W. Thornburgh, coast CBS head, in charge.

Anticipating the KNX national network affiliation, 17 medicine and religious program accounts now running have been ordered cancelled because of the CBS policy in this regard.

Thornburgh is now in San Francisco on company business.

FCC Assigns Station Permits to CBS, Inc.

WASHINGTON, Dec. 1.—The assignment of several Columbia Broadcasting System station licenses to CBS, Inc., which is to operate all the stations, for tax purposes, was approved today by the Federal Communications Commission.

At its weekly meeting the broadcast division consented to the voluntary assignment to CBS, Inc., of Stations WABC-WBOQ, New York, heretofore operating as the Atlantic Broadcasting Corp.; KNX, Los Angeles, operating as the Columbia Broadcasting System of California, Inc.; WJSV, Washington, operating as Old Dominion Broadcasting Co.; WEEI, Boston, operating as WEEI Broadcasting Corp., and WKRC, Cincinnati, operating as WKRC, Inc.

Charlesworth Quits Radio

TORONTO, Dec. 1.—Although he had been invited to continue with the new Canadian Broadcasting Corp. in an advisory capacity, Hector Charlesworth, chairman of the previous Canadian Radio Commission for four years, has confirmed his retirement from public service to return to his journalistic career here. For many years prior to his appointment to the Government commission Charlesworth had been an outstanding film and dramatic critic and he plans to resume this work.

Cut Sports to Three Days

ST. LOUIS, Dec. 1.—J. Roy Stockton, sports reporter for the *Post-Dispatch,* and Jimmy Conzelman, director of athletics for Washington University, are now doing a three-day sports review schedule over KSD, at 9 P. M. Sundays, and at 6:45 P. M. Tuesdays and Thursdays. They will continue on that basis throughout the winter, resuming their six-days-a-week schedule when the baseball season reopens.

Kirk West on Jolson

HOLLYWOOD, Nov. 30.—Myron Kirk, vice-president in charge of radio for the Ruthrauff and Ryan agency, is here preparing for the debut of the Al Jolson program.

Renew Phil Harris Deal

HOLLYWOOD, Nov. 30.—Phil Harris has had his option renewed for an additional 13 weeks on the Jack Benny program over NBC.

Fred Allen and Jack Benny Topline in Radio Popularity

(*Continued from page* 1)

thus stepped into the honor spot for the first time in over 18 months.

The report was a surprise in other respects. It noted improved ratings for the Bing Crosby "Kraft Music Hall" series and included among the first 10 the Ford Sunday Night Symphony Hour in the full hour show classification. In the half-hour ratings the Phil Baker series reflected a sharp leap forward.

Leaders in the hour show division follow:

Program	Full-Hour Programs
Town Hall Tonight	22.5
Major Bowes Amateurs	22.4
Good-Will Court	21.4
Hollywood Hotel	20
Lux Radio Theatre	18.8
Bing Crosby Music Hall	17.5
Vallee Variety Hour	17
Packard (Fred Astaire) Program	16.2
Hit Parade (Lucky Strike)	14.9
Ford Sunday Night Symphony	14
Shell Chateau	12.6

In the 30-minute category, the first 10 were these:

Program	Half-Hour Programs
Jack Benny	31.3
Eddie Cantor	22.3
Burns & Allen	21.1
Phil Baker	17.1
Bob Ripley	14.8
One Man's Family	14.7
Vick's Open House (Nelson Eddy)	13.5
Ben Bernie	13.1
Pick and Pat	12.1
Fibber McGee & Molly	11.9

Among the quarter-hour four and five times weekly programs, Amos 'n' Andy were rated first with an average of 13.7; Lowell Thomas second, 12.4, and Boake Carter third, 11.1. The once-a-week quarter-hour programs were led by Walter Winchell, 10.1, and Jimmy Fiddler, 5.

The official report holds the average rating of all 60-minute programs to be 14.0; all 30-minute programs, 7.0; the quarter-hour programs broadcast four or five times weekly, 10.4, and the quarter-hour once a week programs, 3.3.

"Lloyds" Principals Signed

Freddie Bartholomew, Madeleine Carroll and Tyrone Power, Jr., of the "Lloyds of London" cast will re-create scenes from the picture on the Dec. 11 "Hollywood Hotel" broadcast.

Oddly enough, young Freddie is the only member of the cast with any radio experience. He has broadcast on many network programs and last summer, while in New York on personal appearances at the Capitol, spoke quite frequently on the Loew-owned station, WHN. Miss Carroll and Power are newcomers to the microphone.

Cantor to Ham "Hamlet"

The silly season in radio is now in full swing. Ed Wynn set the pace some two weeks ago by offering a version of "Hamlet," and now Eddie Cantor, not to be outdone, has decided also to portray the Melancholy Dane on his program this Sunday, when Leslie Howard will be Cantor's guest for the evening, but instead of sticking to serious drama, Howard will step into Cantor's shoes and assay the role of comedian.

Champ on the Air

Champion Jimmy Braddock turned radio actor for the wife and kiddies last night in a new script series based on the title holder's real life story. The program is sponsored by the Tastyeast Candy Co. thrice weekly on Tuesdays, Wednesdays and Thursdays at 7:15 (E. S. T.) over NBC-Blue network.

The series is frankly aimed at the youngsters and as such it scores. Last night the champ had an easy time of it because most of the script was taken up with his childhood, a part effectively portrayed by Gabriel Dell, a young character actor recruited from "Dead End," current Broadway stage production. But the little that Jimmy had to do he did well enough, considering his acting limitations. He was surprisingly free from mike shyness, and while he will never have to worry about winning a radio diction award, his readings were blessedly free from affectation.

The only marring note struck during the broadcast was the too wordy commercials.

BANNER.

Francis Lederer, Too

Another film player who will face the microphone this week is Francis Lederer, who has been signed as Radie Harris' guest on WHN this Friday from 8 to 9 P. M., E. S. T.

An additional film feature of the broadcast will be a presentation of a tabloid version of the "Big Broadcast of 1937," with WHN players enacting the roles of Jack Benny, Gracie Allen, Bob Burns and Shirley Ross.

O'Keefe Takes a Walk

Confirming MOTION PICTURE DAILY's story of last week that internal dissension and feud were rending the Sealtest Saturday Night Party program, Walter O'Keefe, the program's star, yesterday walked out of the show, leaving the series minus a feature name. N. W. Ayer & Co., agency handling the show, will carry on with guest stars each week.

Beery on Air Tomorrow

Wallace Beery and Josephine Huston will appear on tomorrow night's Sears "Then and Now" program, heard over the CBS network at 10 P. M., E. S. T. Beery will be featured in a dramatization and an interview, while Miss Huston will sing.

Kelly, Niesen, Et Al

Short Shots: Patsy Kelly on Dec. 22, Gertrude Niesen on Dec. 29, and Henry Armetta and Herman Bing on Jan. 5, will guest star on the Ben Bernie American Can programs of the aforementioned dates, it was stated yesterday by Herman Bernie, the program's booking agent. Broadcasts are carried Tuesdays at 9 P. M., E. S. T., over the NBC-Blue. . . . Also signed by Herman Bernie to collaborate on the Phil Baker program were writers Lee Sands and Bob Marco. . . . Lucille Manners, yesterday signed to replace Jessica Dragonette on the Cities Service program effective Feb. 5, was added yesterday to the cast of "Rising Star," forthcoming Shubert production. Others who will be featured in the Frantz Lehar operetta are Dennis King and Ernest Truex. . . . Engineer Charley Coleman, of WFIL staff (Phila.) yesterday became the father of a baby boy. . . .And John Cummings, former technical advisor of WCAM, Camden, this week joins the engineering staff of WFIL. . . . Acts signed for tonight's WPA "Professional Parade" program include a return appearance of Swor and Luden; Rome, Fisher and Talace, singers; Isabel Rook and choral group; Irving Fisher, and Mara Alexander. . . . Lily Pons will be heard with General Motors Symphony Hour this Sunday at 10 P. M., over the NBC-Red. . . . Frank Morgan added to Saturday night's Shell Chateau period. . . . Elissa Landi will appear opposite Robert Montgomery on the Dec. 7 Lux Theatre program.

Oakie Replacing "Caravan"

HOLLYWOOD, Dec. 1.—A program starring Jack Oakie to replace the Hughes' "Caravan" will start Dec. 29 with Oakie cast as the president of a mythical college. Guest stars will be limited to top name comedians and singers. A glee club will be featured each week.

Air Turning More to Cartoon Strips; McNaughton-CBS Deal

Script shows based on newspaper cartoon strips ever have been popular with juvenile listeners and apparently profitable to sponsors, for the demand has far exceeded the supply. As a result of the numerous calls from prospective sponsors asking for cartoon strip programs, the CBS Artists' Bureau yesterday closed a deal with the McNaughton Syndicate whereby CBS acquired the exclusive rights to a number of nationally known cartoon features.

Cartoons covered by the agreement include "Dixie Dugan" by J. P. McEvoy; "The Bungles" by Harry Tuthill; "Mickey Finn" by Lank Leonard, and "Ollie of the Movies" by Julian Ollendorf.

Under the terms of the deal, CBS also acquired rights to a number of McNaughton columnists, including Albert Payson Terhune, Neal O'Hara, Roe Fulkerson, Charles Driscoll, and Art McGovern.



EVEN THE SPHINX IS BEGINNING TO TALK!

(And when a guy makes the first statement in thousands of years it's worth listening to. Listen on next page!)



"Listen folks, I've been around since show business started. I heard Solomon plug his own songs and I was there when Samson did his strong man act on Bank Nights and believe me- NOTHING IN ALL SHOW HISTORY EQUALS METRO-GOLDWYN-MAYER THIS WONDERFUL YEAR! I guess old attractions like me will have to step aside for that EIGHTH WONDER OF THE WORLD LEO, THE M-G-M LION!"

THE SPHINX FINALLY SAYS A MOUTHFUL!



"Aw gee Sphinxy, you got me, keed! Honest folks, it's nice of Sphinxy to say those things but all I'm trying to do is to pack your theatres this year just as in past years. It's really pretty early in the 1936-37 Season to say so, but the fact is M-G-M has never delivered such a Run of Hits. And the big shows coming up actually TOP what's gone before. We've had our 'GREAT ZIEGFELDS' 'GORGEOUS HUSSYs' 'LIBELED LADYS' and other swell pictures in the few months since the new season started! Hits like those with any other company would be great for their entire season. But Sphinxy, old timer, I've scarcely begun-"

AND LEO BLUSHES!

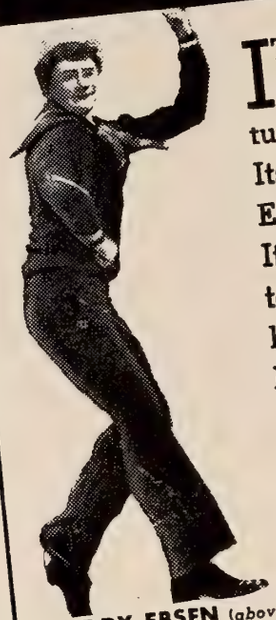
OH MISTER EXHIBITOR! TREASURE THAT M-G-M CONTRACT. IT'S A GOLD MINE!

(Next page, please!)

"Go into your dance, boys!"



M-G-M'S DAZZLING SU
... THE MELODY-PACK



IT dwarfs anything ever attempted on stage or screen! It has seven grand hit tunes by Cole Porter—and he's the tops! Its Big Parade of Stars is led by lovely Eleanor Powell — and she's the "Taps"! It pours forth an endless stream of laughter and spectacle and romance! It has hundreds of enchanting beauties! It has EVERYTHING for your delight!

BUDDY EBSEN *(above)* — that boy can dance!— and **FRANCES LANGFORD** *(below)*—her torch songs are so romantic!

THE MIGHTY SINGTIME MUSICAL

BOR
DA

"Bro

EI

Po



UNA MERKEL and SID SILVERS the screen's funniest sweethearts!

JAMES
VIRGI
UNA MERKEL
SID SILVERS
ALAN DINE
Directed by Roy Del

TO

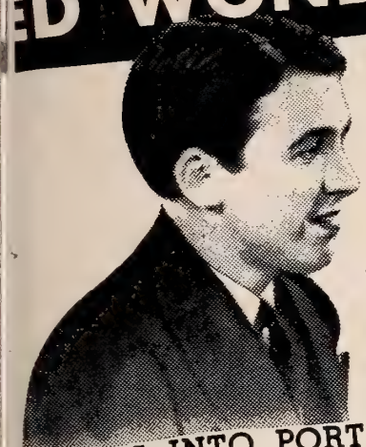
HOLLYWOOD FLASH!

Advance preview in "Hollywood Reporter"

"The season's biggest show . . . will send an audience out yelling its praises. . . . A generous order of breezy and tuneful entertainment. Eleanor Powell's dancing seems more magical each time one sees it . . . audiences will do nip-ups over it."

CCESSOR TO "THE GREAT ZIEGFELD"
ED WONDER SHOW OF ALL TIME!

IT'S BIGGER THAN A $6.60 B'WAY SHOW





VIVACIOUS VIRGINIA BRUCE

. . . "The Great Ziegfeld" beauty slays them with a smile and a song. She's got rhythm—and how she swings it!

SWINGS INTO PORT!

TO ICE

starring your adway Melody" Girl

LEANOR *Well*

with

STEWART
NIA BRUCE

• FRANCES LANGFORD
RAYMOND WALBURN
IART • BUDDY EBSEN

Ruth • Produced by Jack Cummings

7 HOT HIT TUNES BY COLE PORTER

Remember "Night and Day" and "You're the Tops"? You'll love these grand new songs by the same composer!

"Easy to Love"
"I've Got You Under My Skin"
"Swingin' the Jinx Away"
"Hey, Babe, Hey"
"Rap-Tap on Wood"
"Rolling Home"
"Love Me, Love My Pekinese"



A Metro-Goldwyn-Mayer PICTURE

Watch for this coming M-G-M hit!
Greta GARBO loves Robert TAYLOR
in "CAMILLE"



"Keep stepping on to nex page boy"

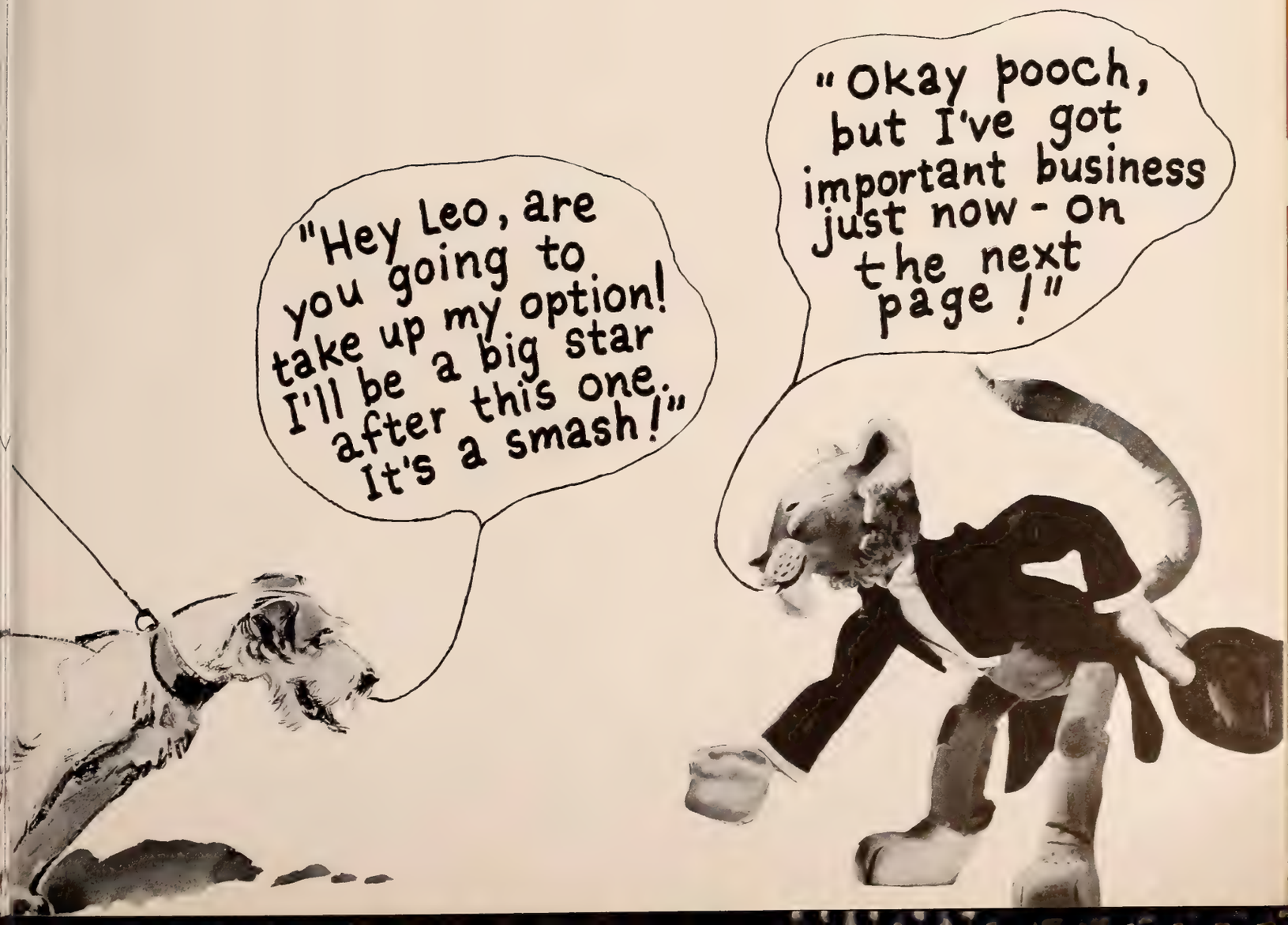
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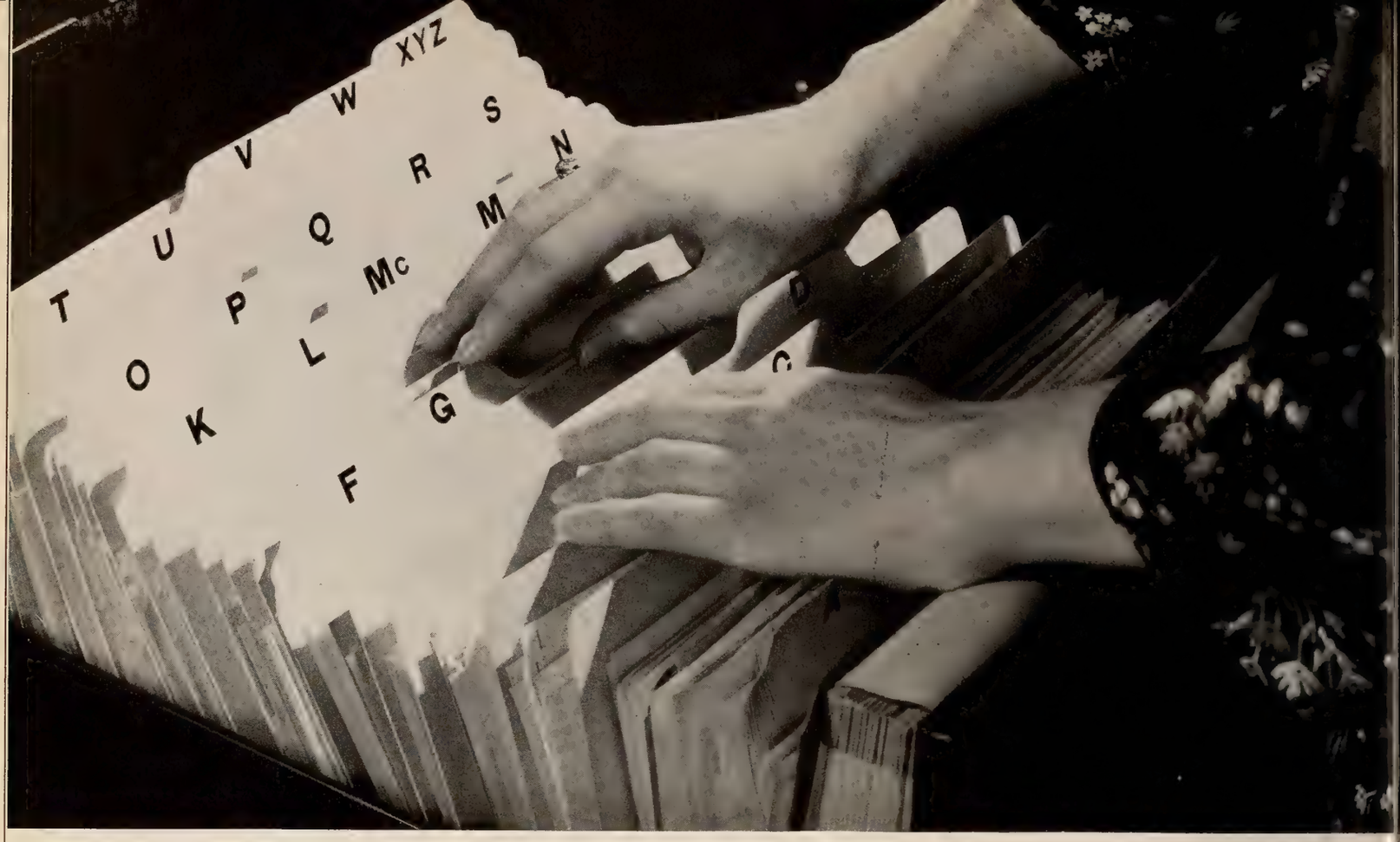

"CRUSH ME IN YOUR ARMS 'til the breath is gone from my body!..."
The ecstatic, all-consuming romance of a woman who loved not too wisely and the man whose heart was filled with the beauty of her being.
Greta GARBO LOVES Robert TAYLOR IN CAMILLE
WITH LIONEL BARRYMORE
ELIZABETH ALLAN • JESSIE RALPH • LENORE ULRIC
HENRY DANIELL • LAURA HOPE CREWS
A Metro-Goldwyn-Mayer Picture • Directed by GEORGE CUKOR
Based on play and novel "La Dame Aux Camelias" (Lady of the Camelias) by Alexander Dumas
Coming Soon! The Sequel You Asked For! WILLIAM POWELL • MYRNA LOY in M-G-M's "AFTER THE THIN MAN"
TODAY at
A FLASH THAT MEANS CASH!
Hollywood, Cal.— In a sneak preview tonight "Camille" established its claim as one of the greatest money pictures of film history. Garbo and Taylor set the house afire!


"You are so young... where can you have learned all you know about women like me?"
Garbo in the strong young arms of Robert Taylor... truly a lifetime of thrilling romance in one shining moment of ecstasy!
GRETA GARBO loves ROBERT TAYLOR in CAMILLE
WITH LIONEL BARRYMORE
ELIZABETH ALLAN • JESSIE RALPH • HENRY DANIELL
LENORE ULRIC • LAURA HOPE CREWS
A Metro-Goldwyn-Mayer Picture • Directed by GEORGE CUKOR
Based on Play and Novel, "LA DAME AUX CAMELIAS" (Lady Of The Camelias) by ALEXANDRE DUMAS
Coming Soon! The Sequel You Asked For! WILLIAM POWELL • MYRNA LOY in M-G-M's "AFTER THE THIN MAN"
TODAY at
GRETA GARBO loves ROBERT TAYLOR
"I have had many loves—so many—but never one like this!"
In the strong young arms of Robert Taylor, Garbo reposes. How fitting that the love story of the Parisian youth and the fatal beauty, Marguerite, should be portrayed by these romantic stars.
This picture will remain vivid and memorable when others fade into oblivion. Your heart will tell you that here truly is one of the great soul-dramas of all time
IN CAMILLE
WITH LIONEL BARRYMORE
ELIZABETH ALLAN • JESSIE RALPH • HENRY DANIELL
LENORE ULRIC • LAURA HOPE CREWS
A Metro-Goldwyn-Mayer Picture
Directed by GEORGE CUKOR
Based on Play and Novel, "La Dame Aux Camelias" (Lady of The Camelias) by ALEXANDRE DUMAS
Coming Soon! The Sequel You Asked For! WILLIAM POWELL • MYRNA LOY in M-G-M's "AFTER THE THIN MAN"
TODAY at
The fragrance of her camelias intoxicated his senses...
Greta GARBO loves Robert TAYLOR in CAMILLE
"Crush me in your arms until the breath is gone from my body!"
She had known many kinds of love, but his kisses filled her with longings she had never felt before ...The glamorous Garbo—handsome Robert Taylor—together in a love story that will awaken your innermost emotions with its soul-stabbing drama!
with LIONEL BARRYMORE
ELIZABETH ALLAN • JESSIE RALPH • HENRY DANIELL
LENORE ULRIC • LAURA HOPE CREWS
A Metro-Goldwyn-Mayer Picture, based on play and novel "La Dame aux Camelias" (Lady of the Camelias) by Alexandre Dumas
Directed by George Cukor
Coming Soon! The Sequel You Asked For! WILLIAM POWELL • MYRNA LOY in M-G-M's "AFTER THE THIN MAN"
GO ON


THEIR NEW AND GREATEST SUCCESS!
William POWELL
Myrna LOY
IN METRO-GOLDWYN-MAYER'S LATEST SUCCESS
"AFTER the THIN MAN"
JAMES STEWART
ELISSA LANDI
JOSEPH CALLEIA
JESSIE RALPH
ALAN MARSHALL • TEDDY HART
SAM LEVENE • DOROTHY McNULTY
Directed by W. S. VAN DYKE
PRODUCED BY HUNT STROMBERG

Mr. and Mrs. Thin Man and that dog of theirs are back in a brand new movie that's headed for the headlines just like their previous hit!





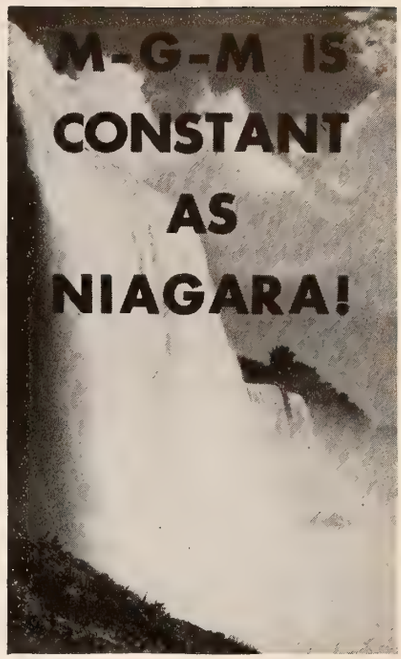
PLEASE CONSULT THE FILES OF LAST JUNE!

We made promises!
We told you of our BIG plans—
We said that Leo was rarin' to go!
With big budget productions
With multi-starred attractions
For the greatest days of showmanship
Ever known in the amusement world—
We modestly believe we've delivered
But don't be convinced just by
Pictures like "Great Ziegfeld",

(continued)

(*continued*)

"Gorgeous Hussy", "Libeled Lady" and other
Early Fall Season productions!
The flood of hits rolls on
Like mighty Niagara—
It's amazing
But M-G-M is geared to do it!
Right now another Big One is
Packing them in
"Love On The Run" (*Crawford, Gable, Tone*)
Is a Hold-over everywhere!
Then your customers get a $6.60 show
"Born To Dance"— Bigger than Broadway's Biggest!
Watch for the preview reports next week
On "After The Thin Man"— it's great!
Then comes "Camille"— a Sensation!



AND ALL OF THESE GIANT HITS ARE JUST THE BEGINNING (*Sept. to Dec.—Imagine!*)
Early winter brings "Captains Courageous"
It's another "Mutiny On The Bounty" Sea Epic!
And then comes another 4-star smash:
Joan Crawford, William Powell, Bob Montgomery
and Frank Morgan in "Last of Mrs. Cheney"—
Also Clark Gable, Myrna Loy in "Parnell"
Jeanette MacDonald, Nelson Eddy in "Maytime"
And the Marx Brothers direct from the Opera
To "A Day At The Races". . .
Didn't we tell you at the Season's start!
And aren't you happy you listened—

(*Last page coming! With an autographed picture on it! Turn!*)



IT'S GREAT TO BE AN M-G-M SHOWMAN!

The industry called it Young Blood when Leo leaped to the front 12 years ago. Today just as then the unconquerable spirit, pep and enthusiasm of this family of showmen flames brighter than ever in the Year of your Biggest Box-office success . . . 1936-1937.

Printed in U. S. A.

Short Subject

"Amuse Yourself"

(*Educational*)

More of the insane antics of Jefferson Machamer and his bevy of girl models. They act out an entertainingly half-witted story which revolves about Machamer's efforts to land a cartoon with an agency headed by a screwy trio of morons. He succeeds and there follows a celebration with clever and snappy entertainment furnished by the females and a rumba orchestra composed of the Seven Loria Brothers, their ages ranging from about 20 to 5 years. Production Code Seal No. 01,324. Running time, 20 mins. "G."

"Touring Brazil"

(*Twentieth Century-Fox*)

A nicely turned out issue of the Magic Carpet. With splendid photography it takes the audience to the interesting points about the South American country delving down into a mine, into the jungle for the rubber industry, an alligator slaughter and the gay time of a carnival in Rio de Janeiro. Also, there are many beautiful scenic shots, the last of which reveals dawn coming over the still lighted city. Reviewed without production code seal. Running time, 9 mins. "G."

"Gopher Trouble"

(*Universal*)

Billy Gopher is annoying Miss Henrietta Hen, in this cartoon, by cutting up in his underground fashion beneath her garden. Hysterical, Miss Hen calls Oswald, who, with the help of his dog, Elmer, proceeds to track down the rodent. There follows spectacular comic business, much of which is old stuff, with the final result when Oswald, using dynamite, blows up Miss Hen's Mansion. The gopher is finally taken care of with a flower pot. Fair stuff at its best. Production Code Seal No. 2,729. Running time, 7 mins. "G."

"Legend of the Lei"

(*Treasure Chest-Educational*)

The idea why departing travelers cast the famous Hawaiian wreaths when they leave the islands is given exposition here. The legend of the princess who was forced to marry a visiting noble rather than her real love is played against authentic settings and reproduced in glaring and splotchy color. It is sentimentally interesting. Production Code Seal No. 0870. Running time, 10 mins. "G."

"Television Highlights"

(*Mentone-Universal*)

A trick television set is used for the introduction of a collection of acts among which are Gogo De Lys, Roy Smeck and Patsy Wynn. It has novelty and is moderately amusing. Production Code Seal No. 01,292. Running time, 10 mins. "G."

"The Village Smithy"

(*Vitaphone*)

A cartoon parody on the famous poem done with clever and humorous situations and comic relief. It features "Porky." Should make a pleasing item on any program. Production Code Seal No. 2,807. Running time, 7 mins. "G."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"More Than a Secretary"

(*Columbia*)

HOLLYWOOD, Dec. 1.—Premised on the "you can't mix business with love" idea, "More Than a Secretary" is a comedy-romance that looks like an audience pleaser. With cleverly contrived situations and smart dialogue, which is occasionally a bit zippy, and high class individual performances by the cast against a background of worthy production detail, the film matches the standard of Columbia's better pictures.

Fresh and novel in theme, the show is built of popular stuff and is gay, airy amusement. Handling his role understandingly, George Brent plays a physical culture magazine publisher and is a nut for all health food fads. As the chief patron of a secretarial school run by Ruth Donnelly, Jean Arthur, because of her inability to keep the stenographers, decides to take a job with Brent herself.

It is love at first sight for both. Because she turns the financially weak magazine into a money-maker while Brent is vacationing, Miss Arthur is made editor when he returns and Dorothy Kent, a dizzy blonde, is hired as her secretary. There ensues a gay series of misunderstandings causing Brent to think he is in love with Miss Kent and other incidents causing Miss Arthur to rise in womanly wrath. In the hilarious climax Brent, waking up to the true state of his business and romantic affairs, chases after Miss Arthur to pop the question which will make her his wife as well as his editor.

With fun the principal quality of Brent's and Miss Arthur's work, their efforts are accentuated by the contributions of Miss Donnelly, Miss Kent, Lionel Stander, Reginald Denny and Charles Halton. Composed of elements calculated to please audiences and exhibitors, the film is based on "Safari in Paradise" by Matt Taylor with the screen play by Dale Van Every and Lynn Starling. Alfred E. Green directed.

Previewed without production code seal. Running time, 80 minutes. "G."

"Racing Lady"

(*Radio*)

HOLLYWOOD, Dec. 1.—The sole distinction of this offering is the exciting horse race finish which, if it were built up for greater suspense, might have raised the picture above average. However, events leading to the race are so dull and the characters so artificial that interest lags until that scene starts and the picture concludes when the race ends.

The central characters are Ann Dvorak; Harry Carey, her father, who trains horses; Smith Ballew, a wealthy automobile manufacturer who races his stable to advertise his cars; Berton Churchill and Ray Mayer, touts, and Willie Best, Alex Hill and Hattie McDaniel, colored aides to Carey's family. Ballew tricks Miss Dvorak into training his string and differs with her on racing etiquette, but unites with her romantically after Miss Dvorak wins the arguments and the big handicap race.

Dorothy Yost, Thomas Lennon and Cortland Fitzsimmons wrote the screen play from two stories, one by Damon Runyon and the other by J. Robert Bren and Norman Houston, which Wallace Fox directed.

Ballew, making a poor showing in his first appearance, may console himself that the part would probably have defeated a more experienced actor. Suitable only for dual billing, the picture can best be plugged by stressing the race sequence.

Production Code Seal No. 2,664. Running time, 59 minutes. "G."

"Winterset," opening tomorrow morning at the Radio City Music Hall, was previewed from the coast on Nov. 14.

"Tundra" and "King of Hockey" open this morning at the Criterion. The former was previewed by wire from Hollywood on Aug. 22 and the latter on Oct. 31.

"Rembrandt," another picture opening this morning, but at the Rivoli, was reviewed by cable from London on Nov. 17.

Sells Chicago Franchise

Max D. Weinberger, general sales manager of General Pictures Corp., has sold a five-year franchise for the Chicago territory to Henri Elman, operator of the Capitol Film Exchange there. Elman has organized General Pictures of Illinois to handle the product separately from Capitol.

Dr. Otto Freminger Ill

HOLLYWOOD, Dec. 1.—Dr. Otto Ludwig Freminger has given up his assignment to direct "Nancy Steele Is Missing" for Twentieth Century-Fox because of illness. George Marshall will replace him. Dr. Freminger will direct "Rings On My Fingers" when he has recovered.

Variety Club

Indianapolis

INDIANAPOLIS, Dec. 1. — CARL NIESSE has been elected chief barker of Tent No. 10, succeeding MARC J. WOLF, who had served two terms.

Other officers are FLOYD BROWN, first vice-president; A. C. ZARING, second vice-president; B. E. JOLLEY, treasurer, and SOL GREENBERG, secretary.

Directors named are CURTIS BUTLER, KENNETH COLLINS, R. W. BAKER, HARRY MARKUN, DALE MILLER and JOE CANTOR. The new officers will take over on Jan. 1.

Minneapolis

MINNEAPOLIS, Dec. 1.—FRED ASTAIRE will judge the prize waltz contest at the Twin City Variety Club charity ball Saturday night at the Hotel Radisson. Although he will not be there in person, pictures of the contestants in action will be made and sent to him in Hollywood.

Proceeds of the ball will go to the Glen Lake sanitarium for the installation of a ventilating system to permit patients to see pictures all the year round.

Washington

WASHINGTON, Dec. 1. — Tent No. 11 will hold its annual election Dec. 7. Five new members to be added to the board of governors.

Those retiring from two-year terms are : J. LOUIS ROME, SAMUEL N. WHEELER, HARRY HUNTER, WILLIAM E. S. WILCOX, and HARRY S. BROWN.

The governors half way through two-years terms are CARTER T. BARRON, A. JULIAN BRYLAWSKI, JOHN J. PAYETTE, RUDOLPH BERGER, SAMUEL A. GALANTY, JOSEPH P. MORGAN.

Wall Street

"U," Eastman Gain on Board

	High	Low	Close	Net Change
Columbia	37½	37	37	— ¼
Columbia, pfd.	42¼	42¼	42¼	+ ¼
Consolidated	4⅞	4⅝	4⅝	— ⅛
Consolidated, pfd.	17	16½	16½	— ⅞
Eastman Kodak	179	179	179	—1
Eastman, pfd.	164	164	164	+2
Gen. T. Equip.	29	28¾	28¾	— ¾
Loew's, Inc.	64⅝	63⅜	63¾	— ½
Loew's, Inc., pfd.	106	106	106	.....
Paramount	21⅞	21	21¼	+ ⅛
Paramount 1 pfd.	159½	156	156	+2
Paramount 2 pfd.	19⅞	19⅛	19¼	.....
Pathe Film	8⅞	8¼	8⅜	+ ⅛
RKO	8	7⅝	7⅞	.....
20th Century-Fox	37¾	36¾	37½	.....
20th Century, pfd.	47	47	47	— ½
Universal, pfd.	105	105	105	+2
Warner Bros.	17⅜	16⅝	16⅝	— ⅛

Curb Drops Slightly

	High	Low	Close	Net Change
Grand National	3⅜	3¼	3¼	.....
Sentry Safety	⅞	¾	¾	.....
Sonotone	2⅛	2	1⅞	— ¼
Technicolor	22¾	22	22	— ⅜
Trans-Lux	4⅞	4¾	4¾	— ⅛

Bonds Rise a Little

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	101¼	101¼	101¼	+ ¼
Paramount B'way 3s '55	70⅞	70¼	70⅞	+ ⅝
Paramount Pict. 6s '55	101¼	101	101	.....
RKO 6s '41 pp	116½	116⅜	116½	.....
Warner Bros. 6s '39 wd	98¾	98⅜	98⅜	+ ⅛

(Quotations at close of Dec. 1)

"Go West" Up In Boston on $25,000 Take

BOSTON, Dec. 1.—Above average by $3,000, "Go West Young Man" grossed $25,000 at the Metropolitan with Clyde Lucas and his orchestra as the stage attraction.

"15 Maiden Lane" did $13,500 at the RKO Boston with an all colored stage review featuring Ethel Waters. Average is $11,000. "Come and Get It," with "Legion of Terror," drew $13,500 at Loew's Orpheum, above par by $1,500, while the same program grossed $12,000 at the Loew's State, $1,000 above average.

"Under Your Spell," with only $4,000 for four days at the RKO Memorial, was replaced by "East Meets West" which also failed to click, taking only $4,500 for four days.

Cold and snow offered real opposition.

Total first run business was $84,300. Average is $79,500.

Estimated takings for the week ending Nov. 27:

"POLO JOE" (F. N.)
"STRAIGHT FROM THE SHOULDER" (Para.)
FENWAY — (1,382), 30c-50c, 7 days. **Gross:** $4,800. (Average, $4,500)

"UNDER YOUR SPELL" (20th-Fox)
"EAST MEETS WEST" (G. B.)
RKO MEMORIAL—(2,907), 25c-50c-65c, 4 days each film. **Gross:** $4,000 first half; $4,500, second half. (Average, 7 days, $12,000)

"COME AND GET IT" (U. A.)
"LEGION OF TERROR" (Col.)
LOEW'S ORPHEUM—(2,970), 35c-45c-65c, 7 days. **Gross:** $13,500. (Average, $12,000)

"COME AND GET IT" (U. A.)
"LEGION OF TERROR" (Col.)
LOEW'S STATE—(3,537), 35c-45c-65c, 7 days. **Gross:** $12,000. (Average, $11,000)

"GO WEST, YOUNG MAN" (Para.)
METROPOLITAN—(4,332), 35c-50c-65c, 7 days. Stage: Clyde Lucas and his Orchestra, Helen Charlston. **Gross:** $25,000. (Average, $22,000)

"POLO JOE" (F. N.)
"STRAIGHT FROM THE SHOULDER" (Para.)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)

"15 MAIDEN LANE" (20th-Fox)
RKO BOSTON—(3,246), 25c-50c-65c, 7 days. Stage: All Colored Review with Ethel Waters. **Gross:** $13,500. (Average, $11,000)

Soviet Shorts in Canada

TORONTO, Dec. 1.—Cosmopolitan Films, Ltd., has begun the release in Canada for the first time of Soviet short subjects, the first of the series being "U. S. S. R. on the Screen" and "Here and There with a Camera." The company has been releasing Soviet-made features for more than a year.

Resumes Film Policy

MONTREAL, Dec. 1.—After a brief test of dramatic road productions, the Imperial here, controlled by Famous Players. Canadian Corp., has returned to an all-film policy, with continuous double bills at prices ranging from 20 to 34 cents, programs being changed twice weekly.

Seek Sunday Show Vote

ANNAPOLIS, Md., Dec. 1.—The City Council has passed a resolution requesting the State Legislature to authorize a referendum on Sunday shows here.

"Wives Never" on Dual Leads Omaha

OMAHA, Dec. 1.—The Orpheum set the pace, grossing $8,000 on "Wives Never Know" and "East Meets West" despite the fact the bill was pulled after six days to make way for a Thanksgiving day opening for the Olsen and Johnson stage show. The seven-day average is $7,500.

The Brandeis also had its best week in months, grossing $6,300 for an eight-day run of "Three Men on a Horse" and "The Case of the Black Cat" as compared to the seven day average of $4,000.

"Tarzan Escapes" and "The Longest Night" also had a big week at the Omaha, going $1,000 over par of $5,500.

Three dust storms and the first snowfall of the season hurt business.

Total first run business was $29,600. Average is $27,200.

Estimated takings:

Week Ending Nov. 25:

"THREE MEN ON A HORSE" (F. N.)
"THE CASE OF THE BLACK CAT" (F. N.)
BRANDEIS—(1,200), 25c-35c-40c, 8 days. **Gross:** $6,300. (Average, $4,000)

"TARZAN ESCAPES" (M-G-M)
"THE LONGEST NIGHT" (M-G-M)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $5,500. (Average, $5,500)

"GO WEST, YOUNG MAN" (Para.)
PARAMOUNT—(2,900), 25c-35c-55c, 7 days. **Gross:** $9,800. (Average, $10,200)

"WIVES NEVER KNOW" (Para.)
"EAST MEETS WEST" (G. B.)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $8,000. (Average, $7,500)

"Love on Run" Is Indianapolis Win

INDIANAPOLIS, Dec. 1.—"Love on the Run" took a smashing $12,500 at Loew's in a week that gave the first runs heavy business. The Loew's take was $6,500 above normal. Cold weather swept into town on Thanksgiving Eve, but didn't slow holiday trade.

High-powered also was "Go West, Young Man," worth $7,500 at the Circle for $3,500 upstairs. "The Big Game" was double-billed with it. "The Luckiest Girl in the World," plus "Manhattan Scandals of 1937" on the stage, sent the Lyric gross $3,200 into the black with $10,200. "Reunion" at the Apollo wasn't as well liked by the customers as the quints' first picture, but did $1,100 upstairs for $5,100, nevertheless.

Total first run business was $35,300. Average is $21,000.

Estimated takings:

Week Ending Nov. 26:

"REUNION" (20th-Fox)
APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $5,100. (Average, $4,000)

Week Ending Nov. 27:

"GO WEST, YOUNG MAN" (Para.)
"THE BIG GAME" (Radio)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $7,500. (Average, $4,000)

"LOVE ON THE RUN" (M-G-M)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $12,500. (Average, $6,000)

"LUCKIEST GIRL IN THE WORLD" (Univ.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: "Manhattan Scandals of 1937." **Gross:** $10,200. (Average, $7,000)

"Three Men" Washington's Hit, $21,700

WASHINGTON, Dec. 1.—"Three Men on a Horse" proved a smash hit, taking $21,700 at the Earle to go over average by $3,300.

"Wives Never Know," at the Metropolitan, out-grossed par by taking $4,800, over by $500. A return engagement of "Pigskin Parade," at Loew's Columbia, took $500 over an average of $4,100.

Opposition included Katharine Cornell in "The Wingless Victory," at the National for five days.

Total first run business was $70,600. Average is $76,700.

Estimated takings, exclusive of tax:

Five Days Ending Nov. 24:

"LUCKIEST GIRL IN THE WORLD" (Univ.)
RKO-KEITH'S — (1,836), 25c-55c, 4 2/3 days. **Gross:** $7,000. (Average, 7 days, $10,600)

Six Days Ending Nov. 25:

"LA KERMESSE HEROIQUE" (Amer. Tobis)
BELASCO—(1,140), 25c-65c, 5 2/3 days on 3rd week. **Gross:** $1,800. (Average, 7 days, first week, $3,000)

Week Ending Nov. 25:

"PIGSKIN PARADE" (20th-Fox)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days, return engagement. **Gross:** $4,100. (Average, first run, $3,600)

"COME AND GET IT" (U. A.)
LOEW'S PALACE—(2,370), 35c-55c, 7 days. **Gross:** $13,000. (Average, $15,900)

Week Ending Nov. 24:

"WIVES NEVER KNOW" (Para.)
METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $4,800. (Average, $4,300)

Week Ending Nov. 26:

"THREE MEN ON A HORSE" (F. N.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Neila Goodelle, the Manginias, Lou Duthers with Jean & Joan, Cookie Bowers, Cappy Barra & Harmonica Ensemble. **Gross:** $21,700. (Average, $18,400)

"REUNION" (20th-Fox)
LOEW'S CAPITOL—(3,434), 25c-66c. 7 days. Stage: Johnny Perkins, Art Brown, Frank Duke, DeRoze, Elida Ballet, Madelyn Killeen, Glen Carow, Charles Withers & Co. **Gross:** $18,200. (Average, $20,900)

"Love on Run" $19,000 Lead In Cleveland

CLEVELAND, Dec. 1.—"Love on the Run" was the big box-office attraction of the week. It played to $19,000 in seven days at Loew's State and was the second picture in the history of the house to be held a second week. The other one was "San Francisco."

"The Smartest Girl in Town" on the RKO Palace screen with Leon Errol and his Hollywood Models on the stage came within $500 of average. Other houses were off, partly because of shortened weeks for a Thanksgiving day opening.

In addition to the Automobile Show, Thanksgiving holiday which arrived with an eleven foot snow storm, concerts, "The Children's Hour" at the Hanna and private holiday entertainment offered stiff competition.

Total first run business was $47,950. Average is $49,000.

Estimated takings for the week ending Nov. 25:

"THE MAN WHO LIVED AGAIN" (G. B.)
ALLEN — (3,300), 30c-35c-42c, 5 days. **Gross:** $4,700. (Average, 7 days, $5,000)

"LOVE ON THE RUN" (M-G-M)
LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $19,000. (Average, $15,000)

"WEDDING PRESENT" (Para.)
LOEW'S STILLMAN—(1,900), 25c-35c, 7 days. **Gross:** $3,000. (Average, $4,000)

"THE SMARTEST GIRL IN TOWN" (Radio)
RKO PALACE—(3,100), 30c-42c-60c, 6 days. Stage: Leon Errol and his "Hollywood Models." **Gross:** $14,500. (Average, $15,000)

"THE GAY DESPERADO" (U. A.)
WARNERS' HIPPODROME — (3,800), 30c-35c-42c, 5 days. **Gross:** $6,750. (Average, 7 days, $10,000)

"Go West" Out Front in K.C. With $10,400

KANSAS CITY, Dec. 1.—What was considered a good pre-Thanksgiving week of six days gave "Go West, Young Man" the best showing. The Mainstreet took $10,400 with the picture, which was moved to the Newman for a second week. This was $3,100 better than average.

The Automobile Show drew 40,000 over the weekend and pulled strongly during the week, but theatremen believe it helped. The Orpheum drew good crowds to see "Boy Meets Girl," legitimate show.

"Here Comes Carter" and stage show gave the Tower $7,900, well over its $5,800 average for six days.

Total first run business was $37,500. Average is $33,100.

Estimated takings:

Week Ending Nov. 25:

"GO WEST, YOUNG MAN" (Para.)
MAINSTREET—(3,100), 25c-40c, 6 days. **Gross:** $10,400. (Average, 6 days, $7,300)

"THE GAY DESPERADO" (U. A.)
"SWORN ENEMY" (M-G-M)
MIDLAND — (4,000), 25c-40c, 6 days. **Gross:** $10,300. (Average, 6 days, $10,300)

"THREE MEN ON A HORSE" (W. B.)
NEWMAN—(1,900), 25c-40c, 6 days, 2nd week. **Gross:** $5,900. (Average, 6 days, $6,200)

"HERE COMES CARTER" (W. B.)
TOWER—(2,200), 25c, 6 days. Stage: Helen Honan; Jennier and Buddy; Fitz & Murphy Bros.; Al Swartz and Wally Eagle. **Gross:** $7,900. (Average, 6 days, $5,800)

"UNDER YOUR SPELL" (20th-Fox)
"MUMMY'S BOYS" (Radio)
UPTOWN—(2,000), 25c-40c, 6 days. **Gross:** $3,000. (Average, 6 days, $3,500)

"Ambassador Bill" Best in Oklahoma

OKLAHOMA CITY, Dec. 1.—Will Rogers' name has lost none of its drawing power here. A reissue of "Ambassador Bill" at the Capitol went $100 over normal for a take of $2,100 in a dull week.

"The Longest Night," with a stage show, "Comedy Stars of Hollywood," reached $2,800 in four days at the Liberty.

Total first run business $14,000. Average is $14,500.

Estimated takings for the week ending Nov. 28:

"COME AND GET IT" (U. A.)
CRITERION—(1,700), 10c-35c-55c, 7 days. **Gross:** $3,800. (Average, $5,000)

"REUNION" (20th-Fox)
MIDWEST—(1,500), 10c-35c-55c, 7 days. **Gross:** $4,000. (Average, $4,000)

"AMBASSADOR BILL" (20th-Fox) (Reissue)
CAPITOL—(1,200), 10c-25c-40c, 7 days. **Gross:** $2,100. (Average, $2,000)

"THE LONGEST NIGHT" (M-G-M)
LIBERTY—(1,500), 10c-25c-40c, 4 days. On Stage: "Comedy Stars of Hollywood." **Gross:** $2,800. (Average, for week, $3,000)

"THE BIG GAME" (Radio)
"HOLLYWOOD BOULEVARD" (Para.)
LIBERTY—(1,500), 10c-25c-35c, 3 days. **Gross:** $1,300. (Average, for week, $3,000)

"Pigskin" Is Twin Cities' Top, $8,000

MINNEAPOLIS, Dec. 1.—"Pigskin Parade" led the first runs with a take of $8,000, over average by $4,500 at the St. Paul Orpheum in a good show week in both cities.

"Libeled Lady" at the Lyric took $3,000, doubled average and ended its three-week run. It opened at the Minnesota. "Ecstacy" continued doing well at the World with a take of $4,500.

Total first run business in Minneapolis was $30,000. Average is $25,500. Total first run grosses in St. Paul were $20,250. Average is $14,500.

Estimated takings:

Minneapolis:

Week Ending Nov. 24:

"OLD HUTCH" (M-G-M)

STATE—(2,300), 25c-40c, 6 days. **Gross:** $6,000. (Average, $5,500)

Week Ending Nov. 25:

"GO WEST, YOUNG MAN" (Para.)

MINNESOTA—(4,000), 25c-55c, 6 days. **Gross:** $7,000. (Average, $10,000)

"THREE MEN ON A HORSE" (W. B.)

ORPHEUM—(2,900), 25c-40c, 6 days. **Gross:** $9,000. (Average, $6,000)

"LIBELED LADY" (M-G-M)

LYRIC—(1,239), 25c-55c, 6 days, 3rd week. **Gross:** $3,000. (Average, $1,500)

Week Ending Nov. 26:

"ECSTASY" (Eureka)

WORLD—(400), 25c-35c, 7 days, 3rd week. **Gross:** $4,500. (Average, $2,500)

St. Paul:

Week Ending Nov. 25:

"DODSWORTH" (U. A.)

PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $4,750. (Average, $5,500)

"LADIES IN LOVE" (20th-Fox)

RIVIERA—(1,000), 25c-40c, 6 days. **Gross:** $4,500. (Average, $4,000)

Week Ending Nov. 26:

"PIGSKIN PARADE" (20th-Fox)

ORPHEUM—(2,000), 25c-40c, 7 days. **Gross:** $8,000. (Average, $3,500)

Week Ending Nov. 27:

"OUR RELATIONS" (M-G-M)

TOWER—(1,000), 15c-25c, 8 days. **Gross:** $3,000. (Average, $1,500)

Vancouver Firm on Sunday Film Point

VANCOUVER, B. C., Dec. 1.—The Vancouver City Council remains firm in its belief that films on Sunday are immoral influences on the life of the city. Even free previews are now banned as a matter of precedent.

J. R. Muir, manager of the Strand, asked the City Council for permission to hold a special Sunday showing of "Nine Days a Queen," on the ground that the picture was "historical and educational." No admission was to be charged. The Council refused, calling it an advertising stunt. If Muir promised not to show the picture later with admission charges, the Council agreed to let him hold his free Sunday showing. Muir turned down the offer.

Walters to Ambridge

PITTSBURGH, Dec. 1.—Harry Walters, formerly assistant manager of Warners' Kenyon, has been made manager of the Prince, Ambridge, Pa. Edward Auld, former usher at the Stanley, has been made assistant at the Schenley. He succeeds Jules Green, who has become assistant at the Stanley.

"Theodora" Is Philadelphia 2nd Week Hit

PHILADELPHIA, Dec. 1.—For the second week, "Theodora Goes Wild" topped the first runs, getting $17,000 at the Fox. It was booked for a third downtown week at the Earle, marking the second time in the last few weeks that this normally first run theatre has had a second run.

"Love on the Run" also proved a winner at the Boyd, getting $16,500 and staying for a second week. "Come and Get It" ended strongly at the Aldine with $7,200 for its last six days. Everything else was weak.

Total first run business was $72,600. Average is $77,825.

Estimated takings for the week ending Nov. 26:

"COME AND GET IT" (U. A.)

ALDINE—(1,300), 40c-55c-65c, 6 days, 2nd week. **Gross:** $7,200. (Average, $8,160)

"GAY DESPERADO" (U. A.) (2nd run)

ARCADIA—(600), 25c-40c-50c, 7 days. **Gross:** $2,100. (Average, $2,400)

"LOVE ON THE RUN" (M-G-M)

BOYD—(2,400), 40c-55c, 7 days. **Gross:** $16,500. (Average, $4,000)

"OUR RELATIONS" (M-G-M)

EARLE — (2,000), 25c-40c-55c, 6 days. **Gross:** $9,500. (Average, 7 days, $14,000)

"THEODORA GOES WILD" (Col.)

FOX—(3,000), 40c-55c-65c, 7 days, 2nd week. **Gross:** $17,000. (Average, $14,000)

"FOLLOW YOUR HEART" (Republic)

KARLTON—(1,000), 25c-35c-40c, 6 days. **Gross:** $1,800. (Average, 7 days, $4,000)

"A WOMAN REBELS" (Radio) (2nd run)

KEITH'S—(2,000), 30c-40c-50c, 7 days. **Gross:** $2,000. (Average, $4,000)

"REUNION" (20th-Fox)

STANLEY — (3,700). 40c-55c, 7 days. **Gross:** $10,000. (Average, $14,000)

"THE BIG GAME" (Radio)

STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $6,500. (Average, $7,000)

Midwest Hopes for Snow to Clear Dust

OMAHA, Dec. 1.—Dust storms are becoming as detrimental to business for midwestern theatres as snow and rain, a survey in Omaha indicates. After the third storm in less than a week struck Omaha, inquiries revealed that business had fallen off noticeably.

Exhibitors now are looking forward to a beneficial snow to settle the dust and hope last year's experience, when several Kansas houses had to close, will not be repeated. Increased installation of air conditioning units last summer are proving helpful, however, in keeping the interior of theatres clear of the penetrating dust.

To Hold Sound Course

OCALA, Fla., Dec. 1.—Plans have been completed for a week's course in sound film work to be held at the University of Florida School of Adult Education, at Camp Roosevelt, for members of the I.A.T.S.E. in the state. The course will begin Dec. 14.

Ban Projector Insurance

SEATTLE, Dec. 1.—Insurance companies writing marine policies in the state of Washington have banned policies on sound projectors and projection room equipment, when installed for continuous use in theatres or auditoriums.

Obeys the Law

Des Moines, Dec. 1.—E. P. Lampman, owner of the Grundy in Grundy Center, obeys the laws even if he does not like them. Grundy Center is one of two towns in Iowa that still prohibit Sunday shows.

Recently, while giving a free show to the larger boys and girls of the town on Saturday night, he stopped promptly at 12 o'clock before the show was quite finished, much to the disappointment of his audience.

"Love on Run" Sets the Pace In Pittsburgh

PITTSBURGH, Dec. 1.—"Love on the Run" was the big noise of the week with a take of $14,500 at the Penn, over normal by $3,500.

Two holdovers also were profitable. "Theodora Goes Wild" at the Alvin was $500 to the good on a $6,000 take and "Pigskin Parade" was up by $1,250 on a gross of $4,750 at the Fulton. Other business was off.

Total first run business was $48,000. Average is $44,000.

Estimated takings for the week ending Nov. 25:

"THEODORA GOES WILD" (Col.)

ALVIN—(2,000), 25c-40c, 7 days, 2nd week. **Gross:** $6,000. (Average, $5,500)

"PIGSKIN PARADE" (20th-Fox)

FULTON—(1,750), 25c-40c, 7 days, 2nd week. **Gross:** $5,750. (Average, $4,500)

"LOVE ON THE RUN" (M-G-M)

PENN—(3,300), 25c-50c, 7 days. **Gross:** $14,500. (Average, $11,000)

"VALIANT IS THE WORD FOR CARRIE" (Para.)

STANLEY — (3,600), 25c-60c, 6 days. Stage: Ben Bernie's band with Ray Hendricks, Billy Wilson, Joey Rardin, Dawn O'Day and the Four Playboys. **Gross:** $18,000. (Average, 7 days, $18,500)

"THE CAPTAIN'S KID" (F. N.)

"MURDER WITH PICTURES" (Para.)

WARNER — (2,000), 25c-40c, 6 days. **Gross:** $3,750. (Average, 7 days, $4,500)

Hanson Circuit Is Adding Two Houses

TORONTO, Dec. 1.—The rapidly growing circuit of Hanson Theatre Corp. is being further increased by the erection of a neighborhood house here, the Bayview. Work has also started on the construction of a new theatre at Timmins in northern Ontario.

Famous Players Canadian Corp. is constructing a new theatre in Woodstock, Ont., while work is progressing rapidly on Famous Players' houses in Sarnia, Ont., and Hull, Quebec. The Vanity, 1,000 seat house, in Windsor, has opened with a double bill policy and 35-cent admission top.

Shift Cooper Managers

DENVER, Dec. 1.—The J. H. Cooper Enterprises have shifted several managers. Mancel Lofgren is now at the Park, Greely; M. Irwin, assistant at the Mission, Grand Junction, has been named manager, succeeding R. W. Huffman who went to the Uptown, Pueblo; Edward Vaughn, of the Uptown now manages the Sterling, Greeley.

"Reunion" and Show $26,500 Win, Detroit

DETROIT, Dec. 1.—"Reunion" at the Fox, with Fats Waller and a Harlem revue on the stage, led Detroit first runs out of a two-week slump with a take of $26,500. This was $6,500 to the good.

"Three Men on a Horse," with a stage show, hit $25,400 at the Michigan, in the black by $5,400, and "A Midsummer Night's Dream" pulled $11,600 at the Madison.

Total first run business was $80,800. Average is $70,000.

Estimated takings for the week ending Nov. 26:

"LEGION OF TERROR" (Col.)

"THANK YOU, JEEVES" (20th-Fox)

ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $3,600. (Average, $5,000)

"REUNION" (20th-Fox)

FOX—(5,100), 15c-75c, 7 days. Stage: Fats Waller and Harlem Revue. **Gross:** $26,500. (Average, $20,000)

"THREE MEN ON A HORSE" (F. N.)

MICHIGAN—(4,100), 15c-75c, 7 days. Stage: "Folies Parisienne" revue. **Gross:** $25,400. (Average, $20,000)

"ROSE BOWL" (Para.)

"CHARGE OF THE LIGHT BRIGADE" (W. B.)

STATE—(3,000), 10c-40c, 7 days. **Gross:** $5,100. (Average, $5,000)

"OLD HUTCH" (M-G-M)

UNITED ARTISTS—(2,070), 15c-65c, 7 days. **Gross:** $8,600. (Average, $10,000)

"A MIDSUMMER NIGHT'S DREAM" (W. B.)

MADISON—(2,000), 15c-65c, 7 days. **Gross:** $11,600. (Average, $10,000)

Reserve Bank Study Shows Big Ohio Gain

COLUMBUS, Dec. 1.—Gains in practically every line of trade and industrial activity were in evidence in the Fourth Federal Reserve District during late September and early October, and in some instances production was at record high levels, according to a survey just released by the Federal Reserve authorities in this district.

In comparison with a year ago, gains in employment ranged from a slight increase at Akron, eight per cent at Cleveland and Canton, to 19 per cent at Springfield, 21 per cent at Dayton and 32 per cent at Toledo. In the entire state of Ohio the index at over 2,000 plants was only slightly under the 1926 average, while the gain in the past year exceeded four per cent.

Residence construction in September was the highest since 1929. Department store sales during September were nearly 20 per cent larger than in September, 1935. Furniture store sales were up 31 per cent. Estimated cash income to farmers is larger now than in the past several years, the survey shows. The Fourth Federal Reserve District covers Ohio, northern Kentucky and western Pennsylvania, including Pittsburgh.

Get a Sunday Permit

VANCOUVER, Dec. 1.—Film Arts Society, local group devoted to showing foreign film, has received permission from the City Council to hold Sunday shows. Admission is by membership card only, but memberships consist of season tickets.

Vancouver showmen, smarting under the long-standing "no-Sunday-shows" law, are none too pleased.

Ruling Reserved in Moser-Terry Action

WHITE PLAINS, Dec. 1.—Justice Raymond E. Aldrich today reserved decision on a motion of Frank H. Moser for examination of Earl W. Hammons before trial in Moser's suit for $500,000 against Paul H. Terry, president, and William M. Weiss, secretary, of TerryToons, Inc., and Hammons, as head of Educational.

The suit has been pending for some time. Moser charges that he was misled into a sale of his half interest in TerryToons.

Bain Sues Garrison

Leslie Bain, independent producer, filed a suit yesterday in Supreme Court for $3,150 against the Garrison Film Distributors, Inc., Ludwig Landy, president, and Irving Franklin, an officer of the corporation. In November, 1934, the plaintiff charges he entered into a contract with the defendants to produce a number of shorts which were to be propaganda films for the Communist party. Bain contends he was told by the defendants that they had an outlet for these films in the U. S. and Europe and that they could arrange for huge masses to attend the showing of these pictures. He was to receive $1,000 for each picture. He made two shorts costing $2,800, for which he has not been paid, he says.

Decision Hits Trust Law

Possible significance to the film industry was seen yesterday in a decision by N. Y. Supreme Court Justice Rosenman that the exemption of labor unions from the provisions of state anti-trust laws might be extended to a trade association concluding an agreement with a union. Involving the fur trade in New York, the agreement in question provided in part that "there shall be but one collective labor agreement in the fur manufacturing industry in the greater city of New York."

File a Tax Suit

SPOKANE, Dec. 1.—Northwest Film Service of Seattle has filed suit in Superior Court against the State Tax Commission for a return of $720 which, company officials contend, they paid as a tax on a business which should have been exempt.

The exemption is sought on the ground that the transportation of films is interstate commerce.

Delay Fox Hearing

ATLANTIC CITY, Dec. 1.—The William Fox bankruptcy examination was postponed today for another week because of the presence of attorneys at the Federal court in Camden.

Ohio Cuts 22 in Month

COLUMBUS, Dec. 1.—Only 22 eliminations were ordered from a total of 504 reels reviewed by the Ohio censors for November, ending Nov. 26. During the first week of the month there was not a single elimination in a total of 127 reels reviewed. It compares with a total of 49 eliminations in 714 reels reviewed in October.

Films in the Town Hall

NEW CANAAN, Conn., Dec. 1.—Although the Selectmen refuse to turn the town hall into a full-time theatre, the Parent-Teacher Ass'n now sponsors a show one night a week.

Purely Personal

SIR CEDRIC and LADY HARDWICKE, DENIS O'DEA of the Abbey Players, who has finished a role in "The Plough and the Stars"; ERIC VON STROHEIM and SIDNEY LINNETT, London theatre manager, depart today on the *Queen Mary*.

•

CLINTON M. WHITE, assistant to GEORGE W. WEEKS, G. B. general sales manager, will visit the Indianapolis exchange tomorrow from Columbus, where he attended the Ohio I. T. O. convention.

•

CECIL B. DEMILLE leaves for Chicago today and from there goes to Omaha and Denver to attend openings of "The Plainsman," en route back to the coast.

•

LEO J. MCCARTHY, former chief booker for Fox Midwest and now with Republic studios, writes that he's beginning to like Hollywood, its byways and highways.

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J. M. SOULAND, executive president of Archland Prod., Inc., has gone to the coast for conferences with independent producers.

•

HARMON YAFFA has formed National Advertising Film Co. for distribution of advertising shorts.

•

The MILTON ("Mentone") SCHWARZWALDS celebrate another wedding anniversary Sunday evening.

•

HERBERT MARSHALL will leave for the coast via American Airlines on Friday.

•

JACK WHITE of Twentieth Century-Fox will head for Hollywood tomorrow. He will travel via the air lanes.

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FRANK MCCARTHY has returned from a tour of the south, including New Orleans, Charlotte and Atlanta.

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NAT HOLT, RKO theatre district head, is in from Cleveland and will return the latter part of the week.

•

KAY KAMEN is in Chicago and will be in Columbus tomorrow. He's due back Dec. 15.

•

SAMUEL J. BRISKIN plans to leave here tomorrow on his return to the RKO studio.

•

OSCAR BINDER of Universal went to Washington yesterday. He will return Friday.

•

HAROLD MCCRACKEN, Arctic explorer, will attend the Criterion tonight for a showing of "Tundra."

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DR. HERBERT ERLANGER, Warner attorney, is due on the *Champlain* today.

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ROBERT L. MILLER of Wilding Pictures left for Detroit last night.

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A. E. FRIEDMAN will fly to Detroit this morning with American Airlines.

•

EDWARD L. ALPERSON will return tomorrow from Denver.

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JACK PARTINGTON is back from the coast.

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CHARLES KOERNER was in town from Boston recently.

M. H. AYLESWORTH, NED E. DEPINET, WILLARD MCKAY, PHIL REISMAN, MARTIN QUIGLEY, RALPH ROLAN and JOHNNY WALKER did their lunching at "21" yesterday.

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SIDNEY SKOLSKY, Hollywood correspondent of the *New York Daily News*, is in New York.

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MARC LAWRENCE, Columbia player, arrives today from the coast for a brief New York vacation.

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LINDA WATKINS and KENNETH MACKENNA will play two of the leading roles in "Aged 26," which will open on Broadway, Dec. 22.

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LEE MARCUS is back in Hollywood after a short stay here.

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. . . Denver

C. C. MCDERMOTT, who resigned as manager for the Salt Lake City Mercury exchange, has been succeeded by CHARLES FELDMAN, recently Grand National salesman. JAMES KEITZ, Grand National salesman in the Salt Lake territory, will cover the Denver territory for a time.

CHARLES KLEIN is in town for conferences with CHARLES U. YAEGER, his partner.

A. C. KNOX, Erpi district manager, is recovering from a tonsil operation.

L. J. FINSKE district manager for the J. H. Cooper Enterprises, and WALTER SHUTTEE, city manager at Pueblo, Col., were injured when their car was wrecked. FINSKE suffered a cut on the forehead, and SHUTTEE was shaken up.

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. . . London

VIRGINIA CHERRILL and W. P. LIPSCOMB arrived on the *Queen Mary*.

ROBERT BASSLER, from Hollywood, is in charge of London story department of Twentieth Century-Fox.

MRS. AD SCHULBERG opens offices here as artists' agent, with FREDERICK BRISSON handling publicity.

D. SCANLAN, recording supervisor at Worton Hall studios, now European sound expert for March of Time. Succeeded at Worton Hall by A. R. JOLLY.

A. P. HERBERT, M. P. and *Punch* distributor, declared interested in production company, with eight picture programs, in association with SIR CEDRIC HARDWICKE and REGINALD POUND.

SZOCKE SZAKALL, Hungarian actor, here for Capitol-Grafton's "The Lilac Domino."

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. . . Los Angeles

HERMAN WOBBER, here conferring with SIDNEY R. KENT, left for San Francisco.

CHARLES ALDEN of the Globe, Globe, Ariz., is in town, booking.

DEAN HYSKELL of Fox West Coast is returning to the hospital to have his nose reset after a recent break.

ART BRECK of the Palace, Las Vegas, Nev., spending several days in town, booking.

WILLIAM PRASS appointed manager of the Fox West Coast Apollo, replacing JOHN J. CARDAS, who goes to the Ravenna to replace CLAUDE F. SPAETH, resigned. B. F. DE DICI becomes manager of the Calexico, replacing H. L. WAYCOTT, resigned.

Czechoslovak Films Subsidy Is Revised

WASHINGTON, Dec. 1.—New regulations governing the granting of subsidies to Czechoslovak producers of features in the Czech language have been adopted by the Film Advisory Board, according to a report to the U. S. Dept. of Commerce from Acting Commercial Attache Jule B. Smith in Prague.

The board, under the revised subsidy plan, divided contemplated Czech productions into four groups: (1) those which the board does not recognize and, therefore, grants no subsidy; (2) those which the board recognizes and accords a subsidy of 70,000 crowns (about $25,000); (3) those which the board recognizes and recommends and accords a subsidy of 140,000 crowns (about $50,000); and (4) those which the board considers of exceptional quality and accords a subsidy of 210,000 crowns (about $75,000).

The recent plan to accord Government guarantees on approved Czechoslovak productions up to 50 per cent of the calculated cost, within a total available amount of 10,000,000 crowns (about $350,000), remains intact and supplements the subsidy provisions.

Unit to Aid Films Is Planned in Cuba

WASHINGTON, Dec. 1.—A bill has been introduced into the Cuban Senate providing for the creation of an organization to be known as the Patronato de la Cinematografia Nacional (National Motion Picture Board), to supervise and otherwise assist the development of a film industry, according to a report to the U. S. Dep't of Commerce from Assistant Commercial Attache Charles H. Ducote in Havana.

The proposed legislation would also create an Academia de Cinematografia (Motion Picture Academy), which would engage the services of cameramen, makeup artists, electricians, etc., organize a section for speaking for film work, provide dancing masters, and so forth. The bill also states that the Board would lend financial assistance to Cuban individuals or companies set up for the production of films. A lottery and postage stamps will be used to raise finances.

U. S. Features Gain In Austrian Market

WASHINGTON, Dec. 1.—American features have been gaining in Austria at the expense of German, according to a report to the U. S. Dept. of Commerce from its Vienna office.

During 1935, the report shows, 126 American features were exhibited in Austria, compared with 110 in 1934 and 94 in 1933. The corresponding totals for German feature films were 116, 129, 109, respectively.

Sunday Show Vote Due

WAYNESBORO, Va., Dec. 1.—The City Council is considering an ordinance to prohibit Sunday shows. A vote will be taken at the next meeting on December 14.

Kiwanis Honors Bair

INDIANAPOLIS, Dec. 1.—R. R. Bair, operator of Bair's circuit here, has been elected president of the Indianapolis Kiwanis Club.

BRILLIANT

EASTMAN Super X won its first triumphs through remarkable adaptability to special situations. When it proved its superiority in *all* situations, it became an unparalleled find for the industry. Today it regularly runs the whole gamut of black-and-white cinematography with brilliant success. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, New York, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

"Square Deal" Promised ITO By Lichtman

(*Continued from page* 1)

box-office and he told how branch managers have been instructed to sell all pictures for what they are worth at the box-office in order that every exhibitor may be a satisfied customer.

Referring to the Kuykendall 10-point plan, Lichtman said that M-G-M will publish its official decision the latter part of this month.

The attendance at today's meeting represented approximately 100 theatres, and comprised branch managers from all exchanges including M-G-M, Paramount, United Artists, Republic, Grand National and G. B.

Arthur C. Lamneck, congressman from the 12th District and member of the Ways and Means Committee in Washington, addressed the gathering, advocating the raising of the theatre tax exemption to 50 cents instead of the present 40 cents on the presumption that the increased attendance would result in larger income tax returns than are now realized.

Steffes, Rickey Also Speak

Other speakers included P. J. Wood, secretary of I.T.O., Carlton S. Dargusch, vice-chairman of the tax commission; Al Steffes, who spoke on the Allied defense fund, and H. M. Rickey of Detroit, who utilized Lichtman's reference to the Loew theatre profits in order to fortify his plea for the elimination of the producer from the exhibition field on the ground that the competition is of an unfair nature.

Martin G. Smith of Toledo presided at the meeting.

At a banquet held last night the speakers were John A. Connors, toastmaster; Governor Davey, Lieutenant Governor Mosier, Dargusch, Abram F. Myers and Lichtman.

Nebraska Exhibitor Speaker Candidate

LINCOLN, Neb., Dec. 1.—W. F. Haycock, formerly owner of the Star at Gothenburg, Neb., is one of three candidates for speakership of Nebraska's unicameral legislature, which will convene in January.

Haycock has the backing of Gov. R. L. Cochran, while Former Congressman John N. Norton of Polk, another candidate, is favored by Senator George W. Norris, who started the unicameral idea. Charles Warner of Havelock, Neb., the third candidate, is strong because of his long service.

Proposals by the operators' union to introduce a bill asking that two operators be required for all theatres of more than 600 capacity is the only legislation exhibitors face at this time. It is reported that the union may ask that the bill be changed to cut down on the minimum requirement.

Gordon Story Editor

HOLLYWOOD, Dec. 1.—Donald Gordon today succeeded Harry Salpeter as story editor at Republic. Gordon formerly was on the Paramount staff.

Simultaneously, Terry Kellum was elevated to the post of chief sound engineer, replacing Harry Jones who returns to RCA.

Hays and MPPDA Praised in London

(*Continued from page* 1)

climb of the American industry since 1929 and attributed much of its success to the strength and vitality of the central organization of producers and distributors. Hays, he said, was a visitor "from Olympian heights" and he called upon the British industry for a greater measure of cooperation with America and with Hollywood, "the first film city capital of the whole world."

Hays, replying to the Maxwell address, offered the cooperation of the American industry to assist in building archives of historical news films in England. He quoted passages from the Thanksgiving Day message of President Roosevelt and added, "My personal business is to see that nothing in American films will offend the sympathy, traditions and customs of England."

Industry's Leaders Present

Charles Tennyson acted as chairman of the dinner, which was attended by approximately 65 industry leaders and others. Among them were: Sir Edward Crowe, chief of the Board of Trade Overseas Dep't.; Sir Connop Guthrie, Basil Dean, D. E. Griffiths, president of the K. R. S.; Simon Rowson, S. W. Smith, Herbert Wilcox, F. W. Baker, Roy Atherton, counsel to the U. S. Embassy here; Sir Charles Cleland, General Sir Robert Frazer, John Maxwell, Alexander Korda, Captain Richard Norton, Julius Hagen, Sir Harry Brittain and Guy Locock.

The M. P. P. D. A. president held a discussion today with Lord Tyrrell, head of the British Censor Board.

Hays will reach New York on Monday aboard the *Normandie*.

Considering Drafts Of Union Agreement

The initial drafts of the agreement whereby the Allied Union will be absorbed by Local 306, A. F. L. affiliate, with wage increases for Allied members, in a settlement of the multiple union situation in New York, have been completed, it was learned yesterday. A round table discussion of the drafts is expected to be held on Monday among the attorneys for the three parties involved, the two unions and the I. T. O. A. At that meeting, any points which still remain undetermined after the current consideration of the drafts will be ironed out.

The Mayor's survey board, under whose auspices the agreement was initiated, is not expected to be brought into the situation unless there are elements of the contract upon which a complete agreement cannot be reached. It is not anticipated that the contract will be concluded in its final form, ready for signatures, until the end of next week at the earliest.

The Empire Union, third of the three in New York, will not be approached definitely relative to clarification of that phase of the general situation until the 306-Allied agreement has been concluded, it is understood.

Pathe in Fair Deal

Pathe's commercial department has closed a deal with World's Fair, Inc., to produce a short to aid in raising funds for the fair.

Asks Church Aid

London, Dec. 1.—Monsignor Barrett, Catholic Bishop of Plymouth, speaking at the Palace Theatre here, suggested that the 1,000,000 Catholics visiting British theatres weekly should abstain from film attendance for six months to provide £1,000,000 for the church.

Poland Decrees Film Quota of 10 Per Cent

By R. SILLEI

WARSAW, Poland, Nov. 17.—In an effort to further the production of native Polish films, the Government has ordered that at least 10 per cent of all films shown in theatres in the country must be of Polish production.

In addition, taxes on admissions have been radically reduced when they apply to Polish-made pictures shown.

* * *

It is expected that the market in Poland for Jewish films made in the United States will be markedly curtailed by the growth of the production of Jewish films in Warsaw. Several, already released, have enjoyed remarkable success in the many Polish towns which are populated by Jews for the most part.

Tally-Corbar Appeal Up Today in Frisco

LOS ANGELES, Dec. 1.—The Tally-Corbar attempt to reopen the Fox West Coast bankruptcy will be argued before the U. S. Circuit Court of Appeals in San Francisco tomorrow.

Three representatives of Hughes, Schurman and Dwight—Ralph Harris, Bertram Shipman and W. T. Gossett—left here today with Charles A. Buckley, Walter K. Tuller, Louis W. Myers, Oscar Lawler and William Carmen, attorneys, and William H. Moore, Jr., and Charles Irwin, F. W. C. trustees.

Issue London Prospectus

LONDON, Nov. 23.—A prospectus for London & District Cinemas, Ltd., shows the company, with an authorized capital of £250,000 is issuing 306,000 5s shares at par (£160,000) and £160,000 of 5 per cent first mortgage stock, at 99 per cent.

The company will take over 16 theatres in London and the home counties controlled by J. G. and R. B. Wainwright, which are being transferred for £271,150, payable £187,650 in cash and the balance by 334,000 5s shares. The chairman of London & District Cinemas, Ltd., is Thomas Dudley Cocke; R. B. Wainwright is managing director and J. G. Wainwright a director, and controller of bookings.

Lazar to Operate Seven

Louis Lazar has been appointed operating head of the seven Kentucky theatres taken over recently by the Schine circuit, Louis Schine stated yesterday. The theatres, acquired from Phoenix Amusement Co., are the Ben Ali, Strand, State and Kentucky at Lexington, the Strand, Richmond and Bourbon at Paris. Schine left yesterday with George Lynch, chief booker for the circuit, for Gloversville, N. Y., after conferring with sales executives here.

Ostrer Gets Word He Will Join Talk

(*Continued from page* 1)

Nicholas M. Schenck and Sidney R. Kent on the three-way alliance was when he was informed by MOTION PICTURE DAILY of the story from Hollywood.

"I will most likely meet Schenck and Kent. They are nice fellows," he said. He added he had not heard from his brother since he arrived Monday morning and didn't know Nicholas M. Schenck was going out.

Although Ostrer has plane reservations, he may cancel them and go west by train. He said Mrs. Ostrer does not fly and unless he can induce her to travel by air, they will leave by rail. Arthur Lee will accompany the Ostrers as far as Dallas.

The head of Loew's and M-G-M will leave tomorrow or Friday. Schenck up to yesterday had not decided whether to take a plane or train. He usually travels to the coast by train.

United Theatres Gains

LONDON, Nov. 23.—United Picture Theatres, Ltd., during the year ended Dec. 31, 1935, made a trading profit of £27,829, an increase of £11,148 over the previous year, but substantial increases in the amounts put to amortization and depreciation, which were in arrears, result in a net loss of £13,636 after charging mortgage and debenture interest.

May Film Coronation

LONDON, Nov. 23.—Speaking for the Government, Ramsay MacDonald said in the House of Commons that permission to film the coronation of King Edward VIII in Westminster Abbey, and to transmit a television record of the ceremony was "under consideration," and that experiments are in progress.

London Films Does Four

LONDON, Nov. 23.—London Films has completed four features at Denham, "Men Are Not Gods," with Miriam Hopkins; "Fire Over England," Erich Pommer production; "Dark Journey," with Conrad Veidt, and "Elephant Boy," Robert Flaherty production of Kipling's "Kim."

Mackaill in B. I. P. Role

LONDON, Nov. 23.—Dorothy Mackaill, due to sail on the *Normandie*, cancelled her passage to take the lead opposite John Lodge in British International's "Bulldog Drummond at Bay."

Baird Studios Burned

LONDON, Dec. 1.—The research laboratories, studios and workshops of the Baird Television Co. were destroyed in the fire which razed the Crystal Palace here yesterday.

"Romeo" Tops "Ziegfeld"

LONDON, Nov. 23.—During the first six weeks of its season at His Majesty's here, "Romeo and Juliet" exceeded the gross of "The Great Ziegfeld" for its corresponding period.

Wills Forms Company

LONDON, Nov. 23.—J. Elder Wills has founded Fortune Film Prod. to make "Big Fellow."

Film Workers And Wages Top Pre-'29 Total

(Continued from page 1)

containers, etc., in 1935 was $29,541,118; in 1933, $26,153,298; in 1929, $38,441,025. The total cost of production last year was $188,469,660 against $119,342,866 in 1933 and $184,102,419 in 1929.

The bureau's canvass showed that 75 establishments were located in the Los Angeles area against 39 in 1933 and 52 in 1929. Of these figures, 51 were located in the city of Los Angeles compared with 28 in 1933 and 45 in 1929.

The bureau also found 24 establishments in New York, the same as in 1933, but six less than in 1929. Eight are located in Illinois, the same as in the two previous census years, and four in Missouri, the same as in 1929. Production establishments also were located in Colorado, Georgia, Iowa, Louisiana, Maryland, Michigan, Minnesota, New Jersey, Ohio, Pennsylvania, Texas and Washington.

Comparisons Significant

Analysis of production for the year showed that the total cost of negative film was $137,842,815 against $82,279,869 for 1933 and $128,496,710 for 1929. A total of 1,094 theatrical films, costing $129,836,134, were produced last year, against 1,059, costing $77,535,515, in 1933, and 1,204, costing $118,716,041, in 1929. News and advertising films produced cost $5,001,321, against $4,576,421 in 1933, and $6,152,286 for the former and $3,377,292 for the latter in 1929. Educational films cost $369,796, as compared with $167,933 in 1933 and $251,091 in 1929. Other films last year cost $2,635,564, with no comparable figure given for the two previous periods. The cost of unfinished production was $22,848,608 against $14,581,457 for 1933 and $17,983,060 for 1929.

Under laboratory costs the bureau listed the cost of positive films as $6,316,630 for 1935 as compared with $7,624,761 for 1933 and $10,646,094 for 1929. Receipts for work done for others was listed as $15,089,496, against $11,835,057 for 1933 and $21,104,878 for 1929. The value of other work done was $1,818,139, against $1,520,021 in 1933 and $1,643,395 in 1929, and receipts for the use of studio facilities totalled $4,553,972, against $1,501,701 in 1933 and $4,338,282 in 1929.

Another Roxy Delay Will Be Requested

(Continued from page 1)

10 and a half year lease on the lobby have been held up, necessitating another delay before the reorganization plan can be completed.

Judge Caffey has signed an order granting Howard S. Cullman, trustee of the Roxy, an interim allowance of $20,000. The new hearing date will probably be Dec. 18.

Jeff Lee Passes

Jeff Lee, 37, brother of Joe, sales manager for Twentieth Century-Fox in the local territory, died yesterday morning from complications. He was buried at Elmont Cemetery.

Chase Sells Heavy Block Of 20th-Fox

(Continued from page 1)

tieth Century-Fox common and holdings at the end of the month of 204,643 shares and 55,284 shares of preferred. A report from Seton Porter, New York, showed the acquisition of 625 shares of common, giving him a total of 876 shares at the end of the month, and the disposition of 500 shares of preferred, his entire holding.

A report from Jack L. Warner showed the disposition during October of 65,000 six per cent optional convertible debentures of Warner Brothers. At the close of the month he held 88,060 shares of common, 10,618 shares of $3.85 cumulative preferred and 1,717,000 debentures, and his Holding Company B had 4,786 shares of preferred.

Other reports received by the commission showed the acquisition in October of 240 shares of $2 cumulative participating preferred of Consolidated Film Industries by James E. MacPherson, New York, who held 1,640 shares at the close of the month; sale of 1,600 shares of Grand National Films $1 par common by Edward L. Alperson, New York, who had 20,946 shares at the close of the month, and acquisition by Charles C. Moskowitz, New York, of 300 shares of Loew's common, of which he held 900 shares at the end of October.

Film Leaders Will Be at Zukor Dinner

HOLLYWOOD, Dec. 1.—Most of the film colony's leading figures will attend the dinner to be given Thursday night at the Trocadero by the Academy in honor of Adolph Zukor's 25th anniversary in the business. This will be one of the first of a series of events signalizing Zukor's Silver Jubilee.

Darryl F. Zanuck will be chairman and George Jessel will be toastmaster. The sponsoring committee includes: Mary Pickford, Jesse L. Lasky, Louis B. Mayer, Cecil B. DeMille, Frank Lloyd, Norman Taurog, Claudette Colbert, Grover Jones, Kay Francis, Waldemar Young, Frank Capra, Carole Lombard, Howard Estabrook and William Powell.

South in Zukor Drive

MEMPHIS, Dec. 1.—Gail Patrick, a sponsor-player in the Paramount Zukor Jubilee Drive, arrived here from Hollywood today on a trip through the territory. She will visit Atlanta, New Orleans and other cities.

First "U" Meet Friday

First of the winter sales conferences planned by James R. Grainger for his Universal selling staff will be held Friday, instead of on Wednesday as stated in yesterday's MOTION PICTURE DAILY.

Horwitz Denies Fund Aid

COLUMBUS, Dec. 1.—M. B. Horwitz has denied that he has received any contributions to the Allied defense fund or that he has made any contribution himself.

20th-Fox to Present $500,000 This Xmas

(Continued from page 1)

not been worked out as yet, the move is expected to set a precedent which other studios in good financial shape undoubtedly will follow.

The full bonus will be paid to those in the company employ for one year, with partial sums for those affiliated only six months. Kent, discussing the distribution, said:

"Our board of directors approved the bonus. In order that it will do the utmost good it has been decided that $500,000 will be appropriated and that it will go to the lower salaried workers, where it is most needed."

Kent stated that the past year has been the best in the history of the company.

M-G-M Considers Bonus

HOLLYWOOD, Dec. 1. — Louis B. Mayer stated here today that, while M-G-M has been considering the granting of a Christmas bonus, no definite decision will be made until the arrival of Nicholas M. Schenck. Schenck is due Monday.

De Luxe-Time Sign Deal

DeLuxe Laboratories yesterday signed a five-year printing franchise with the March of Time. The laboratory has been doing the work for the last two years. Alan Friedman represented DeLuxe while Roy Larsen, vice-president of the monthly news release, signed for his company.

Friedman plans to leave for the coast the middle of February.

Chicago Group Moves Against Theatre Games

(Continued from page 1)

the law and that they intend to continue the use of the games.

Barnard said further that he received a letter today from the Chicago Ministers' Ass'n, enclosing a formal resolution endorsing the bureau's stand in the matter. The bureau manager said: "This is a practical business matter. We are not reformers."

Attorney General Otto Kerner ruled today that Bank Night in theatres is not only illegal, but might subject the users to a maximum fine of $2,000 or two years in jail should they be prosecuted on charges of conspiracy to commit a crime.

With the theatre groups taking the stand that they are not operating lotteries, it is expected that the police will step in this week and stop the prize drawings in some theatres, thus bringing the case into court for a decision to clarify the present uncertain situations.

A local ordinance states that the mayor may revoke theatre permits where lotteries are being run, and this step may be taken by Mayor Kelly. If the authorities take action it will be against all forms of giveaways, according to Barnard, and will effect 300 theatres here which have prizes weekly which add up to a total of more than $100,000.



THE FUTURE VOGUE IN AMUSEMENT NOW



JEFFERSON

Machamer

AND HIS

"GAGS and GALS"

in

"AMUSE YOURSELF"

The critics said of "Jeff" Machamer's first "Gags and Gals" Musical Comedy: "charming"..."gorgeous"..."refreshing"..."different"..."clever"..."novelty"..."delightful". Now here is his second, "AMUSE YOURSELF", with twice as many beautiful models, twice as many funny gags, twice as much pep and laughter and amusement. It sets the future vogue for short comedy musicals, but the leaders in comedy amusement bring it to you NOW.

Educational Pictures
"THE SPICE OF THE PROGRAM"

Presented by
E. W. HAMMONS

Produced by
AL CHRISTIE

DISTRIBUTED IN U. S. A. BY 20th CENTURY-FOX FILM CORPORATION

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

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Maxwell Lifts Eyebrow Over Ostrer Talks

Is Silent, However, As British Speculate

By BRUCE ALLAN

LONDON, Dec. 2.—Indications from New York that Isidore Ostrer is seeking to resume the original negotiations with 20th Century-Fox and Loew's although perhaps on somewhat altered terms are regarded in reliable quarters here as contravening the understanding which John Maxwell reputedly holds with the Ostrers. It was stated by one familiar with Maxwell's point of view that, although Ostrer may feel he is free to resume his talks, actually he is not.

In the meantime, Maxwell has been furnished copies of MOTION PICTURE DAILY of Nov. 24 carrying the interview in which Ostrer stated Maxwell was not in control of G. B. and held no option on purchase of the Ostrer

(*Continued on page 7*)

New Theatres Unit Formed in Britain

LONDON, Dec. 2.—John Maxwell will speed his theatre expansion program by floating Associated British Properties, Ltd., with capital of £1,000,000 and will issue £2,000,000 four and one-half per cent first mortgage debentures.

He aims to acquire 30 freehold and 24 leasehold theatres from Associated Cinema Properties, Ltd., for £3,030,000, leasing them to A.B.P.

Distributors Cited On Australia Quota

SYDNEY, Dec. 2.—The New South Wales government has forwarded notice to six major distributors requesting them to explain why they have not complied with the quota law.

Indicating that the Government is apparently determined to force production here is an official definition of

(*Continued on page 7*)

Anglo-American

London, Dec. 2.—He completed arrangements for Universal to produce two pictures here while he will make one in Hollywood, Herbert Wilcox declared upon his return from New York.

Court Fight Is Begun on RKO's Plans

Holder of Old A Stock Questions Legality

The legality of RKO's outstanding common stock was attacked in a petition presented to the U. S. District Court here yesterday by Ernest W. Stirn of Milwaukee, a holder of 1,234 shares of old RKO Class A stock. The petition, which appears to be directed at the treatment accorded the old Class A stock by the Atlas Corp's. plan of reorganization for RKO, was referred to Federal Judge William Bondy for hearing on Dec. 23, concurrently with the scheduled hearing on the reorganization plan.

Stirn's petition asks leave to bring suit in Baltimore against the Maryland State Tax Commission, RKO and others to test the legality of the amendment to RKO's certificate of incorporation which was adopted in the company's refinancing plan of 1931,

(*Continued on page 4*)

Report McGrady May Become RCA Officer

WASHINGTON, Dec. 2.—Edward F. McGrady, Assistant Secretary of Labor and formerly high official of the A. F. of L., will soon quit the Federal service to become an official of RCA, it was reported here today.

McGrady, whose fairness and honesty are recognized by both capital and labor, is the department's star conciliator and has been successful in compromising a number of important labor controversies. At present he is seeking a solution of the maritime strike.

As an official of RCA he will be in charge of the corporation's labor relations.

Meet Mr. Durwood

Kansas City, Dec. 2.—Ed Dubinsky of the circuit bearing his name, has changed his name to Edward Dubinsky Durwood.

Berry's NRA Plans Facing Flank Attack

By CLARENCE LINZ

WASHINGTON, Dec. 2.—Indications of departmental opposition to the plans of George L. Berry, coordinator for industrial cooperation and head of the National Council on Industrial Progress, for revival of the NRA became evident today with announcement by Secretary of Commerce Daniel C. Roper that he expected to have by the end of this month a complete report on the NRA situation from the special interdepartmental committee.

The committee, established by President Roosevelt to study the industrial situation as affected by the killing of the Blue Eagle, is composed of cabinet members, industrial leaders and labor representatives.

Today's announcement by Secretary

(*Continued on page 4*)

Horne Is Signed As Producer by Wanger

HOLLYWOOD, Dec. 2.—Hal Horne, still in the first flushes of a career as a producer, today was signed by Walter Wanger as a production executive. His first assignment will be "Vogues of 1937" to be made in Technicolor.

Although RKO had an option on Horne's services, Samuel J. Briskin consented to the move and Horne will leave the company on Saturday, joining Wanger next week.

"U" to Apply Cancellation On Split Buys

Replies to Kuykendall's Inquiry on Point

Universal's cancellation privilege will apply to exhibitors who "split" the company's product between them as well as to those who contract for the entire feature lineup, officials of the company indicated yesterday.

The question was raised by Ed Kuykendall, M. P. T. O. A. president, in a letter to the distributor in which it was pointed out that while Universal stipulated that an exhibitor would have to contract for the entire output to be eligible for the 10 per cent cancellation privilege, there were instances of the company's product being split between two exhibitors. Kuykendall inquired whether such exhibitors who take all the product offered them, although it may be less than the company's entire lineup, are eligible for the cancellation right.

Willard S. McKay, Universal general counsel, said he believed the point was covered by the cancellation clause

(*Continued on page 4*)

Lichtman's Address Draws Fire of I.T.O.

COLUMBUS, Dec. 2.—Members of the Ohio I. T. O., today expressed dissatisfaction with yesterday's speech of Al Lichtman in which the M-G-M executive defended the current sales policy of his company.

The local organization is definitely

(*Continued on page 8*)

Chicago Mayor Shies Off a Giveaways Ban

CHICAGO, Dec. 2.—Mayor Kelly is not in sympathy with the move of the Better Business Bureau to have theatre giveaways banned, he said today.

People want them, he said, and he

(*Continued on page 4*)

Theatre's Revival Talked Again, But It Still Gasps

By SHERWIN A. KANE

The organized powers of the stage, as personified by the League of N. Y. Theatres, the producing managers' organization; Actors' Equity Ass'n, the A. F. of L. theatrical local, and the Dramatists' Guild, the play makers' union, met yesterday to take up again the problem of making the stage attractive to the public, which wasn't settled at the last meeting two weeks ago. It wasn't settled yesterday, either, but there will be more meetings.

The consensus of opinion at the meetings thus far is that for reasons not readily discernible to the organized powers the American public,

(*Continued on page 4*)

And Radio

Fred Allen, having deliberated long, yesterday determined to drop amateurs for professional talent over the air. The inside on this, as well as other radio developments, appears on page 8 today.

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I.A. Today Boycotts Three Coast Houses

LOS ANGELES, Dec. 2.—The temporary truce between I. A. T. S. E., Projectionists' Local 150, and independent exhibitors will end tomorrow when the union will institute a boycott against the Raymond and Colorado in Pasadena and the Wilshire in Santa Monica. Unfair labor practices are charged.

Indications are that a break is imminent between I. A. T. S. E. and the local I. T. O., which acted as intermediary between the exhibitors and the union. Although negotiations are not entirely ended, it is understood that the union is dissatisfied with the wage scale submitted by the exhibitors through the independents' group and that further moves aimed at the establishment of a closed shop will be made by negotiations direct.

Trans-Lux to Pay 5 Cents

Trans-Lux Daylight Picture Screen Corp. has declared a special dividend of five cents a share, payable Dec. 21 to stockholders of record Dec. 12.



BUFFALO GETS 'GOLD DIGGERS' IN PERSON and city-wide turnout heaps new glory on Warners' celebrated Sky Tour, now westward bound in advance of holiday openings of 'Gold Diggers of 1937'. COLUMBUS NEXT! (Advt.)

Out Hollywood Way

HOLLYWOOD, Dec. 2. — SPYROS SKOURAS here on general company business accompanied by HARRY COX.

DAVID O. SELZNICK to seek a southern girl with no screen experience for the role of Scarlett O'Hara in "Gone with the Wind."

B. F. ZEIDMAN rushing work on an original, "Two Shall Meet," as his next for Grand National. . . . SOL LESSER to start "Park Avenue" with GEORGE O'BRIEN this week. . . . BESS MEREDYTH turns her swimming pool into a sunken garden for winter. . . . SALLY EILERS to be hostess at a charity party at Cocoanut Grove for the benefit of the Jewish Orphans' Home. . . . VIRGINIA FIELD off to New York and London on vacation.

ELEANORE WHITNEY back from her trip in connection with the Adolph Zukor Silver Jubilee. . . . BORIS MORROS, RALPH RAINGER and LEO ROBBIN flu victims. . . . HARRY SHERMAN on location at Kernville with his "Hopalong Cassidy" company.

CLARK GABLE back from a three-day hunting trip to resume role in "Parnell," M-G-M. . . . B. P. SCHULBERG adding scenes to "John Meade's Woman." . . . Warners starting five—"The Prince and the Pauper," "The Case of the Stuttering Bishop," "The Go-Getter," "Marry the Girl" and "Marked Woman."

✚

New Contracts—GEORGE SANDERS to long termer at Twentieth Century-Fox. . . . MARC LAWRENCE, character actor, Columbia. . . .

✚

Casting—CHARLES WINTERS, EUGENE PALLETTE and SPRING BYINGTON in "Clarence," TULLY MARSHALL and MONTE BLUE in "Souls at Sea," Paramount. . . . PETER LORRE in "Nancy Steele Is Missing," Twentieth Century-Fox. . . . ELISHA COOK, JR., in "I Hate Horses," Universal. . . . OTTO FRIES in "Interlude" and BEN HENDRICKS in "I Promise to Pay," Columbia. . . . RALPH FORD in "The Last of Mrs. Cheyney," M-G-M.

✚

Writers—AUSTIN PARKER, KAREN DE WOLF and ROLF PASSER complete their assignments at Universal. . . . Radio has 38 writers at work. . . . HAROLD KUSELL just assigned to adapt RICHARD MACAULEY'S "Take a Number." . . . JOE MILVARD working on "The Devil Is Driving," DORIS SCHROEDER on "The Death Trail" and HARRY SAUBER on "Racketeer in Exile," Columbia.

New Kind of Deal

Three-way contracts — directing, writing and producing—are not so uncommon in Hollywood. But Norman Krasna, according to Bob Goldstein who will persist in being funny, has a four-way deal.

"In addition to the first three, he has to look at his own pictures as well," he said yesterday.

Barr Is in Hospital

NEW ORLEANS, Dec. 2.—Maurice Barr of the Saenger executive staff is in Touro Infirmary for a minor operation.

Actress' Father Dies

BUFFALO, Dec. 2.—Jacob Liefer, 58, father of Sidney Fox, screen actress, died today in City Hospital here, where he was under treatment as a charity patient.

Imperial Franchise Here to Krellberg

S. S. Krellberg has acquired the franchise for Imperial product for the metropolitan New York area, under the name of Imperial Pictures of New York, and will begin operation on Dec. 15. Offices will be maintained at 630 9th Ave., distinct from the home office of Imperial Distributing at 729 7th Ave.

Krellberg is currently organizing a sales staff for the new organization, and it was said yesterday that the home office will acquire additional space. Thus far 15 of the projected 26 distributing units over the country have been organized, some on a franchise basis, and the others supervised directly from the home office. It was indicated that all 26 exchanges are expected to be in operation by Jan. 1. The first three films on the Imperial lineup are "Broken Blossoms," now playing in Washington; "She Shall Have Music" and "With Pleasure, Madame."

Roxy Committee Quits

Federal Judge Francis Caffey yesterday discharged the Real Estate Bondholders' Protective Committee from the Roxy Theatre reorganization as intervening parties. They formerly represented $81,125 of First Mortgage 6¼% Coupon Gold Bonds. On July 28, finding out that they represented only two percent of the outstanding bonds, they terminated their agreement and asked for a discharge. The members of this committee were George E. Roosevelt, Edwin Seligman, Lewis Comstok, Lincoln Cromwell, Charles Edwards, Frederick Fuller, Peter Grimm, Henry Hayes, Henry Kingsley, George McAneny, George McLaughlin, Herbert Bayard Swope and Douglas Vought.

Foreign Spot for Seattle

SEATTLE, Dec. 2.—Seattle's first foreign picture theatre, the Montlake, is scheduled to open this week, with "The Great Gulliver" and "The Plow That Broke the Plains." Herbert Rosener, now running foreign film houses in San Francisco, Los Angeles and Oakland, will be the operator of the house.

Subsequent attractions announced for the Montlake include "The Gypsy Baron," "Lac Aux Dames," "Les Miserables," "Crime et Chastisement" and "Le Kermesse Heroique."

Ampa Lunches Today

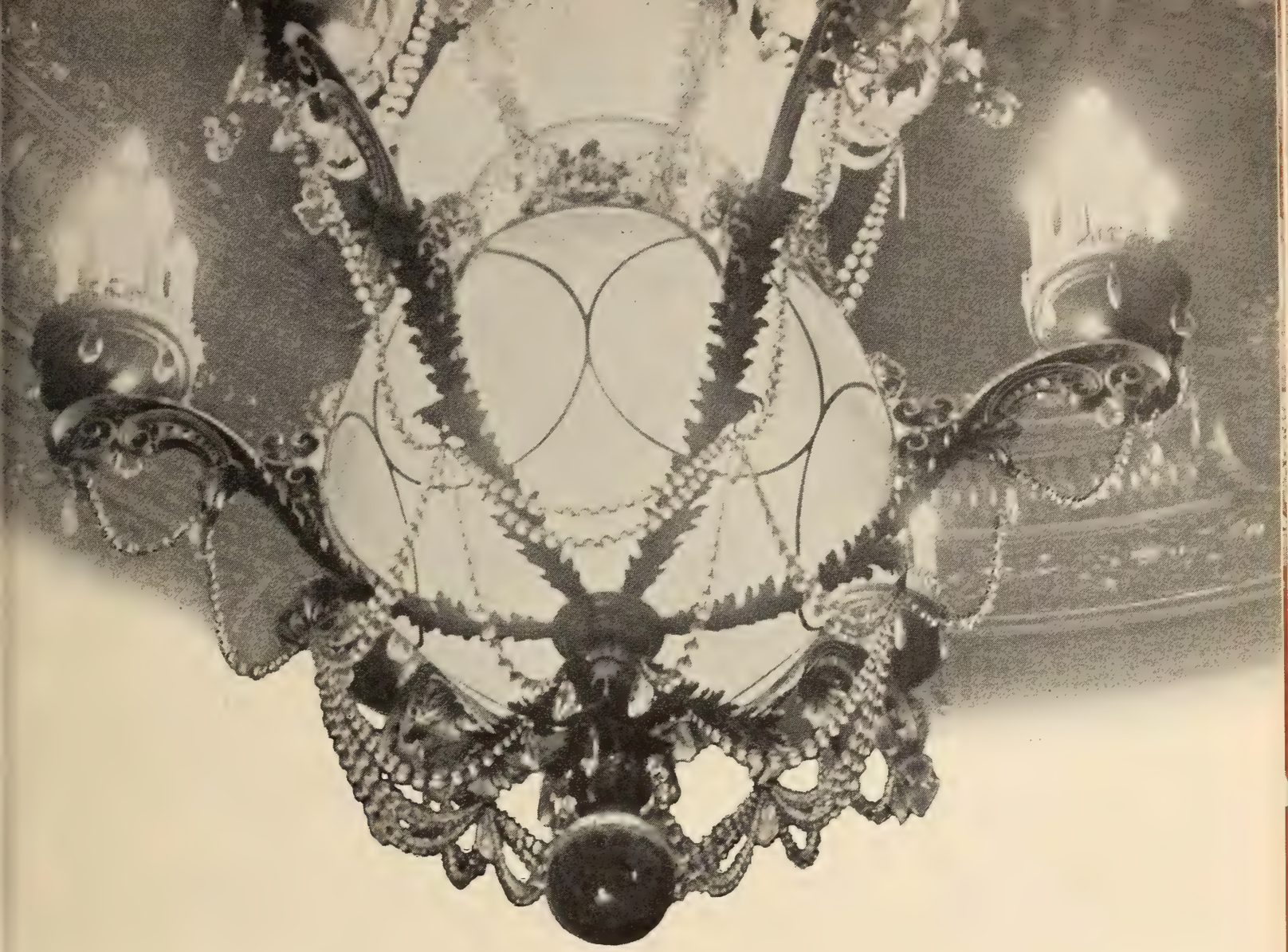
Ampa's winter luncheon series will get off to a big start today at the Edison with District Attorney William C. Dodge as principal speaker and guest of honor. Jay C. Flippen will be master of ceremonies at the affair.

Celebrities expected include Bobby Breen, Burgess Meredith, Margot, Harold McCracken, explorer and producer, and Count Alessandro Castini.

The new board of directors will be named by Gordon White.

Crooker Rites Today

Funeral services for Mrs. Louise J. Crooker, mother of Herb Crooker of the Warner publicity department, will be held at the Presbyterian Chapel in Middle Village, Long Island, at noon today. She died Monday after a siege of pneumonia.



"--And he even wants to put seats up there--we're getting Warners' 'GOLD DIGGERS OF 1937 for Christmas!"



Court Fight Is Begun on RKO's Plans

(*Continued from page* 1)

under which Class A shares were exchanged for new RKO common on a four-for-one basis. Stirn asserts that he refused to exchange his A shares for the new common and declares in the petition that "several hundred thousand shares" of the old Class A are still outstanding.

The petition recites that the adjudication of the question of the legality of the RKO common stock should be had in the Maryland court of last resort because a decision "is material to the reorganization proceedings and will materially affect and bear upon the ultimate plan of reorganization for RKO to be submitted to this court for approval."

The reorganization plan proposed by Atlas Corp. provides for the exchange of the old Class A stock still outstanding on the same four-for-one basis which was approved by RKO stockholders in 1931. In addition, the plan provides for the issuance of one share of new common of reorganized RKO for each two shares of the company's present common. Thus, the outstanding Class A shares are exchangeable under the plan at a ratio of eight shares for one share of new common of the reorganized company.

Asks Allowance of Own Claim

Stirn's petition asks the Federal court here to deny the claims of the present RKO common shareholders against the company or else to hold them to be junior to the claims of the old Class A holders. In addition, he asks that his own claim, which he filed against RKO in its reorganization proceedings, be allowed as filed "with full rights to all preferences of the Class A stock certificate." His petition discloses that he paid a total of $33,511 for the 1,234 shares of Class A stock which he says he owns. Stirn also asks permission to intervene in the RKO reorganization proceedings.

Chicago Mayor Shies Off a Giveaways Ban

(*Continued from page* 1)

indicated he probably would not take steps to stop them.

He said he didn't intend to make Chicago "another Philadelphia."

The mayor met this afternoon with Kenneth Barnard, general manager of the local Better Business Bureau, and Corporation Counsel Barnet Hodes to discuss the prize drawings. Following the meeting Barnard said that the mayor ordered Hodes to prepare an opinion on the matter, citing state laws and city ordinances affecting the situation.

A conference is planned for Friday between Hodes and Barnard regarding possible action.

Boettigers to Dine

SEATTLE, Dec. 2.—John and Mrs. Boettiger will be entertained at dinner here tomorrow. Mayor John F. Dore wants him to see a cross-section of the population, he says, before he starts publishing the *Post-Intelligencer.*

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Rainbow on the River"

(*Sol Lesser-Radio*)

HOLLYWOOD, Dec. 2.—This is a sympathy-stirring human drama with music, comedy contrast and commercial elements which assure its popularity with all types of audiences.

It is intelligently produced and smartly directed so that the laugh-provoking hokum balances the tear-jerking sentimentality and is definitely a step upward for Bobby Breen. May Robson, Charles Butterworth, Louise Beavers, Benita Hume, Alan Mowbray, Henry O'Neill, Marilyn Knowlden, Lillian Yarbo and minor supporting players contribute high calibre performances, but young Breen is the outstanding figure.

Bobby's singing is a treat that should send audiences away with highly favorable comment. Whether the numbers are thematic specialties, folk songs, classical or sacred the boy renders them well. In straight acting his handling of an emotional characterization would be a credit to a more mature player.

In the story of the Civil War period Bobby is mothered by Miss Beavers, as a colored mammy. Their relationship is touching.

When O'Neill, a priest, prevails upon Miss Beavers to send the boy to his grandmother, May Robson, a rebel-hating Yankee, who does not believe that the child is her kin, the boy's life becomes bitter and tragic. The heartbreak is intensified by the selfish machinations of Miss Hume, Mowbray and the spoiled brat daughter, Miss Knowlden.

Miss Robson's attitude toward the boy softens gradually and when Bobby, revolting against the unfairness of Miss Hume and Miss Knowlden, plans to run away, she puts the pair in their proper place. Going to New Orleans with the boy, she hears the dying Miss Beavers identify the boy as the child of her dead son. In the finale Bobby and Miss Beavers are reunited under Miss Robson's beneficent patronage.

The film will have special appeal to women with its musical content, which is augmented by the Hall Johnson Choir.

In preparing the screen play Harry Chandlee, Earle Snell and William Hurlburt retained the warm human quality of Mrs. C. V. Jamison's "Toinette's Phillip." Kurt Neumann's direction is pointed to develop the full heart appeal. The music, including a theme song by Paul F. Webster, Louis Alter, specialties by Dr. Hugo Riesenfeld, Selma Hautzick, Karl Hajos, Arthur Swanstrom and several Stephen Collins Foster songs, as well as sacred numbers, lends power and feeling to the motivation. The picture seems destined to stand well in the list of the season's more popular attractions.

Production Code Seal No. 2,836. Running time, 87 minutes. "G."

(Additional Reviews on Page 7)

Theatre's Revival Talked Again, But It Still Gasps

(*Continued from page* 1)

particularly the benighted denizens of the outlands, are not evidencing a paying interest in stage wares. Reports received by the stage organizations from journeymen members who have penetrated the wilderness beyond the Catskills, are that the "living" drama doesn't live there any more. The unsolved problem, as already stated, is what to do about it. There has been no dearth of suggestions, but none has awakened much enthusiasm within the councils.

Yesterday's session was startled out of its composure by several ideas along wholly unexplored paths and authorities at the meeting admitted that their authors "might have something there." The first to be voiced was the rather surprising suggestion that better plays, better staged and acted, might prove popular if offered at lower admissions than the public was educated by the theatre to expect to pay for the privilege of viewing a legitimate attraction. The suggestion was lost sight of, however, in the ensuing denials by Dramatists' Guild representatives that better plays can be written, by Equity that better acting is available and by the managers that admissions could be reduced.

Other suggestions included one for calling in a few film and theatre executives, who seem to be getting along all right with their public, for consultation, and one for merging the stage with the film houses, the stage people to provide plays and casts to be put on in the film house along with the regular picture program and the profits to be split 50-50. The latter idea appeared to be the reigning favorite at the time the session adjourned. However, the next meeting, in the opinion of those present, is almost certain to produce something better. Probably a suggestion for a 60-40 split, with the film man who only provides the theatre and the picture end of the program, taking the corresponding short end of the profits.

Berry's NRA Plans Face Flank Attack

(*Continued from page* 1)

Roper was the second shot to be fired by the Commerce Dept. at the Berry plan, it having been made known last week that the department officials would not participate in the Industrial Council meetings Dec. 10 and 11.

At Berry's headquarters it was said that the representation of the film industry at next week's meetings will be larger than is indicated by the responses received. Responses to the invitations sent out last month have not been listed, but council officials said that many members of the industry had voiced their intention of attending in conversations with council representatives.

Thomson Anticipates Gradual Unionizing

HOLLYWOOD, Dec. 2. — Kenneth Thomson, secretary of the Screen Actors Guild, stated today upon his return from the Tampa convention of the A.F.L. that he anticipates no spectacular drive for a closed shop in the industry but rather a gradual process of unionization. He said that the national labor organization is fully aware of the actors' labor group and that contacts made at Tampa may prove of importance at a later date.

Thomson stated that a meeting of all unions in the studios will be called in the near future.

"U" Grants to All Cancellation Right

(*Continued from page* 1)

in the company's contract which makes specific reference to the exercise of the cancellation right by exhibitors who contract for all of the pictures "offered" by the distributor.

Twentieth Century-Fox, in its recent reply on the M. P. T. O. A.'s 10-point trade practice program, specified that its 10 per cent cancellation privilege would apply to exhibitors who took all of the product "offered" them by the distributor.

To Use Color Sequences

LONDON, Nov. 22.—Trial sequences of the Capitol-Trafalgar film, "I Pagliacci," done in the new British Chemicolour process will be included in the film as released. The color will be available to all producers through British Chemicolour Process, Ltd., of which Karl Grune is managing director.

Hungarians Hold Morvay

BUDAPEST, Nov. 20.—The Exhibitors' Union here at a general meeting refused to accept the resignation of Paul Morvay, managing vice-president, which was tendered following protest by some factions to Morvay's favorable attitude toward a proposal of Istvan Gero, Hungary's most important circuit operator.

To Vote on Allied Laws

NEW HAVEN, Dec. 2.—The National Allied constitution and bylaws will be presented for local adoption at the next regular meeting on Dec. 8 of the Connecticut organization.



LEO JUNIOR HAS THE FLOOR!

"Listen folks, you've been reading a lot about Pop's Feature Pictures (*Roar! Roar! Roar!*) Sure, they're great! But I positively refuse to let the old boy hog the spotlight. Everybody tells me I've been doing things in Shorts that gives many a feature (*not Pop's of course!*) a close run for entertainment and box-office appeal! Here are just a few of the heap of praises for your little pal Junior."

(*For happier programs, read on to next page!*)



A CHIP OFF THE OLD BLOCK!

Did You Ever Read Reviews Like These!

"NO PLACE LIKE ROME"

"Deserves to be called by some name other than 'short' . . . equal to the best M-G-M has turned out in features . . . excellent."
—*Showmen's Trade Review*

"One of the most pretentious and entertaining shorts of the year . . . dazzling girls . . . swell music . . . some of the best laughs ever extracted from a short or a feature . . . will score big with any audience."
—*Film Daily*

"Idea is swell . . . well done . . . pleasant songs . . . it's all great fun which even nabes will appreciate . . . excellent."
—*Jay Emanuel Publications*

"Very amusing...decidedly well done...excellent."—*M. P. Herald*

"Lavishly produced . . . enough to warrant marquee attention."
—*M. P. Daily*

"Brilliantly satirical...swell entertainment for any type of audience . . . worthy of marquee billing."
—*Boxoffice*

Flash from Coast Preview of M-G-M Shorts!

"M-G-M's shorts product for the 1936-37 season should be outstanding if the first are indicative of the quality of the rest . . . subjects maintain a high degree of entertainment value."
—*Hollywood Reporter*

"A menu of first class entertainment that many an exhibitor would be tickled to have as a straight bill of fare . . . subjects embrace wide scope of entertainment from sports to history . . . all are handled with the usual M-G-M dressing . . . capable casts . . . sufficient mounting."
—*Coast Variety*

"Time out, please, from the customary film reviews to doff our editorial chapeau to Pete Smith, who makes our favorite film shorts."
—*Liberty Magazine*

The Newest "Crime Doesn't Pay" Release

"THE PUBLIC PAYS"

"Entertainment value worthy of a feature."
—*Variety*

"Very convincing . . . very dramatic . . . carries a strong thrill-punch."
—*Film Daily*

"M-G-M deserves another round of applause . . . splendid acting, direction and production."
—*Showmen's Trade Review*

"Well photographed and cast . . . carries a punch . . . excellent."
—*Jay Emanuel Publications*

"Engrossingly dramatic . . . excellent companion piece for a comedy or musical feature . . . moves forward swiftly and surely."—*Boxoffice*

"Feature mounting . . . direction keeps action moving rapidly."
—*M. P. Daily*

"Worthwhile entertainment."
—*M. P. Herald*

Something New in M-G-M Novelties!

"HOLLYWOOD EXTRA"

"Plenty of human interest . . . an absorbing subject to countless film-struck girls . . . fine explanatory narration by Carey Wilson."
—*Film Daily*

"Extremely interesting . . . authentic . . . narration in fresh and amusing style."
—*Boxoffice*

"Extraordinary . . . interesting . . . humorous."
—*Showmen's Trade Review*

"Excellent."
—*Jay Emanuel Publications*

"Interesting . . . good."
—*M. P. Herald*

"Should be of much interest . . . well produced . . . very informative as well as entertaining."
—*M. P. Daily*



M-G-M IS GOING TO COP THE XMAS COIN AGAIN THIS YEAR WITH ITS HOLIDAY CARTOON "THE PUP'S CHRISTMAS." WATCH!

(*Harman-Ising's Masterpiece!*)

Purely Personal

SIDNEY SKOLSKY submitted to an informal luncheon at Jack and Charlie's yesterday. The conspirators included JOE MOSKOWITZ, JOE PINCUS, HERB CRUIKSHANK, BOB GOLDSTEIN, LOU IRWIN, JACK GOETZ, IRVING HOFFMAN and RED KANN. HARRY BRAND was kissed in via the transcontinental telephone, each one present reporting to BRAND that SIDNEY was having a good time.

•

MARGO will be the honor guest at a midnight supper tonight in the Sert Room at the Waldorf-Astoria. Other film celebrities who will be on hand are BURGESS MEREDITH, FRANCIS LEDERER, MARGARET PERRY, LEO SPITZ and M. H. AYLESWORTH.

•

SYLVIA SIDNEY, REGINA CREWE, WILLARD MCKAY, HOWARD DIETZ, carrying off a gift of the management; JOHN O'HARA, the writing man, and RALPH ROLAN others at "21." ROLAN left for Detroit last night.

•

FRANCIS LEDERER, scheduled for personal appearances in Boston and Detroit for the next three weeks, will leave for Hollywood immediately afterwards to start work in "Chopin" under the direction of Frank Capra.

•

EDWARD BONNS, short subject sales manager for Universal, returned to New York yesterday from a trip which took him to all exchanges in the south. He reported a marked improvement in business.

•

CECIL B. DE MILLE left for Chicago yesterday to be joined by BILL PINE. The former from that point will travel further west. PINE returns here Sunday.

•

LOU DIAMOND, head of Paramount's short subjects department, has decided to delay his coast trip. He now plans to arrive there Dec. 15, instead of Dec. 10.

•

W. G. VAN SCHMUS, managing director of the Music Hall, leaves for Hollywood tonight by air. As usual, he will take an advance look at new product.

•

DEANNA DURBIN will return to New York tonight from a Boston personal appearance to celebrate her 14th birthday here.

•

SAM E. MORRIS, who is recuperating at his home from a nose operation, is expected to return to his desk the early part of next week.

•

GEORGE WEEKS, general sales manager of G. B., and not ARTHUR LEE, as reported in these columns, will leave next week for Cleveland.

•

HENRY GORDON, who has been transferred by Paramount from Berlin to Panama, will sail tomorrow on the *Santa Clara* to take up his new duties.

•

HERMAN STARR, vice-president of Warners, left for the coast yesterday on a 10-day trip.

•

GRADWELL L. SEARS, general sales manager of Warners, is down North Carolina way on a hunting trip.

•

JOSEPH HUMMEL, general foreign sales manager for Warners, it due in Java this week.

•

ERROL FLYNN and his wife, LILI DAMITA, are in town at the Waldorf-Astoria, from the coast.

•

E. M. SAUNDERS is planning to leave for Chicago today.

•

EVELYN LAYE is due here today aboard the *Europa*.

•

. . . Washington

CHARLES H. OLIVE, operator of the Princess and general manager for E. LAWRENCE PHILLIPS', has taken office space at the Earle Bldg.

LOUISE NOONAN MILLER and ABRAHAM M. TOLKINS, co-operators of the Little and Rialto, entertained the critics and friends at a preview of "The Yellow Cruise."

RANDOLPH SCOTT and MRS. SCOTT were recent Washington visitors.

EDWARD HEIBER, Universal branch manager, is in the hospital recovering from an operation for a throat malady.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Happy Go Lucky"

(*Republic*)

HOLLYWOOD, Dec. 2.—A good combination of amusing entertainment elements has been blended in this picture. With farce and hokum as the keynotes the film has romance, comedy, melodrama, music, intrigue, mystery and suspense. Phil Regan's singing is the outstanding feature.

Supported by better than ordinary production detail, the plot follows the dual identity idea which causes everybody to make mistakes. The locale is Shanghai. Regan, ham-and-egg musical comedy star, is believed by Evelyn Venable to be her lost aviator sweetheart. Regan, not knowing what it is all about, is content to let her, as well as her father, Jed Prouty, and a bunch of conspirators headed by Claude King and Jonathan Hale, consider him an amnesia victim. But when things get hot, involving a kidnapping that threatens the loss of his stage job as well as the safety of Miss Venable, Regan goes to work in typical American fashion to break the case himself.

Singing a taunting song from the stage to a bunch of sailors, he gets them to chase him through the streets of Shanghai to the house where Miss Venable and Prouty are held captive. The real missing aviator (also Regan) shows up to complicate things, but the infuriated jack tars do the business that rounds up King and Hale, crack an international plot to steal good old Uncle Sam's aviation secrets and save Regan and Miss Venable for each other.

Told in tongue-in-the-cheek, almost kidding style, the film permits Regan to turn in a smart performance. His straight acting is commendable and his singing is almost certain to please. Similarly, the support as well as William Newell, appearing as a harassed producer, check in acceptable performances. A good bolsterer for any program, the show should come in for favorable comment on its own.

Production Code Seal No. 2,804. Running time, 70 minutes. "G."

"Counterfeit Lady"

(*Columbia*)

HOLLYWOOD, Dec. 2.—One of Columbia's active and fast-moving films, which D. Ross Lederman specializes in directing, this picture, telling of the quick-thinking activity of a jewelry insurance detective, plus the inevitable romance, should fill the bill on any dual.

Ralph Bellamy gives his usual capable performance as the detective masquerading as a jewel "specialist" on the shady side of the law, Joan Perry is the attractive pseudo thief to whom Bellamy is attracted for more than one reason, and Douglas Dumbrille and George McKay are important in the support.

Thomas Van Dycke's screenplay from Harold Shumate's original story finds Bellamy called in by Dumbrille, when Miss Perry cleverly gets away with a valuable diamond. Presumably working for Dumbrille, who obtained the jewel himself in his capacity as a fence, Bellamy catches Miss Perry, she eludes him, and he goes in pursuit. Dumbrille sets his men to double cross Bellamy, and the latter succeeds finally in doubling the double crossers. Miss Perry, of course, is merely trying to save her father, a small town jeweler, and it all ends with a crackling car chase and a touch of romance.

Production Code Seal No. 2,822. Running time, 60 minutes. "G."

"Gold Diggers" on Train

Those flying "Gold Diggers" were grounded at Syracuse by bad weather. They took a train to Buffalo Tuesday. They're due in Columbus this morning, with personal appearances scheduled at Loew's Broad tonight.

The Governor, city officials and others will meet them. The Advertising Club will lunch them, and the afternoon will be devoted to interviews.

Maxwell Lifts Eyebrow Over Ostrer Talks

(*Continued from page* 1)

block of 5,100 "A," or voting, shares. He has maintained a strict silence, however which is regarded as perhaps ominous and a prelude to drastic and direct action along lines not indicated.

Coast Hinted at Renewal

Observers in New York are inclined to place considerable significance in the statement issued by Sidney R. Kent and Joseph M. Schenck in Hollywood on Monday in which they discussed their first meeting with Isidore Ostrer and added:

"There will be no definite announcement until the middle of next week at which time the negotiations probably will be completed."

This is construed in many quarters as a definite tip-off that the original three-cornered deal has been revived.

Ostrer Leaves by Train

Maurice Ostrer of G. B. left for the coast yesterday by train to join his brother, Isidore, for conferences with Joseph M. and Nicholas M. Schenck and Sidney R. Kent on renewal of negotiations for a three-way alliance. Arthur Lee will accompany Ostrer most of the way.

Prior to his departure yesterday, Ostrer insisted he was not going to Hollywood to participate in the meetings and that his only purpose was "for casting." He said that he had received a telephone call from his brother on the coast, but it had nothing to do with any discussions under way.

Nicholas M. Schenck, president of Loew's and M-G-M, is scheduled to leave for Hollywood by train today. He will meet Al Lichtman in Chicago and from that point Lichtman will accompany Schenck.

ITOA Hears Merger Of Unions Is Remote

An immediate merger of Allied and Local 306 unions is regarded as remote, members of the I. T. O. A. were told yesterday by the labor committee at the regular meeting at the Astor. Holding up the amalgamation are a number of points in dispute which will take some time to iron out, the exhibitors were told.

Film policies of the various companies were discussed generally, but no action was taken. Harry Brandt presided. The next session will be held Dec. 16 when further details on the union situation will be outlined.

Distributors Cited On Australian Quota

(*Continued from page* 1)

the word "acquire" which appears in the official quota law, but which has never been clearly defined. It is now explained, however, that the word means production of or obtaining possession of film produced in Australia for quota purposes. The entire domestic industry plans to register its protest in a petition.

Lichtman's Address Draws Fire of I.T.O.

(*Continued from page* 1)

opposed to Lichtman's announced policy of overselling with a promise of subsequent adjustments. They further oppose payments of excessive salaries and bonuses to executives who are not directly engaged in production, believing that these salaries are partly responsible for high film rentals. It is recommended that the situation be brought to the attention of Congress through the medium of direct contact between exhibitors and Congressional representatives.

The organization today went on record as not opposing the salaries paid leading authors, stars or directors.

Steffes, on Constitutionality

Al Steffes, speaking at the current convention, stated that Columbia University is preparing a written brief proving that the compulsory separation of production and exhibition is legal and constitutional. The brief, he said, will be ready January 1. He added that three states will positively enact such legislation and that three governors are ready to sign such a bill but he refused to name the states or the governors.

Ohio independents will raise their quota of $10,000 for the Allied defense fund by taxing each independent theatre owner, both members and non-members, one cent per seat per month for a period not to exceed 10 months.

Today's session of the convention saw the election of all former officers.

Columbia Librarian in Dark

The law department at Columbia University, through its librarian, yester denied knowledge of the preparation of a brief dealing with the constitutionality of the compulsory separation of production and exhibition in the film industry.

Wall Street

Losses Spot Board

	High	Low	Close	Net Change
Columbia	36¾	36½	36¾	— ¼
Consolidated, pfd.	16⅝	16½	16⅝	+ ⅛
Eastman Kodak	179	179	179	.....
Gen. T. Equip.	29½	28¼	28¼	— ½
Loew's, Inc.	63¼	62⅛	62⅛	—1⅛
Loew's, Inc., pfd.	106	106	106	.....
Paramount	21⅜	20¾	20⅞	— ⅜
Paramount 1 pfd.	156	152	153	—3
Paramount 2 pfd.	19½	18¾	18¾	— ½
Pathe Film	10	8⅜	9¾	+1⅜
RKO	7⅞	7⅝	7⅞	.....
20th Century-Fox.	37	36	36	—1½
20th Century, pfd.	45½	45½	45½	—1½
Warner Bros.	16¾	16⅜	16⅜	— ¼

Curb Up Slightly

	High	Low	Close	Net Change
Grand National	3⅜	3⅛	3⅜	+ ⅛
Sentry Safety	⅞	⅞	⅞	+ ⅛
Sonotone	1⅞	1⅞	1⅞	.....
Technicolor	22⅛	21¾	22	.....
Trans-Lux	4¼	4⅛	4¼	+ ⅛

Little Bond Activity

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	101¼	101	101¼	.....
Paramount Pict. 6s '55	101¼	101¼	101¼	+ ¼
RKO 6s '41 pp	116½	116½	116½	.....
Warner Bros. 6s '39 wd	98⅜	98¼	98¼	— ⅛

(Quotations at close of Dec. 2)

Allen Abandoning Amateurs To Meet WPA'S Air Rivalry

His hand apparently forced by the growing response to the WPA sponsored "Professional Parade" program, Fred Allen, current radio topper, will cease using amateurs beginning with his "Town Hall" broadcast of next Wednesday, Dec. 9. In place of the simon-pures, Allen will use lesser known professional talent. He has been considering abandoning the amateurs for the past few months, but no action was taken until yesterday.

Allen's decision leaves the amateurs solely to Major Bowes. Benny Rubin's WOR-Mutual program, third in the trio of important network shows featuring amateurs, cast its lot with professional talent several weeks ago.

Under the new plan, Allen's representatives will recruit professional talent from local radio stations and booking agents; from the small remaining vaudeville circuit and from night clubs. Each performer will be paid a regular sponsored program fee, as well as having a shot at weekly cash prizes. The prizes will probably total several hundred dollars.

Allen gives as his reason for the change in program set-up the decreasing number of amateur applications, but inside observers are of the opinion that the competition now being provided by "Professional Parade" had much to do with his decision. The WPA program opposes "Town Hall Tonight" on Wednesdays at 9 P. M., E. S. T. Incidentally, the latter program now is being considered for sponsorship by three major air users.

This week letters from Allen's office will go forward to all radio stations and talent agencies located within a 50-mile radius of New York asking that talent be sent to the "Town Hall" auditions.

"Town Hall Tonight" has featured amateurs for the past two years.

Dicker for KFWB Program

KFWB, Los Angeles, features a program titled "I Want to Be an Actor," which has created more excitement hereabouts probably than any other program in the past several years, not even excepting the amateur programs. Several local agencies are now reported to have representatives in Los Angeles, bidding for rights to the show. In the event it is sold, the program will be transplanted east and placed on a national network.

The program features dramatizations in which the characters are portrayed by non-professional actors recruited from the studio audience. The performers are selected at random and are not permitted to see the script until the show is ready to take to the air.

KFWB is a Warner station and the rights to the program are owned by Haven McQuarrie.

NBC Up to 110

WFEA, at present a CBS affiliate station in Manchester, N. H., becomes a member of the NBC chain on March 1 and will be fed programs from both NBC networks. WFEA has a day-time power of 1,000 watts, and an evening power of 500 watts. Also joining the NBC chain on March 1 is KGNC, Amarillo, Tex., with a day-time power of 2,500 watts and a 1,000 watt power at night.

WFEA will be used as an optional outlet of the Red network; KGNC as an optional outlet of the Southwestern group. The new additions brings the number of NBC station affiliates to 110 stations.

From the Hoosegow

Bridgeport, Dec. 2.—WICC is trying something new in the way of amateur programs. Each Sunday the station is broadcasting from the county jail here with the prisoners supplying the talent. The idea has been well received by listeners and so far no lack of talent has been found in the jail.

Seeking Burns and Allen

Don Stauffer of the radio department of Young and Rubicam returned to New York yesterday after a visit to the coast. The trip, reported to have been made in the interest of the Fred Astaire-Packard program, was really made for the purpose of conferring with Burns and Allen, who will broadcast for Young and Rubicam and General Foods beginning in April, at which date their contract expires.

Barton Booked for Talk

Bruce Barton, chairman of the board of Batten, Barton, Durstine and Osborn, New York, will be tomorrow night's guest speaker on the Philadelphia Orchestra program, broadcast at 10 P.M., E.S.T. over the CBS network. Barton will discuss the functions and position of modern advertising in American life.

Bordoni, Yeardsley, Et Al

Short Shots: Irene Bordoni will guest appear on Ed Wynn's program Saturday night . . . Ted Yeardsley has been added to the KDKA (Pittsburgh) organization as staff singer . . . Jack Pearl has been signed as guest star for tomorrow night's *Radio Guide* "Court of Honor" program . . . Sears, Roebuck & Co., through the Lavenson agency, has signed for a new program called "Junior Thrills" which will be heard Mondays through Fridays at 5 P.M., E.S.T. over WFIL, Philadelphia . . . Henry Burr, veteran WLS (Chicago) warbler, back on the air after recent illness . . . Lum and Abner may go to the coast to make a series of film shorts . . . Boake Carter will broadcast from WBBM in Chicago from Dec. 7-18 while he makes appearances there and in nearby cities . . . John Gunther, foreign correspondent and author, has been added to tonight's Vallee broadcast . . . Bill Stewart of the Young and Rubicam agency leaves for Boston tonight to supervise Phil Baker's broadcast from that point Sunday night. Baker is now on a vaudeville tour . . . Jessica Dragonette, recently released from the Cities Service program, has been signed for a new CBS series by Colgate Palmolive-Peet. Her new program will replace the Community Sing program under the same sponsorship which fades sometime in February.

Telephone Rates Not To Affect Radio Use

WASHINGTON, Dec. 2.—Reductions in long distance telephone charges to go into effect next month, revealed today by the Federal Communications Commission, will not involve lines used for broadcasting purposes, it was learned at the commission.

The question of rates charged radio stations for lines over which programs are "piped," however, it was said, will be discussed in the near future, during the hearings in the F.C.C. investigation of the A.T.&T., which reopens next week.

Officials of the commission could not say whether the inquiry would involve the reasonableness of the rates now charged, but said the subject would be taken up in connection with other rate matters.

Sterling to Operate Offices in 7 Cities

HOLLYWOOD, Dec. 2.—Sterling Pictures will operate its own exchanges in seven cities, New York, Boston, New Haven, Philadelphia, Washington, Buffalo and Albany, W. Ray Johnston, president, declared prior to his departure for New York.

These offices will not be operated on a franchise basis, Johnston said, but will be supervised from the home office in New York, under a new subsidiary, Sterling Exchanges, Inc. Negotiations are under way for the acquisition of offices in other key cities, he said. On the coast Johnston conferred with Howard Stubbins and Ray Olmstead of Los Angeles, B. N. Judell of Chicago and Sam Decker of Detroit, who operate independent exchanges, relative to Sterling franchises. No deals will be closed before the first of the year, however.

Aarons Asserts Only 75% of Houses Sold

PHILADELPHIA, Dec. 2.—Taking issue with the statement made by William F. Rodgers, general sales manager of M-G-M, to MOTION PICTURE DAILY that the company has closed 95 per cent of the situations in this territory, George P. Aarons, secretary of the U.M.P.T.O., states: "Although this organization has not advised exhibitors to stop buying, we know positively that 79 spots remain unsold. This is more than 23 per cent of the theatres in this territory."

William F. Rodgers has been out of town the last few days and is not due to return until next week. At the time Rodgers was queried by MOTION PICTURE DAILY on the Philadelphia situation, he said that the company's sales in this territory are better than in some of the others, and that about 95 per cent of the situations had been closed.

"Broadcast" Heads Herald "Champions"

"The Big Broadcast of 1937" heads the October list of "box-office champions" published today by *Motion Picture Herald.*

Five others on the list are: "Libeled Lady," "My Man Godfrey," "Anthony Adverse," "The Big Game" and "Dodsworth."

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 132 NEW YORK, FRIDAY, DECEMBER 4, 1936 TEN CENTS

Kuykendall to Seek Talks on Local Boards

Further Concessions Are Also to Be Asked

A new series of round table conferences on trade practice concessions and details of putting local conciliation boards into operation in exchange centers will be sought by Ed Kuykendall, M.P.T.O.A. president, immediately after the first of the year, the exhibitor leader said yesterday.

Kuykendall intimated that efforts will be made at the conference to obtain from distributors more liberal definitions of trade practice concessions which have been made or indicated thus far by major companies in responding to the M.P.T.O.A.'s 10-point trade practice program. It is not now anticipated that all distributors will have been heard from on the program by the first of the year, but it is assumed that a sufficient number of company acceptances of the local conciliation boards will have been received by then to insure their formation and make possible an agreement on final plans for their establishment and functioning.

Kuykendall conferred yesterday with

(*Continued on page* 12)

MPTOA Not to Join Berry Conference

Indications at this time are that the M. P. T. O. A. will not be represented at the industrial conferences on wage, hour and trade practice legislation sponsored by Major George L. Berry's National Council for Industrial Progress, scheduled to be held in Washington next week, Ed Kuykendall, M. P. T. O. A. president, said on his arrival here from the south yesterday.

Kuykendall said that the national exhibitor organization had not received

(*Continued on page* 11)

Decision Reserved In Tally-FWC Case

San Francisco, Dec. 3.—The attempt of T. L. Tally and the Corbar Corp. to have the Fox West Coast bankruptcy case reopened was heard here yesterday in the U. S. Circuit Court of Appeals and following the filing of briefs and oral argument the court of three judges took the plea under advisement. A decision is not expected for from three weeks to six

(*Continued on page* 11)

Spelling Bees Latest in Stunts to Hit Air Waves

First it was amateurs, now Community Sings, and in the very near future it'll probably be spelling bees.

The trend toward the old-fashioned spelling bees on the air has become quite pronounced of late. It started with an unimportant little NBC program some months ago called "Uncle Jim's Spelling Bee" and sponsored by George Washington Coffee.

For weeks the program attracted little or no attention hereabouts, but the sponsor's coffee sales spurted miraculously, and the mail from listeners piled up in overstuffed bags. The program was renewed recently for a long term period.

Trade circles buzzed with the news with the result that Fleischmann's Yeast, as a test, placed on WJZ locally a program titled "Harry Kagen's Spelling Bee." The show apparently has served its purpose well, for the current report is that it soon will be placed on a network evening spot.

Latest to capitulate to the growing trend is WOR, which will place on the air a similar program beginning

(*Continued on page* 7)

Additional Radio News on Page 7 Today

British Quota Seen Treaty Talk Factor

By BERTRAM F. LINZ

Washington, Dec. 3.—Although the State Dept. has received no complaints from American producers or exporters regarding British proposals for gradually reducing the proportion of foreign films which may be exhibited in British theatres, there is a possibility that the subject may be discussed in the negotiation of the pending reciprocal trade agreement with Great Britain, it was indicated here today.

The department is observing developments in the British film situation, but so far as could be learned today has registered no protest, nor is it likely to do so unless complaints are registered that the proposed quotas discriminate against producers in this country.

There are intimations, however, that Government trade experts are keeping abreast of the situation and that

(*Continued on page* 12)

Illinois Drawings Are Ruled Illegal

Springfield, Ill., Dec. 3.—There may be repercussions on the moves of the Chicago Better Business Bureau for a ban on Bank Nights and other theatre giveaways, it is apparent here. Attorney General Otto Kerner says those handling the prize drawings are subject to fines running up to $2,000.

What prosecuting officials may do about it remains to be seen. Mayor Kelly of Chicago has said he doesn't want to make Chicago "another Philadelphia" and people apparently want the giveaways.

Bernard E. Wall, state's attorney-

(*Continued on page* 12)

AT & T Film Moves Minor Probe Angle

Washington, Dec. 3.—Film phases of the American Telephone & Telegraph Co.'s activities are not expected to be brought up by the Federal Communications Commission at the reopening of its investigation of the telephone company Dec. 8, it was said at the commission today.

While the film activities of the company have been of major interest to the industry, commission officials consider them "not very vital" from their point of view and said that many other things will come first.

During its hearings last spring, film operations of A. T. & T. were touched upon once or twice, but only in connection with other matters.

In all probability, the resumption of the investigation will be marked by a change of tactics on the part of the commission. Criticism of "front paging" by Samuel Becker, special counsel for the commission, resulted some weeks ago in the appointment of Carl

(*Continued on page* 12)

Goldwyn Sets Eight To Cost $10,000,000

Hollywood, Dec. 3.—Samuel Goldwyn today revealed his 1937-38 program of eight pictures, instead of the usual four, with a budget of $10,000,000 scheduled for the eight. They will all be released through United Artists. None of the features will run under $800,000 in cost, Goldwyn said hitting at "factory-made" pictures. The highest negative cost will be on "Goldwyn Follies," budgeted at $2,000,000.

"The industry," Goldwyn declared, "is in danger of losing much prestige

(*Continued on page* 11)

Para. Fourth Quarter May Top 1st Three

Net Above $2,500,000 Is Now Expected

Paramount's earnings for the final 1936 quarter are expected to be in excess of earnings for the first three quarters of the year, which total $2,256,685, it was learned yesterday. Net for the current quarter, according to expectations now, will be in excess of $2,500,000.

Earnings for the first two months of the current quarter will approximate $1,750,000, and a December net of $750,000 is not unlikely, in the opinion of informed sources. The figure for the final quarter, however, will depend to a large extent upon the receipt of additional dividends from theatre subsidiaries and whether or not anything is applied to earnings for the period from the $700,000 remaining of the special inventory reserve of $2,500,000 which was set aside out of 1935 earnings. In the first three-quarters of this year a total of $1,800,000 of the special reserve was applied.

Dividend action on the company's first preferred was postponed by the Paramount board at its meeting yesterday until Dec. 10. The board stated its intention of declaring a dividend on that date, payable on Dec. 26 to stockholders of record on Dec. 15, but

(*Continued on page* 11)

Schenck Delays His Trip to the Coast

Nicholas M. Schenck, who intended to leave yesterday for the coast to attend conferences with his brother, Joseph M., Sidney R. Kent, Isidore and Maurice Ostrer, has changed his plans and will not head for Hollywood until next Monday.

Al Lichtman, who was scheduled to join Schenck in Chicago, has left the Windy City for Hollywood. He will be gone several weeks.

Fortune to Handle "Robber Symphony"

"The Robber Symphony" will be Al Friedlander's first picture to be handled through his recently formed company, Fortune Film Corp., the deal having been closed yesterday with Edward L Klein who represented Concordia Films, Ltd., of London, the producer.

The picture, featuring Magda Sonja and Hans Feher, who arrive Monday on the *Normandie*, is described as the

(*Continued on page* 12)

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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Pinanski Renamed Mass. Allied Head

BOSTON, Dec. 3.—Sam Pinanski of M. & P. Theatres was reelected today as president of Allied Theatres of Massachusetts, M.P.T.O.A. affiliated unit. Also reelected were John Devlin, vice-president; Stanley Sumner, treasurer; Joseph Brennan, secretary.

The board of directors includes: Pinanski, Devlin, Sumner, Charles Koener, George French, H. M. Addison, Martin Mullen, William Cuddy, B. E. Hoffman, Max Mellnicoff, John Ford, Al Somerby, James Doyle, John Giles, George Brown. The executive board is composed of Pinanski, Devlin, Koerner, Addison, Mullin, Mellnicoff and Ford.

The annual report of Brennan was unanimously accepted. It indicated that no adverse legislation had been passed at the last legislative session.

K-A-O Declares Dividend

K-A-O has declared a dividend of $7 per share out of corporate surplus on the seven per cent cumulative convertible preferred stock for the four quarters ended June 30, 1933, payable on Dec. 21, 1936, to holders of record on Dec. 14.

Insiders' Outlook

By RED KANN

JIG-SAW columning with complete reliance on MOTION PICTURE DAILY became yesterday's fun, not uncoupled with amazement, amusement and wonderment. Here goes:

NEW YORK, Nov. 23.—"We don't intend to sell our control. The Ostrers are in the film business to stay. I don't think, personally, that we will sell our 'A' shares in Metropolis and Bradford. . . . He (Maxwell) is a minority stockholder like anyone else . . . doesn't have a single vote and is not a director in either M. and B. or G.B."—*Isidore Ostrer.* . . .

LONDON, Nov. 24.—Isidore Ostrer's statement, upon his arrival in New York on Monday, that John Maxwell does not hold an option on the 5,100 shares of "A", or voting stock, in Metropolis and Bradford Trust, which controls G.B. alternately startled and amazed London today. . . . A source regarded as an official spokesman for the B.I.P. executive, in no uncertain terms described Ostrer's statement as "hot air" and added that Maxwell, not only had purchased 240,000 of the outstanding "B" stock in G.B., but the 5,100 shares of voting "A" which Ostrer declared are still in possession of himself and his brothers.

NEW YORK, Nov. 30.—John Maxwell does not hold a five-year option on the 5,100 "A" shares of Metropolis and Bradford held by the Ostrers, Maurice Ostrer declared on his arrival from London. "Maxwell doesn't hold an option with us, but if 20th Century-Fox sold out, then we would be forced to sell." . . . Contradicting his brother in part, Ostrer said Maxwell is a director of G.B. and has been on the board for the past two months. . . . Asked if he would confer with Schenck and Kent when he arrived on the coast, he said he had no such plans.

HOLLYWOOD, Nov. 30.—"We met with (Isidore) Ostrer for preliminary discussions concerning the deal. Further talks await the arrival of Maurice Ostrer, who leaves New York tomorrow."—*Sidney R. Kent* and *Joseph M. Schenck.*

NEW YORK, Dec. 1.—Maurice Ostrer stated that the only information he had to the effect he was to confer with his brother, Isidore, and Joseph M. and Nicholas M. Schenck and Sidney R. Kent on the three-way alliance was when he was informed by MOTION PICTURE DAILY of the story from Hollywood.

NEW YORK, Dec. 2.—Prior to his departure (Maurice) Ostrer insisted he was not going to Hollywood to participate in the meetings and that his only purpose was "for casting." He said that he had received a telephone call from his brother on the coast, but it had nothing to do with any discussions under way.

Next cavortings in this mystery play, featuring those who riddle men, Isidore and Maurice, from Hollywood. . . .

▼ ▼

Interweaving music with action on celluloid is hardly a new departure. Every picture made in Hollywood with a musical content, major or minor, goes through these ropes. From London, however, comes an interesting and, in many ways, a thoroughly charming and different enterprise, which goes all the way and turns the association of music and pictures into a complete and indivisible entity. "The Robber Symphony," for which Friedrich Feher wrote story and music and also directed, is its title. A fantasy with the slightest of story joining, what the picture has to say, dramatically, concerns the robbery of a miserly woman's funds and the developments thereafter designed to regain it so that the innocents in the case might be exonerated of blame. . . .

▼

This is all that happens, if it is story intrigue you are after. But "The Robber Symphony" goes considerably beyond all of this. It has Feher's music in the Viennese style and it is lilting music of much pleasantness. Everything in the film swings lightly around flats and sharps from snowstorms to the running down of the hurdy-gurdy piano in which the loot is hidden in the face of a battery of similarly constructed instruments thrown into the scene to divert the villainous piano from the careful watchfulness of the central character, unaffectedly played by Hans Feher. Leaving accepted and routinized formulas well in the rear, this is the sort of picture which is more apt than otherwise to put any reviewer perilously out on a limb. In these times of changing public taste, crystal gazing has become an unhappy duty. Merit does not always get its just desserts and this may be the future which "The Robber Symphony" must look to. Yet it deserves a welcome in this market for the departure in its conception and the pronounced cleverness in its execution. Our vote is in and it's all for the film. . . .

▼ ▼

Something sadly humorous lingers with nostalgic flavor around the current discussions by the Actors' Equity and the Dramatists' Guild looking toward ways and means of reviving interest in the stage. As we understand it, no paucity of suggestions exists. Somebody or other had an idea that better plays better acted at lower admissions might pry the public from its listlessness. Someone else gave serious thought to a wedding of the stage with films on a fantastic basis providing for plays in picture theatres and a general split up of profits, fifty-fifty quite naturally. Somewhere in the melee, which has resulted in several meetings with more to come, the simple and direct route to better stage times was entirely overlooked. The answer is not in any alliance with picture producers and their theatres. Neither is it in better plays better acted at lower prices. But it is in better plays better acted at existing prices. Anyone who has turned over his nights in faithful observance of the new offerings knows the out. This column refuses to take credit for any problem-busting as easy as this. . . .

New Ampa Board and Committees Chosen

Ampa's new board of directors and committees were announced yesterday by Gordon White, president, at a meeting at the Edison. White pointed out that the selections are subject to approval by the membership at a later session.

The new board comprises White as chairman, Paul Gulick, Ralph Lund, Herbert S. Berg, Don Hancock, Marvin Kirsch, Ray Gallagher and Paul Benjamin.

On the finance committee are Berg, chairman, Kirsch and Gallagher.

Gulick is chairman of the membership committee which includes Joe Gallagher, Paul Lazarus and Lund.

Al Sherman heads the publicity committee which consists of Jose Schorr, Peggy Goldberg, Jack Harrower and James P. Cunningham.

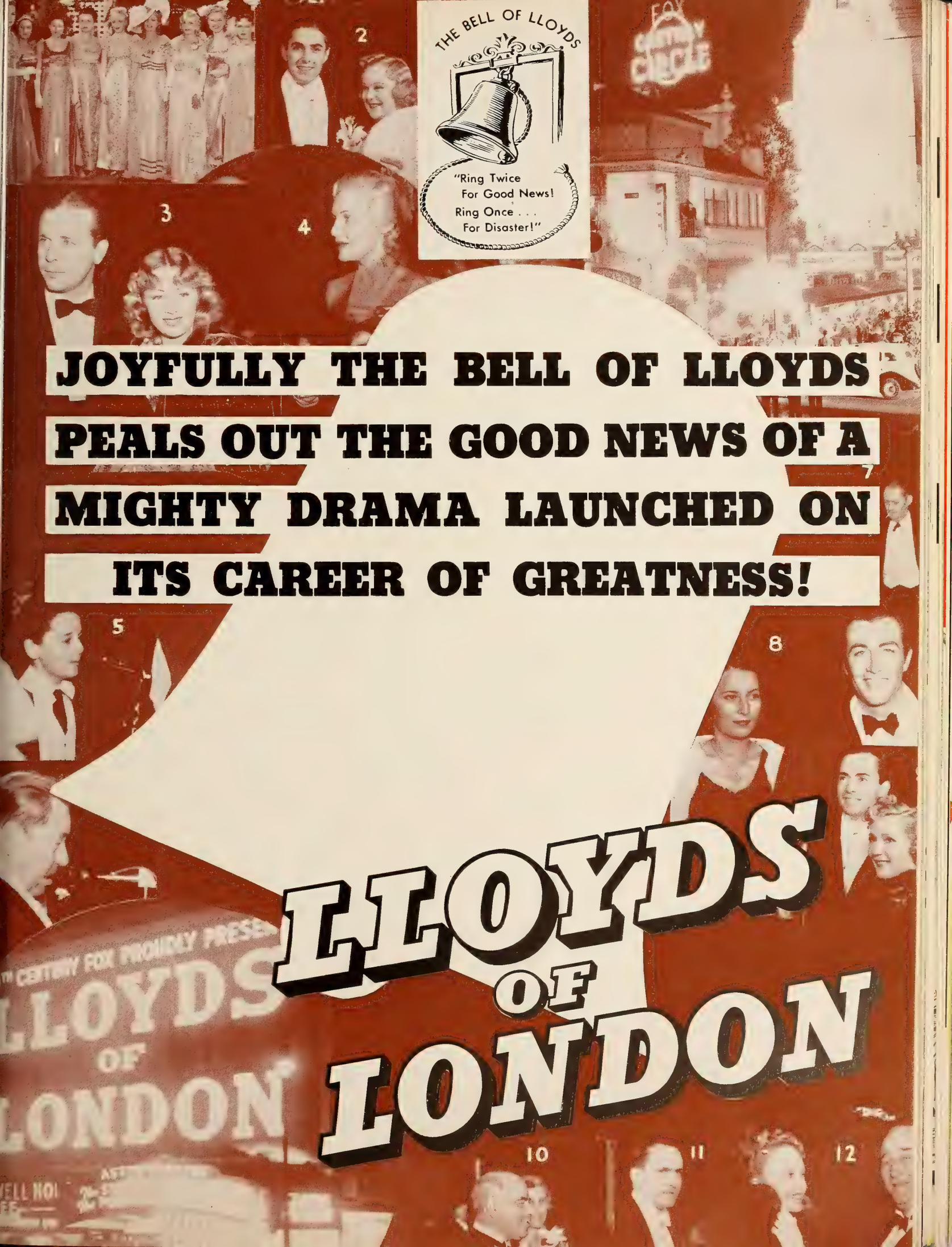
Tentatively set on the committee on arrangements for annual awards are Vincent Trotta, chairman, and Barret McCormick.

District Attorney a Speaker

District Attorney William C. Dodge was the guest of honor. He said that too much attention has been given to making heroes of lawbreakers in films and that the industry should portray law enforcing agencies and the benefit they are to mankind. He added that the minds of children today are moulded by what they see in films and newspapers.

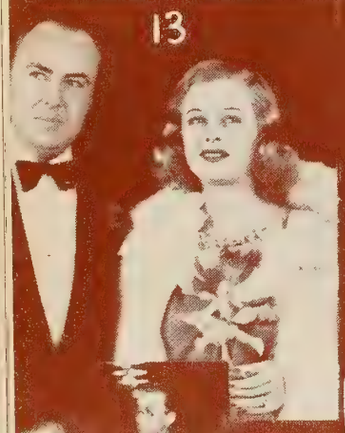
Jay C. Flippen was master of ceremonies and interviewed Bobby Breen and Margo. Harold McCracken, the explorer, took a bow, while Tony Cabooch, radio performer, portrayed the role of an emissary of Premier Mussolini. He composed a poem as he sat listening to the guests and later read it to the members. It scored.

Although it has been decided to hold meetings every other week, an exception to the rule will prevail next Thursday when a special session will be called.


THE BELL OF LLOYDS
"Ring Twice
For Good News!
Ring Once . . .
For Disaster!"
JOYFULLY THE BELL OF LLOYDS
PEALS OUT THE GOOD NEWS OF A
MIGHTY DRAMA LAUNCHED ON
ITS CAREER OF GREATNESS!
LLOYDS
OF
LONDON

HEAR HOW THE CRITICS CHEER

—echoing the thunder of audience acclaim!









N. Y. American: Must be greeted with the loudest cheers. Elaborate . . . moving . . . striking!

Variety Daily: Will stand sturdily among the tops in a season of outstanding productions. Has the substance and quality to excite strong word-of-mouth amongst any class of patrons. As an epic it stands alone, fascinating, sheer entertainment every foot! Tyrone Power elevates himself to legitimate stardom.

N. Y. Mirror: A handsome, thrilling and impressive picture . . . daring in its freshness and spectacular in its competence. Elevates Tyrone Power to the rank of a star!

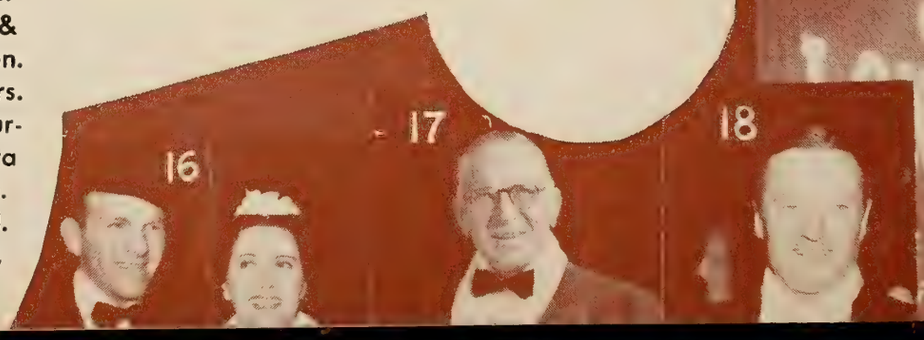
L. A. Eve. News: Darryl Zanuck has made an engrossing picture. An amazing story . . . real suspense . . . a stirring climax.

N. Y. Daily News: Distinguished and lavishly made film . . . colorful and stirring.

L. A. Daily News: Far more than a rousing romance . . . an impressive pattern of action . . . high adventure . . . touching, highly emotional. Two hours of absorbing interest. 20th Century-Fox has no need to take out a policy to insure its success!

N. Y. Herald-Tribune: Impressive and stirring . . . vastly entertaining. Acted with steady brilliance and staged with a sure eye for colorful pageantry. A smashing climax!

N. Y. World-Telegram: A tonic and spirited film that is lively in its background and endlessly entertaining in its people. Enjoyable from beginning to end!



Among those at New York and Hollywood openings: (1) Carthay Circle Usherettes. (2) Tyrone Power, Sonja Henie. (3) Dick Powell, Joan Blondell. (4) Madeleine Carroll. (5) Freddie Bartholomew. (6) Warner Oland. (7) Lionel Barrymore. (8) Barbara Stanwyck, Robert Taylor. (9) Buddy Rogers, Mary Pickford. (10) Governor & Mrs. Lehman. (11) Fredric March. (12) Virginia Field, Sir Guy Standing. (13) Gene Markey, Joan Bennett. (14) Miriam Hopkins, Rouben Mamoulian. (15) Mr. & Mrs. Ernst Lubitsch. (16) George Burns, Gracie Allen. (17) Henry King. (18) Edmund Lowe. (19) Mr. & Mrs. John Barrymore. (20) Ed Wynn. (21) Sarah Churchill, Vic Oliver. (22) Eddie Sutherland, Loretta Young. (23) Jack Benny, Mary Livingstone. (24) Jeannette MacDonald, Gene Raymond. (25) Irving Berlin. (26) Mr. & Mrs. Henry Fonda. (27) Mr. & Mrs. Mark Hellinger.



Hollywood Reporter: Notable smash hit for 20th Century-Fox. The box-office potentialities are immeasurable. Will sweep from the key houses and road-showings to become a must-see from city to hamlet. Highest credit must be bestowed on Darryl Zanuck and Kenneth Macgowan for a courageous and noteworthy production!

N. Y. Eve. Sun: Can step right to the head of its class. One of those historical melodramas that Darryl Zanuck's studio does so superbly well. Extraordinarily vivid romantic melodrama of high entertainment value. Tyrone Power seems well along the road to stardom.

L. A. Times: Rang chimes of victory at its premiere! Impressive spectacle blends human drama with a parade of dramatic events. Commands great respect as an accomplishment for the screen!

L. A. Evening Herald & Express: Has the epic theme, the color, the sweep and the emotional appeal that distinguishes a big picture. Received the acclaim of the audience. Important and exciting . . . I commend it to you!

Motion Picture Daily: Emotion-stirring and romantic drama. Quality entertainment in every segment that presages wide, popular appeal and unusual commercial draw!

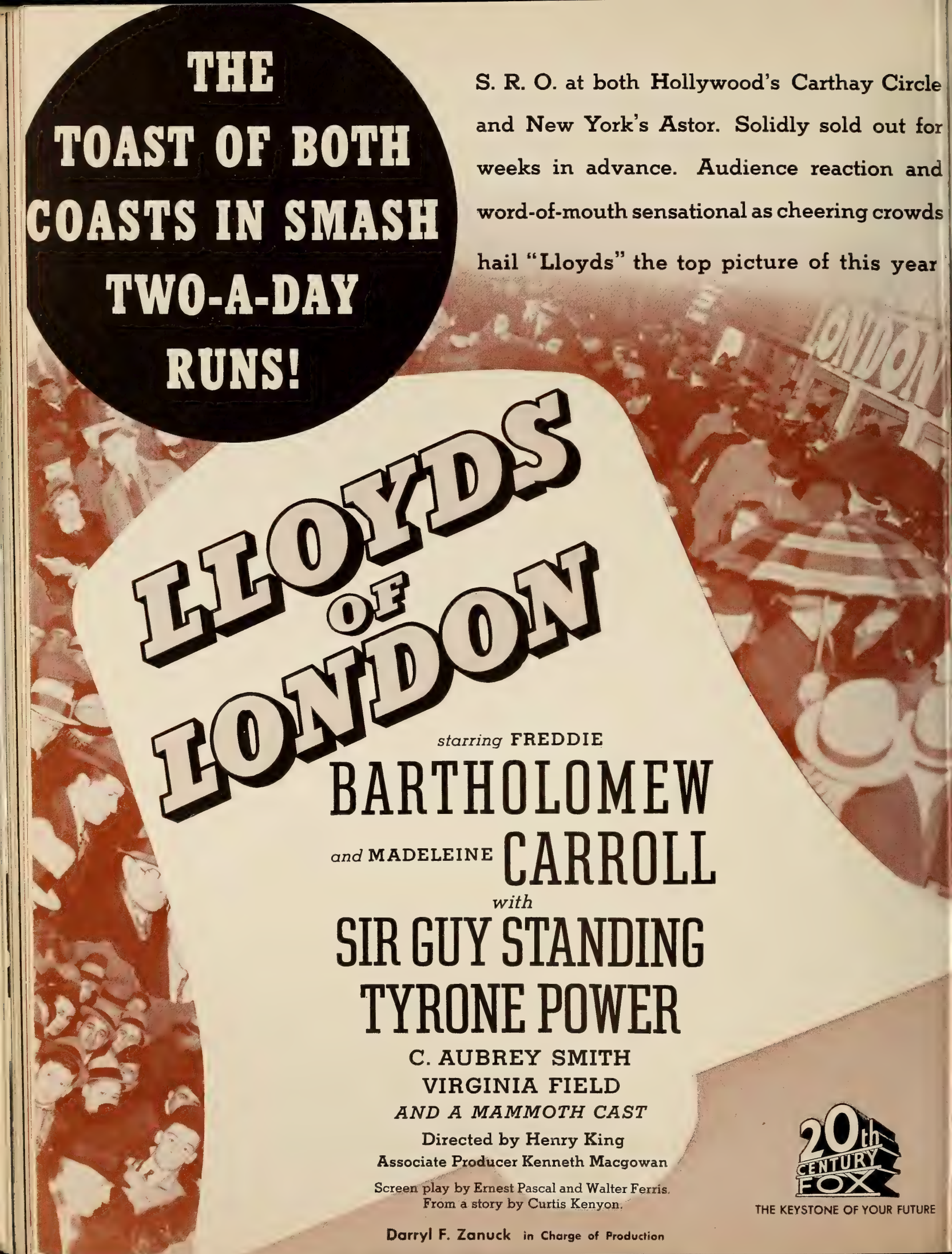
L. A. Examiner: Has definite box-office appeal. Nothing has been left undone to give it interest and entertainment value! Exciting and extremely colorful. Not in a long time has there been a player so dynamic and promising as Tyrone Power!





THE TOAST OF BOTH COASTS IN SMASH TWO-A-DAY RUNS!

S. R. O. at both Hollywood's Carthay Circle and New York's Astor. Solidly sold out for weeks in advance. Audience reaction and word-of-mouth sensational as cheering crowds hail "Lloyds" the top picture of this year



LLOYDS OF LONDON

starring FREDDIE
BARTHOLOMEW
and MADELEINE
CARROLL
with
SIR GUY STANDING
TYRONE POWER

C. AUBREY SMITH
VIRGINIA FIELD
AND A MAMMOTH CAST

Directed by Henry King
Associate Producer Kenneth Macgowan

Screen play by Ernest Pascal and Walter Ferris.
From a story by Curtis Kenyon.

Darryl F. Zanuck in Charge of Production

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

Bankruptcy Petition Filed by DeForrest

Los Angeles, Dec. 3.—Lee DeForrest, noted radio inventor, filed a voluntary petition of bankruptcy in Federal Court here today. He listed his liabilities at $103,943.95 and his assets at $390, all exempt.

The inventor's schedule of liabilities listed $52,500 owed to the Railroad Cooperative Building & Loan Corp. of New York as the largest unpaid bill.

KVI Transmitter About Ready

Seattle, Dec. 3.—KVI, Seattle-Tacoma station with studios in the latter city, this week inaugurates its new transmitter on Vashon Island with increased daytime power. Effective at once, daytime power will be 5,000 watts. Evening power of 1,000 watts will be continued. The station is owned and operated by E. W. Doernbecher, Northwest furniture manufacturer, under the title of Puget Sound Broadcasting Co. It is the CBS outlet for Tacoma.

Charter Cleveland Firm

Columbus, Dec. 3.—Articles of incorporation have been filed by the Food Terminal Broadcasting Co., Cleveland. Russell E. Swiler, president, Northern Ohio Food Terminal; C. F. Haas, D. B. Pocock and R. F. Blair are behind the project.

The new company has made applications to the F.C.C. to establish a 100-watt daytime station in Cleveland for an agricultural marketing service for both farmer and consumer.

Oakie on Kraft Program

Hollywood, Dec. 3.—Jack Oakie will appear as a guest artist on the Kraft program with Bing Crosby and Bob Burns Christmas Eve. This will be Oakie's third appearance as a guest star on the program.

Lux Gets Herbert Marshall

Hollywood, Dec. 3.—Herbert Marshall has been set by cable to London for the Lux Theatre of the Air Dec. 28. Marshall will appear opposite Madeleine Carroll in a vehicle not yet decided upon.

End Spokane Court Radio

Spokane, Dec. 3.—Broadcasting of police court proceedings every morning over KGA were stopped by Police Judge Frank Yuse upon request of the Spokane County Bar Ass'n.

N B C, C B S on Job

Because of the furore created by the reported abdication ultimatum delivered to King Edward by Prime Minister Baldwin, NBC and CBS yesterday made hasty arrangements for short-waved programs from London.

Gerald Barry, editor of the *London News Chronicle* spoke over CBS at 6 P.M., E.S.T., while Alistair Cooke, English author, addressed the NBC-Blue listeners at 5:45 P.M., E.S.T. Both speakers analyzed the possibilities of a marriage of the King with Mrs. Simpson and its possible consequences to the Empire.

Spelling Bees Latest in Stunts to Hit Air Waves

(*Continued from page* 1)

Sunday, Dec. 13. Bob Emory will be in charge of the series. The program is planned on a basis of 13-week cycles. Groups, including men's clubs, women's organizations, school and university groups and service clubs will be invited to participate.

To complete the network cycle, CBS will probably have a spelling bee program shortly. The program department there, it has been reported, is now completing plans for a show of this type.

Barrymore as "Scrooge"

Lionel Barrymore will make his third annual air appearance as "Scrooge," in "Christmas Carol" on the "Hollywood Hotel" program on Christmas Day. Barrymore's dramatization will consume 45 minutes of the full-hour show; consequently the usual "Hollywood Hotel" film reenactment will be omitted for this broadcast.

Barrymore's contract for his yearly air portrayal is one of the most unusual agreements in radio. It started two years ago when the Nash Motor Co. placed a special Christmas Day program on the air featuring a host of "name" acts, including Barrymore, Bea Lillie, Alexander Woollcott and others. Campbell Soups, sponsors of the "Hollywood Hotel" program were impressed with Barrymore's effort and signed him to a five-year contract to star in "Christmas Carol" every Yuletide. After this next broadcast Barrymore will have at least three more annual performances to go.

It is expected that this year well-known film players will assist Barrymore in the dramatization.

Sweeping Sinclair Change

Another sweeping change in one of radio's oldest standbys looms for the Sinclair "Minstrel" program, heard at 9 P. M., E. S. T. on the NBC-Blue.

The "Minstrels" contract runs out early in January and the report is that the program will be abandoned to make room for a new program, probably one featuring a popular "name" band and vocalist. The Federal Advertising Agency is expected to name the change within the next fortnight or so.

The show has been an NBC feature for the past six years or so.

It Was Fennelly

Parker Fennelly, radio character actor heard on the NBC "Snow Village" sketches, has re-united George M. Cohan and Sam Harris, who broke up a partnership in 1919 because of the Equity strike of that year.

The pair will be re-united sometime next month when it begins production of Fennelly's new show, "Fulton of Oak Falls." Cohan will co-produce and play one of the principal roles in the play. The drama marks Fennelly's first effort at legitimate theatre play writing.

Full Hour for Birdmen Rally

NBC will cover the Junior Birdmen Rally at the Music Hall in New York next Saturday in a full-hour broadcast beginning at 9 P.M., E.S.T., over the NBC-Blue. The list of speakers whose addresses will be broadcast includes Captain Eddie Rickenbacker, Frank Hawks, Amelia Earhart, General Oscar Westover, Commander Charles Rosendahl, Mayor Fiorello LaGuardia, Mrs. Floyd Bennett and Dick Merrill. Floyd Gibbons will be master of ceremonies.

Set Under New Policy

Tom Howard and George Shelton, comedians, have been signed as the featured guests for this Saturday's "Sealtest" program, heard at 8 P.M., E.S.T., over the NBC-Red. Ray Knight will act as master of ceremonies. The trio inaugurates the new program policy of guest artists each week, a situation brought about when Walter O'Keefe walked out of the cast dissatisfied with his material.

"News of Youth" Re-Signed

"News of Youth," program sponsored by Ward Baking Co., has been renewed for the second consecutive year effective as of Dec. 14. Since its inception, the show has been heard on Tuesdays, Thursdays and Saturdays, but beginning on Dec. 14, it will switch to a Monday, Wednesday and Friday schedule, from 6:15 to 6:30 P. M., E. S. T.

Fletcher and Ellis, Inc., is the agency.

"Scouring the Town" to WABC

"Scouring the Town," a new series of character dramatizations by Elsie Mae Gordon will be added to the WABC schedule each Thursday from 11 to 11:15 P.M., E.S.T. beginning Dec. 10. The program, sold through Maxon, Inc., is sponsored by Enoch Morgan's Sons & Co. for Sapolio.

Grants Television Permit

The Federal Communications Commission has granted a license to the Farnsworth Television Co. to operate an experimental television station in Springfield, Pa. The license is effective Jan. 5, 1937.

A. H. Brolly is chief engineer of Farnsworth Television.

Tryout for New Talent

"Airfinds," WHN program which presents CBS sustaining talent will feature three new personalities tomorrow night at 8 P.M., E.S.T. in the second broadcast of the series. They are Margaret McRae, the Wallace Sisters, and Artells Dixon.

"People" Up for Renewal

"We, the People," General Foods program heard for the past 12 weeks on Sundays at 5 P. M., E. S. T., over NBC-Blue, comes up for renewal next week.

Duey, Salter, Et Al

Short Shots: Phil Duey, radio baritone, has been signed on an exclusive contract by artist manager Aaron Steiner . . . Harry Salter has emulated the action of Walter O'Keefe by walking out of the "Saturday Night Sealtest Party" program set-up . . . "Cook's Tours" debuts on the CBS airways this Saturday . . . Ted Hammerstein's guests next Tuesday include Ruby Mercer, Elizabeth Murray and Ray Middleton . . . NBC's special events department, in charge of Abe Schecter, will be shifted into more spacious quarters next week . . . The Don Lee system will feed a weekly half-hour program direct from Hawaii to the Mutual network after the affiliation of the chains on Dec. 29 . . . Arnold Johnson has assembled a new 15-piece band which he is now auditioning at the ad agencies . . . Efrem Zimbalist will be Floyd Gibbons' Saturday night guest star on the "Speedshow" program . . . Rose Marie, formerly known as "Baby Rose Marie," will be featured on WMCA Sunday at noon in a quarter-hour program . . . Bernice Claire, network star, will be interviewed by Marion Cole over WMCA next Tuesday at 3.45 P.M. . . . George Burns and Gracie Allen will leave Hollywood Dec. 26 for a two-week stay in New York . . . Hal Kemp's audition for the Chesterfield cigarette program currently featuring Andre Kostelanetz's orchestra, was unsuccessful.

Brundage, Kroeger Resign from KFWB

Hollywood, Dec. 3.—First evidences of sweeping changes in the personnel of KFWB, local Warner Bros. station, are seen with the resignations of Hugh Brundage and Larry Kroeger, the station's outstanding announcers. The resignations will become effective Saturday.

Don Becker formerly program director at WLW, Cincinnati, will shortly assume an important post with the unit. He has been here for a week in an indefinite capacity.

The understanding is that KFWB will do two air shows for Transamerica, piping them from the east. Meanwhile Warners' plans for a national network are proceeding despite the difficulty in getting affiliate stations.

Breen on Magic Key Hour

Hollywood, Dec. 3.—Sol Lesser has had 5,400 photographs, 350 sheet music copies, and 450 recordings of "Rainbow on the River," starring Bobby Breen, mailed to critics throughout the country.

Lesser also says Bobby has been signed to appear on the RCA Magic Key Hour on Dec. 20.

Astaire Pact Runs to '37

Hollywood, Dec. 3.—Fred Astaire's new air contract will run well into 1937, as he is soon to start work for Radio in "Stepping Toes." He will have the same supporting cast, including Charles Butterworth and Johnny Green and his orchestra.

Radio Does It, Too

Andre Baruch, who has been an ace announcer at CBS for ages, has cause to wonder if the company knows anything about it.

Yesterday he received a letter from the network, stating: "The Columbia Broadcasting System regrets to advise you that no auditions for announcers are being held at present, since the present staff is more than adequate."

REMBRANDT HIMSELF COULDN'T HAVE PA

"Charles Laughton does his most brilliant acting to date. A distinguished and beautiful film that bears the unmistakable stamp of his genius. Adjectives like 'breath-taking,' 'haunting' and 'startling' are of small use. No matter how admirably they may have served their purpose in describing the grandeurs of other outstanding films that have come his way, they sound hackneyed when applied to 'REMBRANDT.' For the beauty of the film is, in its use of light and dark, like nothing the screen has ever before achieved and is as difficult to describe in words as these qualities in one of Rembrandt's paintings or etchings."

—William Boehnel, N. Y. WORLD-TELEGRAM

"We can only recommend it in the strongest terms. A great, and rich, and glowing motion picture, a picture signed all over with distinction, like one of the master's own canvases. 'REMBRANDT' is as much Mr. Korda's greatest production to date, as it is, at once, the noblest subject and the best likeness — so far, at any rate — in Mr. Laughton's inspired gallery of historical portraits."

—B. C. Crisler, N. Y. TIMES

" 'REMBRANDT' is a ph
theatre to shame. I would
Dutchman for half a doze
Laughton creates masterp
biography . . . Charles La
a three dimensional portr
the memorable motion pic
of the screen . . . The re
thankful."

"Pictorially engrossing an
acterizations . . . It is a
Laughton has not only inv
and conviction, but has
about his warmly vital and
film of great visual beauty

"Laughton plays 'REMBR
color, this film portrait of
for Charles Laughton's p
experience delight in 'RE
sorbing, provocative film.

ALEXANDER KORDA *presents*

CHARLES LAUGH

Directed by ALEXANDER KORDA with

Released thru

FLASH! 2nd Day's Receipts Exceed Smash Opening Day Gross a

THE HOLDOVER P

D A MORE PRECIOUS PICTURE THAN THIS!

o put the old legitimate
Mr. Laughton's doughty
way Hamlets . . . Charles
embrandt in classic screen
admirable actor, presents
painter in 'REMBRANDT,'
he Rivoli. Here is a classic
omething for which to be
obert Garland, N. Y. AMERICAN

with deft and subtle char-
achievement that Mr.
ese interludes with power
ted the entire photoplay
ided impersonation . . . A
d Barnes, N. Y. HERALD TRIBUNE

to perfection . . . Rich in
is a handsome acquisition
gallery. His followers will
DT.' It is a handsome, ab-
Johaneson, N. Y. DAILY MIRROR

"A distinguished film, as produced and directed by Korda. An incisive portrait of a genius, as projected on the screen by Laughton. Elsa Lanchester gives a fine and sensitive performance of the little maid whom Rembrandt loved through later years. Gertrude Lawrence gives distinction to the role of Geertje, who was Rembrandt's mistress."

—Kate Cameron N Y. DAILY NEWS

"When news first came that Laughton was to do 'REMBRANDT' for Alexander Korda, you began anticipating an honest, historically faithful picture in which Laughton would turn out another brilliant performance. Check. 'REMBRANDT' now at the Rivoli, lives up to expectations . . . Magnificently produced."

—Archer Winsten, N. Y. POST

"With a courage as valuable as it is rare, the motion pictures have dared to tell the story of Rembrandt van Rijn. Charles Laughton in a superb performance as 'REMBRANDT' . . . A stirring visual beauty, a fine historical sense and a memorable performance by Charles Laughton . . . The magnificence of the production itself, does not dwarf the star's performance. 'REMBRANDT' is certainly a film for every discriminating moviegoer."

—Eileen Creelman, N. Y SUN

N as "REMBRANDT"

RUDE LAWRENCE • ELSA LANCHESTER

TED ARTISTS

oli, N. Y.!...Washington, Keith's, Opened Big and Built Even Bigger!

DE HAS STARTED!

Purely Personal

N. L. NATHANSON is in town again with MRS. NATHANSON. Both were at "21" for lunch yesterday as were MORTON DOWNEY, E. B. HATRICK, WILLARD MCKAY, PHIL REISMAN and SAM DEMBOW among others.

•

ALEXANDRE IACOVLEFF, French artist and a member of the Trans-Asia expedition which filmed "Yellow Cruise," will be tendered a press cocktail party next Tuesday at the 55th Street Playhouse by JOHN S. TAPERNOUX of French M. P. Corp.

•

E. PICKMAN of Music Corp. of America, and ANATOLE JOSEPH SEPO will head for the coast today via American Airlines. Also leaving via the same route will be HERBERT MARSHALL and M. GOLDMAN, the latter headed for Paramount studios.

Quip of the Day

Ali Gaga popped in yesterday with the story of a Northwestern exhibitor who asked 20th Century-Fox if Lloyds' London picture was as funny as the the one he made for Paramount called "The Milky Way."

JULES LEVY, vice-president and general sales manager, and CRESSON SMITH, southern and western district sales manager of RKO, are making a tour of ten of the exchanges in SMITH's territory.

•

JOHN FRIEDL, L. J. LUDWIG, KARL HOBLITZELLE and A. H. BLANK are among the Paramount theatre operators in town for conferences with home office executives.

•

HARRY M. WARNER and JAKE WILK will leave for the coast next Wednesday by train. WARNER said yesterday he plans to spend two months in Hollywood on business.

•

GEORGE J. SCHAEFER, vice-president and general manager of United Artists, will leave for Hollywood via plane next Wednesday for general conferences with producers.

•

MYRON SHAPIRO, head of the Globe Poster Co. of St. Louis, flew back to the Mound City yesterday after a week's vacation here.

•

JACK WHITE of 20th Century-Fox, E. P. PHILLIPS of Paramount and LOU IRWIN left for Hollywood yesterday via American Airlines.

•

JOE MILLER, Columbia branch manager, yesterday returned to Buffalo after conferences with home office executives.

•

HARRY KALMINE, Pittsburgh zone manager for Warners, and his assistant, C. J. LATTA, were in town yesterday.

•

ANNE NICHOLS flew to the coast yesterday to seek talent for a revival of "Abie's Irish Rose."

•

A. M. BOTSFORD ended a visit of several weeks here yesterday and left on the Century accompanied by MRS. BOTSFORD. They will go direct to the coast.

•

FENN KIMBALL, president of General Pictures Corp., will reach the coast today for a two-week stay.

•

MOE SILVER was in town from Albany yesterday on one of his periodic visits to the Warner home office.

•

NAT HOLT, Cleveland district head for RKO theatres, left for home yesterday.

•

TOBY and MRS. GRUEN observed their 30th wedding anniversary with a party at the Pierre last night.

•

DEANNA DURBIN will celebrate her 14th birthday today with a luncheon tendered by Universal executives.

•

EMANUEL COHEN will leave here on Saturday on his return to the coast.

•

PAT CASEY plans to leave for the coast today or tomorrow.

•

GEORGE BROWNE, I.A.T.S.E. head, is expected here early next week.

•

JAMES DAVIDSON of Grand National was home yesterday with a bad cold.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"After the Thin Man"

(M-G-M)

HOLLYWOOD, Dec. 3.—Again starring William Powell and Myrna Loy, this sequel to "The Thin Man" should please in much the same manner.

The writers of the screen play, Francis Goodrich and Albert Hackett, have made from the Dashiell Hammett story a yarn combining hilarious comedy and deep mystery, plus melodrama and crisp dialogue.

Producer Hunt Stromberg and W. S. Van Dyke, the director, have provided a different treatment for the film, however much it is similar to its predecessor in idea, and it may be anticipated that audiences will react in lively fashion.

Powell and Miss Loy return to San Francisco, where he receives a typical mother-in-law welcome from Jessie Ralph. Wildly greeted by his mug companions, Powell is immediately hurled into the center of a family scandal. With the film building to a high point of comedy and suspense. Alan Marshall, husband of Elissa Landi, Powell's sister-in-law, is murdered. With a maze of conflicting developments involving Miss Landi, James Stewart, racketeer; Joseph Calleia, William Law, Teddy Hart and Dorothy McNulty, a cheap entertainer, Powell goes to work, aided and hampered by Miss Loy and Asta, the dog.

Two more killings result before Powell sets a trap whereby the killer will reveal his own identity at a gathering of the suspects, while the police are baffled. With a mixture of hokum and drama, the trick works in a surprise climax.

With "The Thin Man" as a background and the work of Powell, Miss Loy and several other players, new to this series, to sell, the exhibitor should have a real attraction for all types of audiences, either as comedy or mystery.

Production Code Seal No. 2,889. Running time, 110 minutes. "G."

"Great O'Malley"

(Warners)

HOLLYWOOD, Dec. 3.—Produced with warmth and well acted, this film will appeal to family audiences and should please generally. Pat O'Brien in the title role plays a New York cop with an obsession for enforcing all laws and ordinances literally. Donald Crisp, his captain, and Frank Sheridan, his parish priest, are unable to convince O'Brien that justice should be tempered with mercy and that honest citizens should not be compelled to suffer because of obsolete though unrepealed ordinances.

When O'Brien's stubbornness costs Humphrey Bogart a job, Bogart commits robbery to obtain food for Frieda Innescourt, his wife, and Sybil Jason, his child. Crisp, understanding the background of the case, relegates O'Brien to school street crossing duty as punishment. At his new duties O'Brien comes to understand the hardships caused by his enforcement obsession and, through an attachment for little Sybil, he makes restitution to the Bogart family and also wins Ann Sheridan, a school teacher.

The direction of William Dieterle handles all elements sympathetically and makes the plot believable. Milton Krims and Tom Reed wrote the screen play from the Gerald Beaumont story. Harry Joe Brown supervised production. The supporting cast includes Mary Gordon, Hobart Cavanaugh and Henry O'Neill. O'Brien followers should be well satisfied and the picture should build as the word of its value passes.

Production Code Seal No. 2,451. Running time, 70 minutes. "G."

Washington Warner Men Talk Policies

WASHINGTON, Dec. 3.—Warner managers in this territory held a conference here this week with John J. Payette, general zone manager, for a discussion of policies.

Among those who spoke were: George A. Crouch, assistant general zone manager; three district managers —Harry Lohmeyer, Washington; Nat Glasser, Virginia, and Guy Wonders, Maryland; Frank La Falce, director of publicity and advertising; Charles MacGowan, head of the contract department; Alton Pratt, head of the sound department; Louis Ribnitzki, assistant film booker, and George Werner, short subjects manager.

John Forney, manager of the Strand, Staunton, Va., was presented a silver cup by Payette for his work on "A Midsummer Night's Dream."

Columbia Officials Leave for Chicago

A party of 11 Columbia home office officials will leave today by train for Chicago to attend the two-day mid-season sales meet which will open at the Drake tomorrow with Abe Montague, general sales manager, presiding. Liquidation of contracts and a general discussion of new product will be the principal topic of discussion.

In addition to Montague, those leaving will include Rube Jackter, Joe McConville, Lou Warberg, Louis Astor, Max Weisfeldt, Leo Jaffe, Milton Hannock, George Josephs, Hank Kaufman and Leonard Picker.

The party will return Monday. The third sales session will be held in New Orleans next week.

"Accused" to Criterion

"Accused," Criterion film starring Douglas Fairbanks, Jr., and Dolores Del Rio, will open at the Criterion next Wednesday.

Wall Street

Para. Gain on Board

	High	Low	Close	Net Change
Columbia	36¼	36¼	36¼	— ½
Consolidated	4⅞	4¾	4⅞	+ ¼
Consolidated, pfd.	17	16¾	17	+ ⅜
Eastman Kodak	177	177	177	— ½
Gen. T. Equip.	27⅞	27⅜	27⅜	.....
Loew's, Inc.	63½	62⅝	63	+ ⅜
Loew's, Inc., pfd.	106	106	106	.....
Paramount	21⅞	20¾	21¼	+ ⅜
Paramount 1 pfd.	161¼	154½	156¼	+3¼
Paramount 2 pfd.	20	18¾	19⅜	+ ⅜
Pathe Film	10½	9½	9½	— ¼
RKO	8¾	7¾	8⅜	+ ½
20th Century-Fox.	36¾	36	36¾	+ ¾
20th Century, pfd.	45⅝	45⅝	45⅝	+ ⅛
Universal, pfd.	102½	102½	102½	—2½
Warner Bros.	17	16½	16½	+ ⅛

Erratic Curb Movement

	High	Low	Close	Net Change
Grand National	3¼	3¼	3¼	— ⅛
Sonotone	2	1⅞	2	+ ⅛
Technicolor	22	21¾	21⅞	— ⅜
Trans-Lux	4¾	5⅝	4⅝	— ⅛

RKO Bonds Up 3½ Points

	High	Low	Close	Net Change
Keith, B. F. 6s '46	99⅝	99⅝	99⅝	— ⅛
Loew's 6s '41 ww deb rights	101¼	101⅛	101¼	.....
Paramount B'way 3s '55	70⅞	70⅞	70⅞	+ ⅜
Paramount Pict. 6s '55	100⅞	100¼	100⅞	— ⅛
RKO 6s '41	120	116	120	+3½
Warner Bros. 6s '39 wd	98½	98¼	98¼	.....

(Quotations at close of Dec. 3)

Para. Fourth Quarter May Top 1st Three

(Continued from page 1)

said that it was found to be "impossible to determine the amount of the dividend until the latest possible earnings statements and dividend declarations have been reported by subsidiaries and received by Paramount."

Delay in receiving the necessary reports is occasioned by "the number of subsidiary companies controlled by Paramount and the ramifications of various tax problems," the company said.

Earnings and dividend prospects for the year end were discussed with the board by a number of Paramount's principal theatre operators, it is understood. In New York at this time are N. L. Nathanson, of Canada; L. J. Ludwig and John Friedl of Minneapolis; Karl Hoblitzelle of Dallas, and A. H. Blank of Des Moines.

At the year end, arrears on Paramount's first preferred will amount to $12 a share, and $1.20 a share on the second preferred. According to the board's statement, there is no intention of taking dividend action on the second preferred at the Dec. 10 meeting.

Leaders of Industry Pay Honor to Zukor

HOLLYWOOD, Dec. 3.—Industry leaders and an array of stars assembled here tonight at the Trocadero to do homage to Adolph Zukor on the occasion of his 25th anniversary as a producer.

The dinner was sponsored by production executives in cooperation with the Academy of Motion Picture Arts and Sciences. Speakers included Louis B. Mayer, Jesse Lasky, Joseph M. Schenck, Frank Lloyd and others who at one time or another have been associated with Zukor since his first days in the business.

The entertainment, which was selected and arranged by Boris Morros, included Jack Benny, Martha Raye, Irving Berlin, George Burns, Bert Wheeler, Gertrude Niesen, the Ritz Brothers and Tony Martin.

Sales Meet to Follow Dinner

Paramount's mid-season product meeting will be held at the studio following the jubilee dinner being tendered Adolph Zukor on Jan. 7 in Hollywood. The decision to hold the meeting at that time instead of earlier, as originally planned, was due to the fact that most of the home office executives who would attend the product conference are also planning to go west for the Zukor jubilee dinner.

Home office officials who plan to attend include Barney Balaban, president; Neil F. Agnew and Y. Frank Freeman, vice-presidents; Walter B. Cokell, treasurer, and Robert Gillham, director of advertising and publicity.

American Films Lead

BUDAPEST, Nov. 19.—During October, first run theatres here showed six American films, four Hungarian, three German, three French and one Austrian.

MPTOA Not to Join Berry Conference

(Continued from page 1)

an invitation to attend the conferences at Washington, in the first place, and secondly that prior commitments to address exhibitor conventions in other parts of the country would prevent his attendance in the event an invitation is received hereafter. He added that he knew of no alternate official of the M. P. T. O. A. who would be free to attend the sessions at this time.

Kuykendall leaves here tomorrow for Charlotte to attend the annual meeting of the M. P. T. O. of North and South Carolina on Dec. 7 and 8, and goes from there to St. Louis for a second convention opening on Dec. 11. He has also agreed to address subsequent exhibitor meetings at Oklahoma City and Dallas, and will stop off at New Orleans for informal conferences with exhibitors there while en route back to his home at Columbus, Miss., for the Christmas and New Year's holidays.

Film Men to Meet in Advance

WASHINGTON, Dec. 3.—Representatives of the film industry who attend the meetings of the National Council for Industrial Progress on Dec. 10 and 11, will enter the sessions with their attitude toward industrial legislation definitely determined, as a result of their decision to hold their group meeting the day prior to the conference.

Announcement that the film group will hold a meeting on Dec. 9 was made today by George L. Berry, Coordinator for Industrial Cooperation and head of the council. Original plans called for the film meeting after the council session on Dec. 10.

Indications today were that few of the national trade organizations will be represented at the conference and that attendance will be largely confined to the so-called independents in the various industries. Representatives of the larger organizations explained that they do not consider the forthcoming conference an Administration move and that President Roosevelt has never announced his sponsorship of it.

Mainstreet Tries Duals

KANSAS CITY, Dec. 3.—The RKO Mainstreet used duals for the first time. Only the Tower among first runs has never offered a dual and stuck to vaudeville and pictures since it was opened two years ago. The Newman, the Uptown and Loew's Midland all are, or have been, using occasional doubles.

Ross Named B. C. Censor

VANCOUVER, Dec. 3.—Andrew A. Ross has been appointed to the British Columbia censor board. He replaces Samuel A. Moore, who resigned recently.

Ross was formerly connected with the Ford Motor Co. of Canada, and was attached to a finance company until he retired two years ago.

Rubin Is Dinner Guest

Harry Rubin, projection director at the Paramount, was tendered a dinner Wednesday night at the Cadillac which was attended by the 20 projectionists connected with the Paramount theatre and home office. Cecil B. DeMille was guest of honor.

Goldwyn Sets Eight To Cost $10,000,000

(Continued from page 1)

because of the increase of factory-made pictures to meet the double bill market. Product has dropped down generally in recent times, and but for the present freedom of money, box-offices throughout the country would be suffering."

The eight scheduled by Goldwyn include: a remake of "Stella Dallas," to go into work in February; "Hurricane," by Charles Nordhoff and James Norman Hall, directed by John Ford; "The Adventures of Marco Polo," in conjunction with Douglas Fairbanks; "Goldwyn Follies," musical; "Dead End," play by Sidney Kingsley; "Revolt of Manila," with Gary Cooper and Merle Oberon, and screenplay by Dudley Nichols; "Folly and Farewell," with Merle Oberon and Brian Aherne, and an untitled story being written by Lillian Hellman.

Wanger Plans 8 by June

HOLLYWOOD, Dec. 3.—Despite the fact that his current United Artists contract calls for the delivery of only six pictures, Walter Wanger plans to complete eight films prior to his departure for Italy on June 1. The uncertainty of present European conditions prompted the producer to enlarge his list. Wanger wishes to be protected in the event that war should break out on the Continent by spring and also feels that the extra production will give him a good start for next year's program in any event.

Wanger stated today that Hal Horne will concern himself with the showmanship and exhibition side of production. The handling of general production, he said, will be undertaken some time in the future.

Richberg Proposes Revised Trust Laws

WASHINGTON, Dec. 3.—Donald R. Richberg, former NRA Administrator, today proposed a substitute program for the NRA, built on legislation which would incorporate the definition of poor labor conditions as unfair competitive practice and consider hours and wages in new anti-trust laws.

He viewed as unwieldy the Federal incorporation bill, sponsored by Senator Borah, increasing Government control of industries in interstate commerce. The anti-trust laws, he said, "should be restated and clearly define both monopolistic and competitive practices." Under his plan the administrative machinery would be reorganized to enforce modernized anti-trust laws.

Flash Preview

"Beware of Ladies"—Another tale of the girl reporter—Judith Allen, this time—amusing, and well suited to double bills.

This film will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Minskoff to Build

Samuel Minskoff, builder, has acquired the northeast corner of 73rd St. and Albermarle Terrace at the intersection of Broadway and Roosevelt Ave., Jackson Heights, as a site for a 600-seat theatre.

Approval Sought on R. I. Leases of RKO

A petition for approval of an agreement for the retention by RKO interests of leases on the Albee and Victory at Providence, R. I., was presented to the U. S. District Court here yesterday by Irving Trust Co., RKO trustee. A hearing on the petition was set for Dec. 16 by Judge William Bondy.

The effect of the proposed agreement is to eliminate a liability of $287,500 arising from RKO's guarantee of the leases on the two theatres which are held by the subsidiary company, RKO Rhode Island Corp., retention of the leases by the subsidiary and extension to 1956 of a new mortgage amortization agreement.

In consideration for the agreement, Laura F. Albee, to whom the mortgage has been assigned, would be permitted to file a claim against RKO and have it allowed in the reorganization proceedings as an unsecured claim for $187,500. RKO Rhode Island would apply two-thirds of its profits to retirement of the mortgage and the other third to reduction of its indebtedness to RKO for sums advanced to it from time to time.

Decision Reserved In Tally-FWC Case

(Continued from page 1)

months, and will be handed down here. The hearing was on an appeal from the lower court, which held it had no jurisdiction.

This phase of the case, which has been hanging fire for many months, was heard by Judges Curtis D. Wilbur, Francis A. Garrect and Bert E. Haney. William Neblett, counsel for Corbar, in his oral argument, maintained that fraud had been practiced in the bankruptcy proceedings and he scored the method by which the appellees acquired various holdings, contending they permitted the unprofitable ones to go into bankruptcy, retaining those which were profitable. He called the operation a "steal."

The appellees maintained the action should not have been brought because it necessitated an attack on the court and if granted it would cause tremendous confusion. At least 20 attorneys were in court.

Neblett also claimed that the creditor claims listed by Fox, totaling $40,000,000, were fictitious and that the appellees were solvent. He contended they have some 500 creditors whose total claims amount to $300,000.

Fairbanks Asks Appeal

LOS ANGELES, Dec. 3.—Douglas Fairbanks, through his attorney, Paul Vallee, today petitioned Federal Court for permission to appeal to the San Francisco Circuit Court of Appeals from the judgment of $88,609 obtained by the Government for back taxes of 1929. The original judgment was $72,186 with interest accounting for the balance.

"Diggers" at Buffalo

BUFFALO, Dec. 3.—Snow and wind were too much for the "Gold Diggers" air troupe and they spent the night here not knowing whether they would have to go on to Columbus by train tomorrow. They came here from Syracuse by train.

Kuykendall to Seek Talks on Local Boards

(Continued from page 1)

officials of Paramount, whose reply to the trade practice program is expected momentarily, and may confer with RKO executives today. The latter company is also understood to have its reply ready. Kukyendall will leave here tomorrow with plans for returning to the city early in January.

No meeting of the M.P.T.O.A. board will be called to decide on the organization's annual convention city, it was decided yesterday. Instead, the directors will be polled by mail and in line with this decision ballots were mailed out to them yesterday. Indications are that the meeting will be held in Miami in February.

Warners to Sponsor Christmas Parties

Harry M., Jack L. and Albert Warner will stage their 11th annual party for the Hebrew Orphan Asylum on Dec. 27 at which time approximately 2,800 gifts, exclusive of candy, will be given the children in addition to a show and special holiday dinner.

The Warner brothers also will sponsor for the ninth consecutive year a similar event for the Colored Orphan Asylum at Riverdale, N. Y. This affair will be held during Christmas week. About 500 gifts will be donated to this institution.

Although the date has not yet been set, it is planned to hold a party for the Catholic Day Nursery in the Bronx.

In each instance the children designate in advance the gifts they would prefer and every attempt is made to comply with the requests. Harold Rodner is supervising the details for the Warners.

In making the annual donations, the Warners have expressed themselves as more than happy to do this for the poor and orphaned children, regardless of race, color or creed.

Grand National to Have 5 Going Soon

Grand National will have five productions, and possibly six, in work this month, Edward L. Alperson, president, stated upon his arrival late yesterday from Hollywood.

The five definitely set for the cameras are "Gold," "23½ Hours Leave," "Trouble in Texas," a musical by Victor Schertzinger and Richard A. Rowland's first of eight. B. F. Zeidman has tentative plans of putting into work "Two Shall Meet."

A number of important players are expected to be added to the company's roster, Alperson stated. Negotiations are under way and expected to be consummated shortly, he said. The five films will cost approximately $750,000, Alperson asserted.

E. L. Alperson in K. C.

KANSAS CITY, Dec. 3.—Edward L. Alperson, president of Grand National, and James Winn, western divisional sales manager, were here yesterday conferring with Russell Borg, local branch manager.

Out Hollywood Way

HOLLYWOOD, Dec. 3.—JOHN SLOAN, who has been named by Warners as assistant to IRVING ASHER, off tomorrow by train en route to the company's London studios. SLOAN has been an assistant in the Warner production department here for the past six months.

FRED PERRY, MILTON HOLMES and FREDERICK B. ALEXANDER take over Beverly Hills Tennis Club. . . They'll rebuild it and try to develop the picture star roster.

MARGARET TALLICBET, stenographer protege of CAROLE LOMBARD, given a speaking role in "A Star Is Born" by DAVID O. SELZNICK. . . . GROUCHO MARX takes in every preview at the Fox Village, his neighborhood theatre. . . . JACK HALEY gets new contract at 20th Century-Fox. . . . RICHARD BLAKE signed to term contract by Paramount.

GEORGE A. HIRLIMAN borrows BEATRICE ROBERT from M-G-M for "Park Avenue Logger" opposite GEORGE O'BRIEN. . . . DOUGLAS MACLEAN arranges with Santly Bros.-Joy, Inc., for publication of musical numbers in "23½ Hours Leave." . . . WALTER WANGER exercises option on PAT PATTERSON. . . . Next assignment "Wuthering Heights." . . . RAYMOND FRIEDGEN back from Florida with "Killers of the Sea" scenes. . . . MISCHA BAKALEINIKOFF, assistant musical director at Columbia, married to HELEN VAUGHN.

✚

Casting—At Warners, ANITA LOUISE in "Call It a Day," HENRY O'NEIL in "Go-Getter" and "Marked Woman," JANE WYMAN in "Marry the Girl, HELEN VALKIE in "The Prince and the Pauper," ANN DVORAK and DONALD WOODS in "The Case of the Stuttering Bishop." . . . FERDINAND MUNIER and CLAUDE KING in "A Star Is Born," Selznick-International. . . .

✚

Writers—BASIL DICKEY to adapt "Silks and Saddles" for Victory Pictures. . . . JOHN MOFFETT completes work on "Night Key," Universal.

✚

Director—HENRY POTTER assigned to direct "Wings Over Honolulu," Universal.

"Allah" at $82,000 In Its Second Week

"The Garden of Allah," with a holiday show at the Music Hall, garnered $82,000 for the second week. This was $2,000 less than the first stanza.

"Three Men on a Horse" ended its first seven days at the Strand to the tune of $40,000, which is regarded as very good in Warner circles. The second week is said to be holding up well, despite the concurrent run of the stage show. Warners dropped its interest in the play last July.

"Go West, Young Man" in its second week at the Paramount tallied $34,000 with a stage show. "Mad Holiday" at the Rialto was mild at $7,000. The Criterion managed to get approximately $8,000 on "White Hunter." A double feature is now current at the theatre. The bill comprises "Tundra" and "King of Hockey."

"Come and Get It" at the Rivoli took in about $13,000 in the third week. "Rembrandt" is currently showing.

Fortune to Handle "Robber Symphony"

(Continued from page 1)

first "composed" film and was written, directed and composed by Friedrich Feher, co-director of "The Cabinet of Dr. Caligari," at Elstree with exteriors photographed in the Austrian Alps. It was accorded the gold medal of the Bi-Annual Art Exhibition at Venice last August.

Friedlander is negotiating for a Broadway theatre and for the run on a two-a-day basis will have Feher conducting a symphony orchestra. This will mark one of the rare occasions, if not the first time since sound took hold that a film, actually made in sound, will be projected silently and the music furnished by a real orchestra.

British Quota Seen Treaty Talk Factor

(Continued from page 1)

the subject might be discussed during the negotiation of the proposed trade agreement.

It was explained that since the quota plan in England is designed to encourage domestic production, it is not a matter in which this country can intervene unless our nationals are intentionally discriminated against.

Illinois Drawings Are Ruled Illegal

(Continued from page 1)

elect in McLean County, asked Attorney General Otto Kerner for an opinion on the giveaways after a Bloomington merchant had announced he intended to use them.

In his opinion Kerner says:

"I do not think there can be any question as to the illegality and criminal character of the scheme described in your letter. All of those participating in it in any way are subject to a fine of not more than $2,000.

"I think it is also clear that all who have anything to do with such a scheme could be included in a charge of conspiracy to commit a criminal offense, and this charge would subject them to possible imprisonment."

AT & T Film Moves Minor Probe Angle

(Continued from page 1)

I. Wheat of California to serve as chief counsel.

During the hearings it was charged that Becker was planning his inquiry with an eye to publicity and to bring about maximum results in that direction was refusing to permit witnesses properly to amplify their answers to his questions. At the same time, it was indicated that members of the commission were displeased with his high-handed tactics, which involved keeping even the commissioners ignorant of the identity of witnesses called, until they appeared on the stand.



The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 133 NEW YORK, SATURDAY, DECEMBER 5, 1936 TEN CENTS

Copyright on Bank Night Voided by Appeals Court

Para. Saving Of 5 Million Is Expected

Economies in Operation, Finance Responsible

Aggregate savings of $5,000,000 are expected by Paramount officials to result from a program of current and future economies involving both operations and refunding, it was learned yesterday.

Of this amount approximately $1,500,000 has been realized already through home office and studio economies which have been placed in effect during the past four months. Another $2,000,000 in savings is anticipated on or immediately after Jan. 1. Of this amount, $50,000 will reflect further economies in studio operations, bringing the total savings from increased operating efficiency to $2,000,000.

On Jan. 1 Paramount will call in approximately $25,000,000 in bonds and other obligations of subsidiary companies both here and in England, which are now outstanding at interest rates of six per cent. The obligations will be replaced by private financing to cost three per cent. an official of Paramount said. He estimated the saving from this source at $1,500,000.

Within six months, it was stated, the

(*Continued on page 4*)

No New Roxy Setup Seen Before March

With no reorganization plan filed and Federal Judge Francis G. Caffey yesterday setting Dec. 18 as the new hearing date, observers hold that it will take until March before the Roxy is freed of court supervision.

It is generally conceded, and not denied by either the first mortgage bondholders' committee or the distributor, that Twentieth Century-Fox will operate the theatre under a long term lease. Every indication points to the present management remaining intact, as reported previously.

Holding up filing of the reorganization plan is the negotiations by the

(*Continued on page 4*)

Republic Personnel Shakeup Is Likely

HOLLYWOOD, Dec. 4.—A possible shakeup in Republic's personnel and a revision of the company's budget system appeared imminent today with the arrival of Herbert J. Yates. E. H. Goldstein has been here for the past week. The understanding from an

(*Continued on page 3*)

Gilman Sees Coast as Hub Of Television

HOLLYWOOD, Dec. 4.—This community is expected to be a television center within the next two years during the development period by Don Gilman, NBC vice-president in charge of the Pacific Coast Division.

Gilman returned today following a month in New York.

NBC television facilities will be increased to 425 lines at an early date, he said, and the talent available here will make it a field for television experiments. He predicts that the work will remain concentrated in New York for two years at least.

Motion pictures will have a place in

(*Continued on page 3*)

A new program on Hollywood starts next Thursday. This and other news of developments in the radio field on page 3.

Wilcox to Produce Story of Victoria

LONDON, Dec. 4.—Herbert Wilcox declared yesterday at Iverheath that he will produce "Victoria the Great," a film story of the life of Queen Victoria. The release has been set for June 21, 1937, to coincide with the lifting of the Lord Chamberlain's ban. It was announced yesterday that King Edward had agreed to remove the embargo on stage and screen portrayals of the life of Queen Victoria.

Negotiations are under way for a well known star to play the title role and for an English director, now working in Hollywood.

All Majors to Start Ultra Violet Sound

CAMDEN, Dec. 4.—Edwin M. Hartley, RCA Photophone sales chief, who recently returned from the coast, reported that installation of the new ultra-violet sound recording channels in the major studios is so far ad-

(*Continued on page 4*)

Extraordinary

London, Nov. 27.—The British Board of Film Censors is installed in its new offices at Carlisle House, in Soho, a 250-year old mansion, famous in Charles II's day for revelry by night.

Lord Tyrell, censor chief, has his office in what was once the Peach Room, with a hole in the wall through which Stewart beauties were wont to thrust their heads for powdering purposes.

Kuykendall May Not Run for Reelection

Ed Kuykendall may not be a candidate for reelection to the M.P.T.O.A. presidency when the organization holds its annual election in Miami early next March, he indicated yesterday.

Kuykendall, who recently disposed of his two theatres at Columbus, Miss., may either re-enter exhibition or accept one of several offers which he has received recently, either course being calculated to permit him to make his permanent headquarters in or near his Columbus home.

The M.P.T.O.A. leader conferred yesterday with United Artists officials on that company's reply to the exhibitor organization's 10-point trade practice program. As a result, indications are that United Artists' statement of policy may be completed either today

(*Continued on page 4*)

Production Level Stays at 40 Mark

HOLLYWOOD, Dec. 4.—Production held an even keel here last week after a brief spurt the preceding week. The major and independent lots had a total of 40 features and two shorts in work and sixty-five features in the cutting rooms. This figure broke all records for the past three years. Pictures in the writing departments and scheduled for the cameras within a two-week period numbered 25.

Eight new films were started during the week. They were: "Under Cover of Night" and "Last of Mrs. Cheyney" at M-G-M; "Clarence" and "Bring

(*Continued on page 4*)

Too Near Lottery to Get Equity Protection, Decision Says

DENVER, Dec. 4.—The U. S. Circuit Court of Appeals has ruled that Bank Night too closely resembles a lottery and as a result the owners, Affiliated Enterprises, Inc., are not entitled to the assistance of an equity court or the protection of a copyright on the plan.

The decision resulted from an appeal from the U. S. District Court in Oklahoma in which Fred Ganz of the Star, Sands Springs, Okla., was sustained in a contention that he was not infringing on a copyright. The decision may cause 5,000 houses now using the game to stop payments to the company.

The decision in part called the attempted registration "a subterfuge to escape the stigma of being a lottery.

"If not within the literal definition of those vices (lotteries) the plaintiff's plan is too closely akin to have the protection and assistance of a court of equity."

One section of the decision reads: "The plan, or system, is not covered by the plaintiffs' copyright and could not be." It quotes a previous decision and says: "Now while no one has a right to print or publish the

(*Continued on page 4*)

UMPTO Sets Jan. 2 For Start of Strike

PHILADELPHIA, Dec. 4.—The board of managers of the United M.P.T.O. of Eastern Pennsylvania today passed resolutions appropriating $5,000 as an initial fund to finance the fight against the sales policy of M-G-M, and declared the strike against the booking of M-G-M product will be effective on Jan. 2.

The strike date was set, it was said by George P. Aarons, secretary of the organization, on the refusal of M-G-M to modify its present sales policy so that the terms would not be in excess of those of last year.

RKO Home and Field Staffs to Get Bonus

RKO circuit employes in the field and home office earning $40 and under will receive a Christmas bonus of a week's salary, the board of directors has decided.

This differs from last year's bonus

(*Continued on page 4*)

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"Cimarron" Hearing To Be Held Monday

A special hearing will be held before Federal Judge Woolsey on Monday to set a date for screening "Cimarron" in connection with a plagiarism suit filed by Allan Caruthers against RKO. At the same time, Newman Levy of Greenbaum, Wolf & Ernst and William Savage, representing RKO, will move for dismissal. Irwin Halperin is counsel for the plaintiff.

Judge Woolsey has read the script of the picture and has delayed action until he looks at the film.

Boettiger on the Job

SEATTLE, Dec. 4.—John Boettiger, son-in-law of President Roosevelt and assistant to Will H. Hays for the past two years, took up his new duties as publisher for Hearst's *Post-Intelligencer* shortly after his arrival here last night. The paper recently resumed publication after having been shut down by a strike since August.

At a welcoming dinner tendered by Mayor John F. Dore of Seattle, Boettiger said that his wife, the former Anna Roosevelt Dall, who will write for the paper, "is my partner in every sense of the word."

Looking 'Em Over

"Champagne Waltz"

(*Paramount*)

Designated as "the Special Zukor Jubilee Production," Paramount has hit upon a genuinely worthwhile and amusing attraction in "Champagne Waltz," co-starring Fred MacMurray and Gladys Swarthout.

Of course, it is a musical. But it is a musical handled and developed in light and airy fashion with dashes of whimsy added by way of the sauce and an assemblage of nonsensical goings-on which are designed to increase the fun quota and succeed.

Miss Swarthout, who is fortunate in voice as well as in appearance and grace, is a descendant of the Johann Strauss family. Which immediately stamps the locale as Vienna. She and that other descendant in the direct lineage, Fritz Leiber, remain true to the tradition of the Viennese waltz and find themselves pitted against the encroachment of American jazz, with MacMurray as its hotcha exponent. Boy meets girl, quite naturally, and the inevitable love affair follows.

MacMurray poses himself off as almost everybody in Austria except himself and sinks to near oblivion through his desire not to further poach on the fast disappearing glories of the Strauss that once was. Comes the not unexpected union of waltz and jazz ultimately in what must have been New York's largest and most eleborate dance palace with musicians running in both directions to amusing totals and the completion of the love yarn.

But the fun quotient is considerable, the pace amusing and always entertaining. Veloz and Yolanda do their usual and extremely competent dance routines and Jack Oakie, his accepted and welcome brand of comicalities. There is also Herman Bing in a continued dither over his English and Vivienne Osborne doing an exaggerated siren whose cigarette ashes won't behave.

Harlan Thompson produced and Edward Sutherland directed from a screenplay by Don Hartman and Frank Butler from a story by Billy Wilder and Hy S. Kraft. William Mellor photographed and did a representative job.

Production Code Seal No. 2,593. Running time, 92 minutes. "A."

KANN

"U" Holds One-Day Sales Meeting Here

With James R. Grainger in charge and J. Cheever Cowdin, R. H. Cochrane and P. D. Cochrane at the luncheon, Universal held a winter sales meeting at the N. Y. Athletic Club yesterday. "Three Smart Girls" and the forthcoming "Top of the Town" were discussed.

Present were F. J. A. McCarthy, eastern sales manager who left for Boston at midnight; E. T. Gomersall, western sales manager, who returned to his Chicago headquarters late in the afternoon; Sig Wittman, eastern district manager; Harry D. Graham, southern district manager; Clair Hauge, in charge in Canada; Eddie Bonns, short subject sales manager; A. J. Herman, New England district manager; William Kramer and Sidney Singerman of the home office and from the sales force: Leo Abrams, New York branch manager; Dave Miller, Cleveland; J. Kaufman, Pittsburgh; Nate Sauber, Buffalo; Joe Engel, Philadelphia; Edward Heiber, Washington; Peter Dana, Albany; Morris Joseph, New Haven; W. P. Kelly, Boston and S. Brint, Toronto.

Grainger leaves for Chicago Wednesday where a second meeting will be held and from that point proceeds to the coast. Mrs. Grainger is also going west.

Columbia to Pay 25c

Columbia directors have ordered a quarterly dividend of 25 cents per share on the common, payable Jan. 2 to common stockholders and voting trust certificate holders of record Dec. 18.

Columbia's Chicago Session to Draw 75

More than 75 sales representatives of the home office and midwest will be on hand today for the opening of the two-day Columbia mid-season sales session at the Drake, Chicago. Abe Montague will preside.

From the home office will be Montague, Rube Jackter, Lou Weinberg, Louis Astor, Max Weisfeldt, Hank Kaufman, Leo Jaffe, Maurice Grad, Milton Hannock, George Josephs and Leonard Picker. This group arrived in Chicago this morning.

Division, branch and office managers, bookers and salesmen from Washington, Pittsburgh, Cincinnati, Detroit, Chicago, Cleveland, Indianapolis, Milwaukee, St. Louis, Kansas City and Des Moines also will attend.

General Pictures to Meet Exchange Men

HOLLYWOOD, Dec. 4.—General Pictures will hold a convention of exchangemen in Chicago late in January, it was stated today by Fenn Kimball, president, upon his arrival here. Henri Elman, Chicago franchise holder, will be host to the gathering.

Ray Doyle, formerly connected with the Thalberg unit at M-G-M, has been signed by Bob Welsh to do the script for "Night Edition," which General will produce.

Mark Barron to Marry

Mark Barron, city editor of the Associated Press, and Erin O'Brien-Moore will be married Sunday at Ossining.

See Future Trouble For Failure to File

By BERTRAM F. LINZ

WASHINGTON, Dec. 4.—Employers in the film industry who failed to make application last month for identification numbers on forms furnished by the Social Security Board may find themselves in difficulties next year when the time comes to pay the payroll taxes, it was indicated at the board today.

Using facilities of the Post Office Dep't, through which it distributed its application forms, the board now is engaged in obtaining a list of all employers who failed to return them.

While there is no penalty in the Social Security Act for delinquency in this respect, the names of recalcitrant employers can be turned over to Bureau of Internal Revenue for checking against the tax returns which must be filed in the near future. Failure to make these tax returns, of course, is punishable.

National Dissolves Dozen Subsidiaries

National Theatres Corp. has dissolved about a dozen subsidiaries in line with the new tax law, it was learned yesterday. The holding company has retained many of its companies because of leases and partnerships.

No action has been taken on a second dividend to Chase National Bank and Twentieth Century-Fox, which own the stock in National. Spyros Skouras, operating head for the circuit, is due back on the coast a week from Monday.

William T. Powers, chief film buyer; George Baldson, his assistant, and Milton Hossfeld, will leave by plane tomorrow for Kansas City where they will spend a week on product buys with Elmer C. Rhoden, operating head of Fox Midwest.

Table Bill to Limit Minneapolis Houses

MINNEAPOLIS, Dec. 4.—The third measure brought up within the past six weeks aimed at limiting the number of theatres in the city, went the way of the others today when the City Council Committee on Ordinances and Legislation voted three to two to table the proposal.

The attempts to alter the theatre ordinance were all based on safety and convenience, but were admittedly for limiting the number of houses. Backing the proposals are a "group of interested showmen." A threat that a minority report would be brought before the council itself was made by Alderman Edwin I. Hudson, who introduced the measure, and the matter may be fought out on the floor.

Blank Leaves After Partnership Talks

A. H. Blank is en route back to Des Moines after preliminary conferences here with Paramount home office officials on a new operating agreement for the Tri-States circuit of Nebraska, Iowa and Illinois. Blank's current partnership agreement expires at the year end. Indications are that a decision will be reached by Paramount within the next few days on either an extension of the present agreement or the terms of a new one.

Gilman Sees Coast as Hub Of Television

(*Continued from page* 1)

television, he predicts, just as electrical transcriptions have had in radio. He foresees one-dial receivers for sound and vision.

It would cost approximately $15,000,000 for a television cable across the country in the present stage of development, he said.

Engineers are now surveying the local territory and are mapping plans for doubling the broadcasting facilities here, with similar plans for the San Francisco plant.

NBC has first call on the McClatchey chain of radio stations, he said, contradicting reports that the Hearst organization had acquired control of this circuit.

Exhibitors protests on Hollywood programs are declining and producer cooperation is expanding, Gilman stated.

Republic Personnel Shakeup Is Likely

(*Continued from page* 1)

authoritative studio source is that the company heads are dissatisfied with what are termed exhorbitant costs for poor product and with pictures of heavier budgets falling into the "B" classification because of faulty production. It is reported that Jack Fier will take over serial production, with Goldstein slated to get the Fier post. The first sign of the current upheaval came with the resignation of Lon Young from his production post.

The studio stated that Yates' purpose in coming here is to attend the wedding of his nephew.

Girls Have Booties, But Ceiling Is Low

BUFFALO, Dec. 4.—All the Warner "Gold Diggers of 1937" had fur-lined boots and were ready yesterday to leave for Columbus on schedule, but the airplane said no. He had to have ceiling and visibility.

That put the flyers a day behind schedule, but they're due in Columbus tomorrow morning at 11 o'clock to be greeted by Mayor Myron B. Gasseman and for other festivities. On Monday they will be in Indianapolis, on Tuesday in Kansas City; Wednesday, Denver; Thursday, Salt Lake City; Friday, San Francisco; Saturday, Los Angeles.

Schenck Heads Fair Unit

Nicholas M. Schenck has been named chairman of the committee of the film industry which will participate in the drive to sell $27,829,500 of debenture bonds to finance the World's Fair. Distributors, producers and exhibitors will be included in Schenck's division.

Pollak Much Improved

BUDAPEST, Dec. 4.—Joe Pollak, who was hurt in a fall from a train near here some time ago, is almost fully recovered.

$100,000,000 on Air Time Sponsors' Total for 1936

One hundred million dollars will be the approximate total spent for commercial time on the air this year, according to a forecast of National Ass'n of Broadcasters.

The figure for the first nine months this year was $73,570,297, according to the association—a figure which represents a little less than 85 percent of the previous year's total of $87,523,848.

The three national broadcasting chains naturally have garnered the lion's share of the total. NBC heads the list with a gross total that will approximate more than $33,000,000 before the year is completed, according to NBC's own calculation. Last year the NBC gross was $31,148,931.

CBS indicates that the year's revenue will approximate $22,000,000, an increase of close to $4,000,000 over last year's figure. Last year CBS grossed $17,637,804.

Mutual's gross for 1936 will exceed the $2,000,000 mark. Mutual's gross last year was $1,293,102.

Spotlight on Hollywood

Little known facts about Hollywood will be dramatized over the NBC-Red Thursday, Dec. 10 at 4:45 P.M., E.S.T. on the "Answer Me This" program, a series devoted to dramatizations of the histories of various cities.

Among the facts to be related are that only a few studios are actually in Hollywood, that the supposedly gay film capital has more churches per capita than any other city in the world, that the first picture was made in a Chinese laundry with sheets used as a backdrop, and that, actually, there is no such town as Hollywood, Cal.

King's Outlet Here NBC

Should King Edward decide to make a radio address to the people of the British Empire, NBC will carry his message to American listeners, in accordance with a deal made yesterday by NBC with British Broadcasting.

Weber, Sullivan, Et Al

Short Shots:—Fred Weber, Mutual president, arrives today from Chicago and will leave for California within the next week or so . . . *Liberty*, sponsor of Paul Sullivan, news commentator at WLW, will extend the program to the Mutual network shortly . . . The entire radio industry mourns the unexpected passing of conductor William M. Daly . . . Reginald Allen, Esso News reporter at WBT, Charlotte, bedded with la grippe . . . Ray Knight may be signed as the regular "em cee" on the "Saturday Night Sealtest" program, depending on his reception on the program tonight . . . "The Witch's Tale," radio's oldest mystery thriller, which was removed from the airways several months ago, returns to WOR beginning Dec. 11 at the demands of the listeners . . . Richard Himber makes a return appearance on the "Morning Matinee" program Dec. 10 . . . Gabriel Heatter's book, "Faith," will go on sale Xmas Day . . . E. H. McReynolds, president of the Advertising Federation of America, will broadcast over WMCA on Thursday, Dec. 10 at 1:15 P.M., E.S.T. . . Billy Shaw has joined the dance department of Irving Mills, Inc., as assistant to Bob Sanders . . . M. H. Shapiro, who recently resigned as radio editor of *Billboard*, will edit *Radio Daily*.

Even the Veterans

Chicago, Dec. 4.—Just before the initial broadcast of Amos and Andy here tonight, Andy told the audience "I hope you're not as scared as we are."

Whereupon Amos collaborated with an "Ah-wah!"

WSAI Tries New Program

CINCINNATI, Dec. 4.—WSAI, one of the two local Crosley stations, is featuring a 15-minute sustaining program at 8:30 P. M. each Thursday, beginning this week, under the title of "Statesman Limited," and conducted by William Stoess and his orchestra. The program consists of a mythical journey to surrounding towns and includes sport talks, vocal and instrumental numbers and educational quips by local persons.

Carson Hoy, Mayor of nearby Mt. Healthy, participated in the initial broadcast.

Morse Does Para. Script

SAN FRANCISCO, Dec. 4.—Carleton E. Morse, author of "One Man's Family," NBC radio serial, has returned here from Hollywood, after completing the script of the film version which Paramount will produce.

The unique contract is said to provide percentages of the gross to NBC, Morse, and all major members of the radio cast who appear in the film, in addition to straight salaries during shooting and flat payments to Morse and NBC.

NBC to Start Bowl Series

HOLLYWOOD, Dec. 4.—NBC will start a series of Rose Bowl and Tournament of Roses broadcasts December 9.

Carl Haverlin, original bowl announcer and now on the NBC sales staff; Don Wilson, Tom Hanlon and Norman Sper will present a series of sport forecasts on the Rose Bowl game. The NBC network will also have the exclusive broadcast of the game.

Bras New KOL Manager

SEATTLE, Dec. 4.—Rickey Bras has been appointed commercial manager of KOL by Archie Taft, president of the CBS outlet here. Bras succeeds Norman F. Storm, who died two weeks ago following an operation. Bras has been general manager of KGY, Olympia, affiliate of KOL. He headed his own vocal act in vaudeville for a number of years.

Sign Harlow, Montgomery

HOLLYWOOD, Dec. 4.—Jean Harlow and Robert Montgomery will have top spots in "Devil May Care" on the Lux program over CBS Dec. 14. Claude Rains has also been set for a featured role.

Purely Personal

SAMUEL J. BRISKIN is due to leave for Hollywood on Monday. His brother, BARNEY, sales manager for SOL LESSER is in town with WILLIAM SHAPIRO for the opening of "Rainbow on the River," due to open at the Music Hall today.

•

"DODO" BLUMBERG observed her 12th birthday yesterday. The event was signalized by a party at which a round dozen of her friends attended and papa and mama had dinner all by their lonesome.

•

SAMUEL G. ENGEL, 20th Century-Fox associate producer, and his bride, the former RUTH M. FRANKLIN, arrive today for a honeymoon here, from Jackson, Mich., where they were married yesterday.

•

HENRI RUST, associated with ANATOL LITVAK in the production of "L'Equipage," will arrive Monday on the *Normandie* and will fly to the coast to assist LITVAK on "Escarille," now in work for Radio.

•

SPENCER TRACY arrives from the coast this morning and will be presented a model of a Blue Nose fishing schooner by J. J. WERNER of the Boucher Ship Model Co.

•

WILLIAM H. ROBSON flew in from Chicago yesterday to act as guest producer for "Rhythm of the Jute Mill" over a CBS hookup tonight.

•

ROBERT MCINTYRE, production manager for SAMUEL GOLDWYN, is in town for two weeks seeking talent for "Stella Dallas" and "Dead End."

•

DAVE PALFREYMAN leaves for Toronto tonight on a visit of several days to the M. P. P. D. A. office there.

•

SIDNEY M. BIDDELL, story editor of Grand National, plans to leave for Hollywood via plane next week.

•

PAT POWERS leaves by plane for the coast today, to be gone about three weeks.

•

RUTH CHATTERTON will leave for Hollywood today via American Airlines.

•

N. L. NATHANSON returned to Toronto last night.

•

WILL H. HAYS arrives from Europe Monday on the *Normandie*.

Giannini on S. F. Deal

SAN FRANCISCO, Dec. 4.—Dr. A. H. Giannini, United Artists president; Lou Anger and D. J. McNerney, local U. A. branch manager, came here by plane. It is reported that McNerney went south to confer on new financial arrangements for Herman Cohen, who operates the United Artists here.

Flash Preview

"Criminal Lawyer" — With Lee Tracy scoring heavily in the title role, this will click on most programs.

This film will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Copyright on Bank Night Is Hit by Court

(Continued from page 1)

book or any material part thereof, as a book of instructions in the art, any person may practice and use the art which he has described and illustrated therein. The use of the art is a totally different thing from a publication of the book explaining it."

Emmett Thurmon, Affiliated Enterprises attorney, said he would ask a rehearing immediately and if denied this would appeal to the U. S. Supreme Court.

The decision was written by Judge Robert E. Lewis of Denver and was concurred in by Judges George T. McDermott of Topeka and Sam G. Bratton of Albuquerque.

Georgia Court Calls Bank Night Lottery

ATLANTA, Dec. 4.—Bank Nights in theatres violate the state anti-lottery law, it was ruled here yesterday by the Georgia State Court of Appeals in affirming the conviction of Joe Jarman, La Grange operator, on a misdemeanor charge. Judge W. T. Tuggle, of the La Grange City Court, had sentenced Jarman to a fine of $250 or six months. The court decision stated that:

"A motion picture show operator who gives to his customers, in addition to admission to the show, an opportunity to draw by chance a prize or money or property is guilty of conducting a lottery. Mutuality of risk is not necessary to constitute a lottery. The purchaser of a ticket may get value received and the whole risk may be assumed by the operator.

"When the general scheme of such drawing is that only those who have purchased tickets may participate therein, and are entitled to win the prize, such scheme does not lose its identity as a lottery because some may participate in the drawing who have not bought tickets."

Barnard Points to Denver

CHICAGO, Dec. 4.—Kenneth Barnard, general manager of the Chicago Better Business Bureau, stated today that the Denver decision refusing copyright protection to Bank Night was proof that the game is a lottery.

The move of the local business group in opposition to giveaways is idle at present while an opinion regarding the legality of the games is being prepared by Corporation Counsel Barnet Hodes. Action from Mayor Kelly is expected next week.

A statement issued by a University of Chicago editorial group today was to the effect that "pin game and slot machine interests" are agitating against the games in theatres.

Wisconsin Calls Halt

BELOIT, Wis., Dec. 4.—Charging that Bank Night and similar drawings for prizes as conducted by eight Rock County theatres are in violation of the anti-lottery statutes, District Attorney John H. Matheson has warned exhibitors to discontinue the practice within a week.

Notice to theatre owners that they must end the practice is contained in a letter which Matheson has sent to owners of all theatres which his office knows to be conducting prize drawings.

Start Omaha B.N. Dec. 16

OMAHA, Dec. 4.—With the settlement of protests by neighborhood exhibitors on their assessments, Bank Night is definitely set to start here Dec. 16, a week after the last of the free auto nights.

Twenty-seven neighborhood and downtown houses are included in a cooperative Bank Night. The first night's prize will be $1,000, to which will be added $500 in each of the next two weeks provided there is no winner. Then a new bank will be started with another $1.000 and two tickets will be drawn. In charge are E. R. Cummings, Tri-States district manager; Sam Epstein of the Epstein Theatres Corp.; Walter Creal, owner of the Beacon, who will be treasurer; John Quinlan, assistant Brandeis manager, and August Herman, co-owner of the Muse.

Would Ban Milwaukee Games

MILWAUKEE, Dec. 4.—Close upon the heels of an announcement of a proposed ordinance to license Bank Night, Hollywood, Screeno and similar games, has come a statement from Chief of Police Joseph T. Kluchesky that he will seek legislation to ban these games as well as pinball machines and similar devices.

Chief Kluchesky has taken a strong stand on all of these, which he claims masquerade under the guise of amusements when they are nothing but "outright gambling."

Ethyl Starred

Chicago, Dec. 4.—"Ethyl Alcohol, Its Nature and Its Properties" is the name of a commercial film just completed by the W.C.T.U. and previewed at Northwestern University.

The film is a four-reeler that shows the effects of alcohol upon human beings, through a series of tests.

Mrs. Anna Marden De Yo, national secretary for the W.C.T.U., says the film will be available for free exhibition, particularly before young people.

All Majors to Start Ultra Violet Sound

(Continued from page 1)

vanced that all of them are due shortly to turn out the improved sound.

Four units have been completed for the Twentieth Century-Fox studios, Hartley stated. Similar equipment has been installed at the Warner Burbank studio where recordings are to start by the year end, he added.

Sets Empire Hearing

John Grimshaw, Jr., referee in the bankruptcy of Empire Laboratories, Inc., under the jurisdiction of the U. S. District Court of New Jersey, has set Dec. 15 as the date for hearing of creditors on approval of the sale of the assets of Empire, in accordance with bids made on Nov. 19.

Production Level Stays at 40 Mark

(Continued from page 1)

Me His Ears" at Paramount, the latter a Harry Sherman production; "Dick Tracy," a serial, at Republic; "Michael Strogoff," Radio; "Nancy Steele is Missing," 20th Century-Fox and "Dawn Rider," a Maurice Conn production.

Paramount and Warners held the spotlight for heavy activity, each with seven pictures in work.

Columbia had two features shooting, four preparing and seven in the cutting rooms. Samuel Goldwyn had zero, zero and one; M-G-M, five, one and 14; Paramount, seven, five and eight; Republic, one, two and four; Radio, three, two and six; Roach, one, zero and two; Selznick International, one, zero and zero; 20th Century-Fox, five, two and four; Universal, three, two, and two; Walter Wanger, one, zero and one; Warners, seven, five and 14; independents, four, two and two.

In the short subject division Columbia had none shooting, one in preparation and two editing. M-G-M had one, three and five; Radio, zero, two and one; Roach, zero, one and one; Warners, one, one and two.

No New Roxy Setup Seen Before March

(Continued from page 1)

first mortgage bondholders and receivers with the Taft Hotel on the lobby lease. Carlos Israels of White & Case, attorneys for the bondholders, indicated yesterday to the court that the Taft Hotel part of the deal has added complications because of new interests entering into the situation. However, he advised Judge Caffey he expects to have a plan ready by Dec. 18.

Judge Caffey pointed out that no arguments will be held on the plan when it is filed and that he wants to look it over before it is sent to the stockholders.

While Harold Seligson of the bondholders' protective committee, which was given the right to intervene some weeks ago, was not in court yesterday, it is understood his group will oppose a plan to be filed by White & Case. He is said to be objecting to several points and may file an independent plan, which is not unexpected by those interested in the theatre.

RKO Home and Field Staffs to Get Bonus

(Continued from page 1)

in these two respects: one is that in 1935 the bonus was limited to home office workers; the second being that employes earning from $40 to $150 were not left out last year. Although the date for distribution has not been set, it is expected that the money will be given out during the week of Dec. 21.

Indiana House Robbed

INDIANAPOLIS, Dec. 4.—The St. Clair here was robbed of $80 last night by a bandit who, after seeing the show, forced Frank Moore, manager, and an usher to admit him to the cashier's cage. He then forced all three at the point of a gun to re-enter the theatre.

Paramount Saving of $5,000,000 Expected

(Continued from page 1)

outstanding $25,000,000 of debentures of Paramount Pictures, Inc., which also bear six per cent interest, will be called in by the company and likewise replaced with private financing which, it was said, also would cost three per cent and result in a saving of another $1,500,000. None of the new financing will be public, it was said, and while the identity of the financing group was not divulged, it is believed that Atlas Corp., Lehman Bros. and associates will figure prominently in the refunding program.

The home office and studio economies referred to do not involve reductions of either personnel or salaries, it was said. The home office economy program was described as "already completed," while savings at the studio are being effected largely through Adolph Zukor's success in keeping productions within budget limitations.

Kuykendall May Not Run for Reelection

(Continued from page 1)

or early next week. Statements from Paramount and RKO are also expected momentarily, while the status of the Loew's and Columbia replies continue to be uncertain.

Kuykendall leaves tonight for Charlotte to attend the first of a series of M.P.T.O.A. regional conventions which are scheduled for this month. He plans to return here early in January to renew round table conferences with distributors on more liberal trade practice concessions than those now indicated.

Mrs. Garrison Dead

LOS ANGELES, Dec. 4.—Mrs. J. E. Garrison, wife of the Universal manager in St. Louis, died here yesterday while vacationing for her health.

Wall Street

Paramount Best Gain on Board

	High	Low	Close	Net Change
Columbia	36¾	36¼	36¼	.....
Columbia, pfd.	43¼	43¼	43¼	+1
Consolidated	5	4¾	4¾	— ⅛
Consolidated, pfd.	16½	16½	16½	— ½
Eastman Kodak	177½	176	176	—1
Gen. T. Equip.	28	27	27	— ⅜
Loew's, Inc.	63⅝	62½	62⅞	— ⅜
Paramount	21⅞	21¼	21¼	.....
Paramount 1 pfd.	161½	158¼	158¼	+2
Paramount 2 pfd.	19⅞	19¼	19¼	— ⅛
Pathe Film	9⅞	9½	9½	.....
RKO	8⅝	8⅜	8⅜	.....
20th Century-Fox.	36⅝	36	36	— ¾
20th Century, pfd.	45½	45¼	45¼	— ⅜
Warner Bros.	17	16⅜	16⅜	— ⅛

G. N. Up Slightly on Curb

	High	Low	Close	Net Change
Grand National	3¼	3⅛	3¼	+ ⅛
Sonotone	2	2	2	.....
Technicolor	21⅝	20¾	21⅛	— ⅞
Trans-Lux	4⅝	4¼	4½	— ⅛

Uneven Bond Trading

	High	Low	Close	Net Change
Keith B. F. 6s '46	99½	99½	99½	— ⅛
Loew's 6s '41 ww deb rights	101¼	101¼	101¼	.....
Paramount Pict. 6s '55	100½	100¼	100½	+ ¼
RKO 6s '41	120½	120¼	120½	+ ½
Warner Bros. 6s '39 wd	98½	98	98	— ¼

(Quotations at close of Dec. 4)

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

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Berry Claims All Majors to Attend Parley

But Admits Allied Only Formal Acceptance

By BERTRAM F. LINZ

WASHINGTON, Dec. 6.—Despite reports from New York to the contrary, Major George L. Berry asserted yesterday that all of the important film organizations would be represented at the meetings Dec. 10 and 11 of the National Council for Industrial Progress.

It was admitted, however, that the only organization from which formal acceptance has been received was Allied States. At Berry's office it was declared that representatives of the organization, talking with film executives in New York had been assured that the Hays organization and the M.P.T.O.A. would have delegates present.

The coordinator yesterday made public a list of acceptances. Hundreds of representatives will attend

(*Continued on page* 11)

Loew's Sponsors New Game at One Theatre

Following a test at the circuit's Lincoln Square, Loew's has taken over the sponsorship of a game known as Bull's-Eye. The gadget was invented by Donald Herman, a musician.

A number of Loew executives are said to be backing the new enterprise with a view to manufacturing it for non-competing theatres. While it is planned to extend the game to other Loew theatres, so far it is limited to the Lincoln Square on Thursday nights.

It could not be learned from circuit officials whether or not the new game would replace Bank Night and Screeno, currently in most of the Loew neighborhood houses.

Ohio ITO Felicitates Zukor on His Jubilee

COLUMBUS, Dec. 6.—Among the final acts of delegates to the Ohio I.T.O. convention was the passage of a resolution congratulating Adolph Zukor on his Silver Jubilee. A copy was wired to him.

Another resolution criticized Paramount's accessories selling policy as a "burden upon exhibitors." A copy of this was mailed to him.

The convention went on record as in favor of the Social Security Law.

MPTOA Seeks United Front On New Laws

Hits "Spite and Futile" Legislation Moves

Calling attention to the convening next month of the legislatures of 42 states and Congress, the M. P. T. O. A. in a bulletin to be distributed today urges the abandonment of moves within the industry to obtain passage of "spite and futile legislation" in order to present, instead, a united industry front against genuinely adverse legislation which it feels is inevitable.

Among the prospective measures which would require concerted industry action to forestall or defeat, the M. P. T. O. A. bulletin lists new state taxes on admissions; state laws to require two or more licensed operators in every projection booth; banning of juvenile attendance after 7 P. M. and employment of licensed matrons for children's sections during matinees; state and Federal attempts to draft minimum wage and maximum hour agreements; more rigid state and city building codes; laws to punish the

(*Continued on page* 11)

Kuykendall to Talk At Carolinas Meet

CHARLOTTE, Dec. 6.—Current and prospective trade practice concessions by major distribution companies will be outlined by Ed Kuykendall, M. P. T. O. A. president, for members of the Theatre Owners of North and South Carolina at their semi-annual meeting, which will be opened here on Monday.

The annual report of Charles W. Picquet, president of the regional organization, and other officers will be presented during the course of the two-day meeting.

Tribute to King

London, Dec. 6.—An impressive tribute to King Edward occurred at the Empire yesterday, during a showing of "Libeled Lady." The house was packed.

At the film's climax, a peculiarly coincidental, and entirely unintentional line of dialogue is: "What do you mean? I have been divorced from Simpson for three years."

The tribute came in the absolute silence which followed the line. No single person in the vast audience gave any sign that the double meaning in the line had been noted.

U.A. Officers Going West for Board Meet

George J. Schaefer, Etienne Pallos and Emanuel Silverstone will leave for the coast this week to meet with the U. A. board of directors on production matters.

Pallos, general manager of London Films, plans to remain in Hollywood for a few weeks, while Schaefer and Silverstone are expected to return within a week.

Attending the coast sessions will be Dr. A. H. Giannini, president and chairman of the board; Mary Pickford, Samuel Goldwyn, Charles Chaplin and a representative for Douglas Fairbanks.

"Allah" at $86,000 Betters First Week

"The Garden of Allah" ended at $86,000 in its second week at the Music Hall, or approximately $2,000 ahead of the first seven days of its run. A driving rain last Wednesday held down the gross on that day, the 14th and final of the engagement.

"Love on the Run" garnered ap-

(*Continued on page* 11)

Half of RKO's New List "A", Briskin Says

Will Increase Budgets By $2,500,000

At least half of RKO's product next season may be comprised of "A" pictures, Samuel Briskin, vice-president in charge of production, said yesterday prior to his departure for the coast.

If the company decides on a program of 50 or 52 features for 1937-'38, which is likely, at least 25 or 26 of them should be of the "A" type, Briskin said. The change would involve an increase of approximately $2,500,000 in the company's production budget, he said, basing his estimate on a minimum cost of $500,000 per picture. Of RKO's current season schedule of 48, about 29 are graded as "A" pictures.

Briskin said that the increase in "A" picture output was discussed with home office officials while he was here. His visit had to do primarily, however, with studio phases of the imminent RKO reorganization. His pact

(*Continued on page* 5)

Columbia University Knows of No "Brief"

Inquiries at Columbia University during the past few days have failed to indicate that the law department of the institution is preparing a brief to establish the constitutionality of the compulsory separation of production and exhibition.

That such a brief is currently in preparation was stated by Al Steffes in an address delivered during the convention of the Ohio I.T.O. in Columbus on Wednesday.

A representative in the office of the dean at Columbia late Friday told MOTION PICTURE DAILY that sources questioned on the subject "just wondered what it was all about."

M-G-M Is Silent on New Houses Abroad

Reports that M-G-M is seeking to build a number of theatres in England with Arthur Loew, head of the foreign department, said to be negotiating for several sites could not be confirmed at the home office yesterday.

William Melniker, head of the foreign theatre division of M-G-M, said as far as he knew there are no plans afoot to build or add theatres in England to the circuit.

November Grosses Weaken; Total Dips to $1,568,247

Late November grosses prior to the Thanksgiving holiday failed to maintain the pace set during September and early October. The total for 176 theatres in 29 key cities for the week ending Nov. 27-28 was $1,568,247. This was a drop of four theatres under the previous week and a decline of $86,065.

The total for the week ending Nov. 13-14, when 180 first runs were in operation, was $1,711,209.

(Comparative Grosses on Page 8)

Radio News on Page 5

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Columbia Meeting Begins in Chicago

CHICAGO, Dec. 6.—Abe Montague opened the Columbia sales meeting at the Drake here yesterday by telling the company's salesmen that product for the coming year will be more costly than in the past and of a higher quality.

Rube Jackter also spoke briefly.

Approximately 75 home office representatives, district managers and exchange managers were present at the meeting.

Film Board to Move

The New York Film Board of Trade on Jan. 1 will take over the entire 25th floor in the Paramount Bldg. The organization now has part of the 18th floor in the same building.

Major motion picture distributing company requires immediate services of youthful and experienced Spanish publicist with knowledge of newspaper work and preparation Spanish press book. State qualifications in detail. Box 390, MOTION PICTURE DAILY.

Insiders' Outlook

By RED KANN

SAM GOLDWYN had a vast total in words trailing his byline in a recent issue of the Sunday Magazine of *The New York Times*. They may not have been as Goldwyn might have written them, but there is no doubt that it was Sam sounding off. His general thesis was a "What's the Matter with the Movies?" saga in which he proceeded to blame audiences for what they were getting, scored overproduction which is one of his well-known standbys and predicted that fifty per cent of the double bill houses will pick up their single feature standard again within a year. A lofty thought and we hope Goldwyn does not mind if we disagree. We will, anyway. . . .

▼

"If we producers of more expensive and better films depended upon our receipts from the United States, we'd be bankrupt in no time," he stated at one juncture. A point, incidentally, stressed by Al Lichtman in addressing the Independent Theatre Owners of Ohio in Columbus last Wednesday and one which the American exhibitor dismisses as none of his concern, although one day he may have cause to realize differently. Then Goldwyn spoke about high cost negatives that often turn out to be artistic flops and thereafter went into one of these ennobling broadcasts: "Although I am willing to forego my profit if I can create a real masterpiece, I cannot go on producing pictures if each venture puts me half a million dollars in the red." . . .

▼

Our idea is that he means nothing of the sort, that he gladly would make a masterpiece, that he might have to forego profit in the venture, but not willingly on the sacrificial block of art. All very interesting, no matter how your viewpoint may appraise it. But what caught our attention and kept it there were the producer's expostulations on censorship and how he deports himself under it. In order to embroider what follows with proper significance, it now becomes essential to give you some choice quotations:

"The producer cannot be as bold as he might like. What may amuse the adult may be injurious to the child. We must keep to a common denominator of good taste and decency. There might be no censorship in Hollywood today were it not for the fact that certain producers of low integrity found that the shocking qualities of rudeness made money. Not satisfied with 'getting away with something' they began to reach further and further for the obscene until finally some one had to act."

▼

Don't go away. Here's more:

"And that's how censors were born. The industry needed regulation. It brought it upon itself. Hollywood has no one to blame but itself. An amusement built upon obscenity cannot succeed. . . . Although I must say there have been moments when I wondered about the wisdom of my course [the observance of good taste], I can honestly say that I haven't wavered yet and I have no plans of so doing. I have found that by remaining on an even keel I have been allowed leeway in reality. But let good taste go by the boards and reality and truth must vanish with it."

▼

While purity and high resolve thus were spouting on all fronts, in his New York office which, in the Goldwyn type of operation, is a trailer for his Hollywood headquarters, an interesting piece of current business was, and is, under way. It has to do with tests, with a view to further studding the Goldwyn firmament in his forthcoming "Follies," of that well upholstered young woman named Gypsy Rose Lee, a high priestess of the strip tease and one of the fastest adepts in public undressing—for paid admissions—in the Police Gazette division of the show world, burlesque. Maybe it should be made clear that Miss Lee has advanced herself; she is now with the Shuberts and if you don't think that is an advancement then you simply don't think much of the Shuberts. . . .

▼

It ought to be somewhat embarrassing for Goldwyn to reread the words his byline credit him with. But it ought to be interesting for you. Cheer leader of the good taste movement in Hollywood, his current talent hunt makes him out something else in New York. So far the guns have been trained on him alone. The next step is to barrage two other reputables in this industry. With Goldwyn, they comprise a triangle which we hope will be an uncomfortable one after today. For not only Goldwyn is hot and bothered professionally about Miss Lee. RKO is, as well. And Twentieth Century-Fox. The trio is after her, which means, according to the norm, the salary bait must be well up in four figures by this time and no signed contract in sight.

▼

It is about time for a slight explanation. Your columnist has seen Miss Lee's performance several times. When nature handed out its largess, Miss Lee was well up in front. Your commentator begs to report that the critic in him decided long ago that Miss Lee cannot sing and cannot dance, but that she looks mighty well in close to the altogether under blue lights he might confess he wished were white. He attended under the exercise of his constitutional rights. Moreover, he stayed up until three o'clock one Sunday morning to add this experience to his memoirs. Any and all might have done the same. The point of the matter is something entirely different and it has nothing at all to do with Miss Lee, the kind of person she may be privately and whether her talent is pronounced or insignificant. Goldwyn, RKO and Twentieth Century-Fox are displaying their interest palpably and less pronouncedly in the breadth of her talent than in the implied publicity value of her career. It is as evident as the nose that projects out from your face, or anybody else's face for that matter. Argued once before here, it is repeated now that Miss Lee, a product of Minsky, to the Minskys and the Shuberts should be permitted to remain true. . . .

▼

The screen needs new faces, but its bodies seem to be doing alright. The old reliable that here is something undertaken in the name of talent and freshness is poppycock. The channels of such approach are many here in New York, if the talk is something more than conversation. What about an established comedian like Bert Lahr? Or Bobby Clark? A comedienne like Bee Lillie or Fanny Brice? Over at the National Theatre, an actress, gifted alike in the drawing room, the slums, on the dance floor, might be spoken to; her name is Gertrude Lawrence. She would grace any producer's studio. But all of this is downright foolishness. They keep their clothes on while performing. . . .

"Diggers" in Columbus

COLUMBUS, Dec. 6.—This city extended a lively welcome to the flying "Gold Diggers," who arrived yesterday from Buffalo after a 24-hour tie-up when a storm halted all flying. The City Hall, radio broadcasts and a personal appearance was the schedule. Indianapolis is tomorrow's stop.

Hughes to Have Lunch

W. I. Hughes of Meridian Pictures Corp. will stage a luncheon at the Astor Thursday to explain to exhibitors a new development in Broadway Handicap.



KEEPING A PROMISE

to again deliver the outstanding Holiday Cartoon of the Festive Season!

(M-G-M of course)

It's getting to be a habit!

Each Christmas there comes from Harman-Ising another clever Holiday cartoon that always steals the show during the festive season and continues to play long afterward. This year "The Pups' Christmas" tops all previous efforts in gayety, bright Technicolor and merry music. BOOK IT EARLY AND OFTEN!

A HARMAN-ISING TECHNICOLOR CARTOON WITH MERRY MUSIC

Pride of M-G-M

Wisconsin Theatres Decide on Bonuses

GREEN BAY, Wis., Dec. 6.—A $15,000 bonus plan and prize money totaling $19,000 payable each quarter to managers and their assistants was revealed here by H. J. Fitzgerald, general manager of Wisconsin Amusement Enterprises, at a meeting attended by 44 of the circuit's managers from Wisconsin and upper Michigan. Distribution of the bonus and prize money, it was explained, will be based on business increases over a certain expectancy in each situation.

Fitzgerald also said that cashiers, formerly receiving $10.50 weekly minimum salary and $15 maximum, will be increased to $12.50 and $18. The circuit, with the addition of the Braumart and Colonial at Iron Mountain, Mich., now includes 49 houses in Wisconsin and upper Michigan with an annual payroll of $795,000. It is planned to spend $191,000 in improvements during the coming year.

British Controversy Seen on "Pastures"

LONDON, Nov. 27.—The action of Lord Tyrrell, head of the British Censor Board, in passing "The Green Pastures" with a universal certificate, is expected to give rise to a controversy in this country.

A religious paper is organizing a protest, questions are expected to be asked in the House of Commons and protests are likely to be made to local licensing authorities, who have the power to override the censor decisions. However, in most quarters Lord Tyrrell's action in breaking the rule against the filming of sacred figures, is regarded as courageous and justifiable, which will enhance the reputation of the censor.

The film received an excellent press following the preview which preceded the opening at the New Gallery. Only one critic of a London daily considered it unsuitable for general showing, although he praised it, while the others were highly laudatory.

K. C. Using Duals

KANSAS CITY, Dec. 6.—Last Sunday 38 out of 44 subsequent runs here showed multiple bills. The Bijou, Warwick and Apollo played "The Great Ziegfeld," double bill length, all of them to 35 cents, while the Circle, Westport and Central showed triples. Two first runs, the Mainstreet and Uptown, had two features, and the Tower, as usual, had a feature and stage show. Only the Belmont and Plaza among the subsequents showed a single of normal length.

Beginning Friday, Kansas City will have three first runs, Loew's Midland, the Uptown and the Mainstreet, showing double bills.

The score now is three to one against double bills in the "Speaking the Public Mind" column of the Kansas City *Star*.

Milwaukee Hall Gains

MILWAUKEE, Dec. 6.—The extent of the theatre competition here from the Auditorium is indicated by its annual report, which shows that it nearly doubled its earnings in 1936. Net earnings for the last fiscal year are $31,593.89 on a gross of $133,421.14. Net earnings for the previous fiscal year were $17,291.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Criminal Lawyer"

(Radio)

HOLLYWOOD, Dec. 6.—The entertainment worth of this show is considerably enhanced by the quality of Lee Tracy's performance. Dominating the film, his characterization of a sharpshooting attorney who reforms is something likely to send the patrons away talking.

In a story that effectively combines drama, romance and comedy, Tracy, as the mouthpiece for Eduardo Cianelli, a gambler and master criminal, has the knack of fixing and wheedling judges, juries and witnesses, to free his client. A sure-fire headline-maker, he upsets the plot of police stool pigeons to frame Margot Grahame. On the road to political fame with the position of district attorney as his first step to governorship, his tendency to fall off the waterwagon and get mixed up with women lands him in marriage with the conniving Betty Lawford.

With things breaking badly, Cianelli murders his rival. Miss Grahame is the only witness. To save his own skin, the killer menaces the girl and threatens Tracy with ruin unless the attorney helps him beat the rap. Driven to desperation as the pressure is applied, Tracy turns on Ciannelli. In a dramatic suspense-packed court room sequence, he secures the conviction of the killer, thereby sacrificing his hopes for a political career but proving himself a man to Miss Grahame, who is at his side as he carves out a new career.

Based on a play by Louis Stevens, the screen play by C. V. Atwater and Thomas Lennon is well-knit entertainment. Christy Cabanne's direction builds attention-holding situations and keeps the film moving at a speedy pace. With Tracy hitting high spots in his performance, he is aided by the work of Miss Grahame, Cianelli, Miss Lawford, Erik Rhodes, Frank Thomas, Wilfred Lucas and William Stack.

Better than the ordinary average attraction, the picture is worthy of a spot on most programs.

Production Code Seal No. 2,778. Running time, 70 minutes. "G."

"Beware of Ladies"

(Republic)

HOLLYWOOD, Dec. 6.—The yarn of a straight-laced candidate for district attorney, efforts of the opposition to discredit him, and his romance with the girl reporter, whose efforts to put some pep into his campaign are at first misunderstood, this is satisfactory fare of its kind, suitable on double bill programs.

Directed by Irving Pichel, the cast features Donald Cook as the candidate, Judith Allen as the reporter, and John Meeker and Russell Hopton in the support.

The film has its quota of punch, a few laughs, and an action sequence in a fight about a yawning elevator pit to add a bit of excitement to its other qualities.

The original by L. C. Dublin has Miss Allen assigned the job by her paper of teaching dignified Cook how to get the feminine vote, after she leaves her worthless husband, Meeker. The machine opposition goes to work through Hopton, operator of a fictitious law firm which is actually a blackmail racket. When they learn of Miss Allen's marriage they frame Cook and the girl. Meanwhile, Cook's early resentment of Miss Allen's activity in his behalf develops into romance, and it requires the lively fight, a murder and the smashing of the ring through the arrest of the leader, to complete the election, the romance and the picture.

Production Code Seal No. 3,286. Running time, 63 minutes. "G."

Dissolve Two Companies

DOVER, Del., Dec. 6.—Two companies, the Fox Montana Corp. and the Interstate Theatre Operating Corp. have been issued certificates of dissolution by consent of all stockholders of both firms. Bendix Radio Corp. has increased its capital from $100,000 to $600,000.

Schedule Sound Meeting

HAMBURG, Dec. 6.—An international conference on sound and color is scheduled to be held here next year, with leading scientists and experts to be invited.

Dismiss WPA Director

HARTFORD, Dec. 6. — G. Lester Paul, director and supervisor of the WPA Hartford Civic Repertory at the Palace has been dismissed by Gertrude DonDero. He will open his own stock company in competition to the Federal project, it is believed. Temporarily he is remaining on the WPA payroll but is "on leave."

Open After 15 Years

PERU, Ind., Dec. 6.—The Wallace here, former legitimate house, has reopened with pictures and vaudeville after being dark for 15 years.

Short Subjects

"Cats In a Bag"

(TerryToons-Educational)

Rather a standard plot that has been done before, the entertainment in this cartoon revolves around the intrusion of a quartet of cats in a quiet household with much noise and excitement when a dog chases them about. There is also a routine hairbreadth rescue. Production Code Seal No. 01,340. Running time, 6½ mins. "G."

"Going Places No 30"

(Universal)

Items of definite interest, presented in the usual fine style, are again shown in another series. The camera takes the audience to The Rainbow Forest, better known as the Petrified Forest, in Arizona; into the workings of a glass-blowing plant and finally through the gorges of the Yangtze river in China. Production Code Seal No. 01,083. Running time, 9 mins. "G."

"Any Old Port"

(Educational)

Concerning the comedy adventures of sailors ashore when they are billeted with a scared and threatened family, this Tom Patricola-Buster West number has a fair number of comic situations and eccentric dancing by the duo and is moderately amusing. The boys eliminate the menace and exaggerate their experiences to their shipmates. Production Code Seal, No. 01,297. Running time, 18 mins. "G."

Hit German Travel Shorts in Schools

SAN FRANCISCO, Dec. 6.—Prominent San Francisco liberals, both Gentile and Jewish, are understood to be planning vigorous protest against the Motion Picture Council here for advocating the showing of German films produced under the Nazi Government in local schools and colleges.

The specific cause of the protest, it is understood, is a list of some 30 German travel shorts, including two about the preparations for the Olympic Games, published by Dr. Claude A. Shull, dean of Golden Gate Junior College here and chairman of the local Motion Picture Council.

The films under local fire are 16 mm. one- and two-reelers, offered free to schools, colleges and similar groups by the local German Railroads Information office, which fact is emphasized in Shull's listing.

See Big MPTO Turnout

ST. LOUIS, Dec. 6.—Advance reservations filed with President Fred Wehrenberg indicate that the meeting of the M. P. T. O. of St. Louis, Eastern Missouri and Southern Illinois to be held at the Coronado Dec. 11 will be of near-record proportions.

As has been announced, Ed Kuykendall will be the principal speaker.

Exhibitors, whether members or not, have been invited.

Karl Tunberg Promoted

HOLLYWOOD, Dec. 6.—Karl Tunberg, assistant to Gene Markey at Twentieth Century-Fox, has been promoted to the writing staff. Ralph Dietrich, cutter, is Markey's new assistant.

Half of RKO's New List "A", Briskin Says

(*Continued from page* 1)

with the company extends for three years from Jan. 1, and was not up for discussion, he said. In reply to questions concerning the RKO reorganization, Briskin said that there had been no mention of his becoming a member of the reorganized company's board of directors. He expressed himself as favoring the provision in the reorganization plan which would permit company executives and employes to acquire stock in the new company, stating that stock ownership encouraged workers and increased their interest in a company's welfare.

Commenting on the widely discussed effects of broadcasting by film personalities Briskin said he believed the problem to be serious enough to warrant a careful study by the film industry. The results of the study, he said, should be employed to guide future policy, either discouraging its continuance if it was found to be detrimental, or properly controlling it if it was found to offer specific advantages.

Moore, Broderick to Broadcast

Briskin said that the recently appointed Producers' Ass'n. committee, headed by E. J. Mannix, could do much by persuasion and reason to lessen the obviously injurious broadcasting activities by stars.

The RKO studio chief revealed that he had signed Victor Moore and Helen Broderick for a series of NBC broadcasts beginning Jan. 1, defending the action with the statement that they are definitely "radio" personalities and that their programs were not likely to be either injurious to their film standings or to theatres. RKO, he said, endeavors by contract provisions to control the radio activities of its stars, who are not permitted to broadcast without the permission of the studio. This is given, he said, only after consideration of the proposed air program and the suitability of the material for the individual star.

Wall Street

Board Issues Gain Slightly

	High	Low	Close	Net Change
Columbia	36⅜	36⅜	36⅜	+ ⅛
General Theatre Equipment	27½	27½	27½	+ ½
Loew's, Inc.	63⅛	62⅞	63⅛	+ ½
Paramount	21⅝	21¼	21⅜	+ ⅛
Paramount 1 pfd.	159	158⅝	159	+ ¾
Paramount 2 pfd.	19⅝	19½	19½	+ ¼
Pathe Film	9¼	9½	9⅝	+ ⅛
RKO	8⅜	8¼	8¼	— ⅛
20th Century-Fox.	36⅜	36	36	.....
Warner Bros.	16¾	16⅜	16½	+ ¼

Little Curb Movement

	High	Low	Close	Net Change
Sonotone	2	2	2	.....
Technicolor	21	21	21	— ⅛
Trans Lux	4⅜	4⅜	4⅜	.....

RKO Bonds Off 2 Points

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	101¼	101	101¼	.....
Paramount Pictures 6s '55	100½	100¼	100¼	— ¼
RKO 6s '41 pp	118½	118½	118½	—2
Warner Bros. 6s '39 wd	98½	98½	98½	+ ¼

(Quotations at close of Dec. 5.)

Ford Dropping Fred Waring; Latter Planning Road Tour

Fred Waring was notified over the past weekend that his air contract with the Ford Motor Co. will not be renewed. The notice was received by wire from the Ford offices in Detroit. No successor to Waring has been selected as yet.

Waring's dismissal terminates a three-year association with the motor company, which began in February, 1934. His last broadcast for Ford will be heard over CBS Dec. 29.

It is understood that Waring could have remained with Ford had he elected to take a salary cut. Currently his is the highest paid band on the air, receiving a weekly stipend of $13,500. The amount of the proposed salary reduction is not known.

It is considered doubtful that Waring will immediately sign for another air series, although many sponsors have made attractive offers. Instead, he will most likely take his organization on a cross-country dance and vaudeville tour. The Pennsylvanians' past road tours have always been successful and profitable.

Meanwhile, stories about the Ford ether plans continue to go 'round and 'round. The latest report may seem a bit complicated, but it's not as difficult as it may seem at first glance.

Immediately following the Waring NBC-Blue Friday program is the National Biscuit Co. program, placed on the network through McCann-Erickson.

This agency handles all Ford advertising except radio. It is generally known that Ford is very reluctant to relinquish his current NBC-Blue network spot, which has a built-up, receptive Ford audience. On the other hand, Ford insists on having a full-hour program on a single network, instead of the split network programs he now has on NBC and CBS. However, no full-hour time at the hour Ford desires is available.

Observers point out that with the McCann-Erickson agency obligated to the Ford Company, it might be possible for them to prevail on National Biscuit either to completely cancel its program or else shift to another period. With that done, Ford could have his full-hour on the NBC-Blue.

Lever Goes Yuletide

Lever Bros., sponsors of the CBS serial, "The Big Sister," today launches a campaign on its program to aid charity organizations in collecting and repairing old toys for distribution to needy children at Christmas. It is quite probable that other programs will follow the lead of Lever Bros.

The program is heard in the 74 cities whose CBS outlets carry the broadcasts. Listeners will be urged to send old toys to their local station or to the local offices of the Salvation Army.

New York listeners will be told that the local Western Union offices will deliver the toys to the sponsor, with no charge to the donor, in accordance with a deal made between Lever Bros. and Western Union.

King Off Sealtest

As foretold in MOTION PICTURE DAILY, Jean Paul King Saturday became the third casualty in the Sealtest "Saturday Night Party" rumpus. King's ousting follows the resignations of Walter O'Keefe and Harry Salter.

N. W. Ayer, agency controlling the show, refuses to confirm, but Raymond Knight will probably become the permanent m. c. and announcer on the program effective as of next Saturday.

King's trouble, like Walter O'Keefe's, was caused originally by script matters. Two weeks ago he refused to repeat several lines he considered "silly" and when his complaint was ignored by the agency he resigned from the program. However, he was re-hired in time for last week's broadcast with the lines edited to his satisfaction. This past Saturday, however, he received his notice from the agency.

Replacing Sherlock Holmes

The Sherlock Holmes series, long a network feature, will fade from the airways shortly and will be replaced with a new program by Household Finance Co., sponsor of the detective sagas. No announcement to this effect has been made as yet, however.

The new series, probably another script show, will be heard over the same network and time as the present program—NBC-Red, 11:15 to 11:45 P.M., E.S.T., on Thursdays. Chas. Daniel Frey & Co., Chicago, is the agency.

"Wife Saver," New Series

"The Wife Saver" is the title of a new series scheduled to start on the CBS network beginning Jan. 13, under the sponsorship of the Manhattan Soap Co. in the interest of Sweetheart Soap and placed on the network through the Peck Advertising Co. The program starring Allen Prescott, will be aired Wednesdays and Fridays from 9:30 to 9:45 A.M., E.S.T.

Karloff on Caravan

Boris Karloff will play the title role in the Camel Caravan's presentation of "Death Takes a Holiday" tomorrow night over the Columbia network at 9:30 P.M., E.S.T. Another highlight will be the guest appearance of Countess Olga Albani, soprano.

Hitz, Dawson Reuniting

Elsie Hitz and Nick Dawson, noted network dramatic pair who for two years wrote and acted in one of radio's most popular serials, "Dangerous Paradise," will be reunited again on Monday, Jan. 4, when they begin a new five-time a week serial entitled, "Follow the Moon" over the NBC-Blue. Woodbury Soap Co. is sponsoring.

The series will be broadcast Mondays through Fridays from 4:30 to 4:45 P.M., E.S.T. Lennen and Mitchell is the agency.

Pond's Renews Domestic Forum

"Husbands and Wives," radio's informal forum for the discussion of domestic problems, has just been renewed for an additional 13-week period by its sponsor, Pond's Creams.

The program was started about 18 months ago on WOR and graduated to the NBC network during the past summer. Pond's has been sponsoring since October. The program is aired Tuesdays at 9:30 P.M., E.S.T. over the NBC-Blue.

Cantor, Bernie to Switch

Herman Bernie has completed arrangements whereby Eddie Cantor will appear as a guest star on Ben Bernie's program with the old maestro reciprocating with an appearance on Eddie's radio show. Neither star will be paid.

"Silent Radio" to Mayor

Mayor F. H. LaGuardia will be presented with a new "silent radio" tomorrow at City Hall by Dictograph Products Co., makers of the apparatus.

Arnall, McCarthy, Et Al

Short Shots: Curtis Arnall, current feature on the NBC "Red Davis" sketches, will vacation in China in the event the program is not renewed on Dec. 10. . . . Clem McCarthy, who heretofore has confined his radio activities to sports comments and descriptions of sporting events, auditions for a script series this week. . . . Mike Porter, radio editor of the *New York Journal,* has been re-elected commodore of the Sands Point Yacht Club. . . . Joe Cook and Doris Hare are the only guest stars signed to date for the Vallee broadcast of Dec. 10. . . . Three WOR performers have just received long-term contract renewals. They are Gabriel Heatter, Elinor Sherry and Stuart Gracey. . . . Ruby Elzy has been engaged as the featured guest on Mark Warnow's Dec. 15 CBS program. . . . Ditto Phil Regan on Ted Hammerstein's Music Hall broadcast the same evening. . . . Gen. Hugh S. Johnson will make his first radio talk since the election on CBS Dec. 12. . . 101 Mayors will broadcast Christmas Community Chest appeals on the Kate Smith program of Dec. 13. Miss Smith's series is carried over a corresponding number of cities and each mayor will address his local constituents during station breaks in the program. . . . The Pittsburg Ad Club begins sponsorship of a new series over KDKA on Dec. 8.

And in Hollywood

Short Shots—Gene Lockhart and Alma Kruger spotted on the Lux program with Robert Montgomery and Elissa Landi today. . . . Robert Ripley will interview the "Never-Never Man" on his first broadcast from the coast on a cut-in. The fellow never did anything in his life, according to Ripley.

As of Yore

Cincinnati, Dec. 6. — "It won't seem like Christmas Eve without Schumann-Heink's rendition of 'Stille Nacht'."

So many listeners have told officials of WCKY this following the recent death of the singer, that L. B. Wilson, president and general manager of the station, has arranged to have a special program in tribute to Mme. Schumann-Heink on Christmas Eve. A recording of her voice, singing the favorite hymn, will be played.

DEANNA RULE



"'Three Smart Girls' smartest in Universal's history! . . . finest production made this year! . . . To Universal must go the acclaim of the whole picture industry!"
—Hollywood Reporter

"Favored with unusual showmanship in production, direction and story, the trio of ingenues in Universal's 'Three Smart Girls' distinguishes this one as one of the outstanding and surprise pictures of the season!" *—Variety*

"I want to prophesy here and now that 'Three Smart Girls' will take its place with 'Libeled Lady', 'My Man Godfrey', 'Theodora Goes Wild' and other top-notch comedies of the current season! It is a honey of a picture with dialogue that scintillates and unbeatable situations! Moreover, this Universal laugh number introduces little Deanna Durbin who fairly sparkles! At fourteen she has the screen presence of a Garbo and the voice of a Grace Moore!"
—Louella Parsons

S THE RAVES!!!

"This is young Miss Durbin's first picture. She does an extraordinarily good job! Not only has she a voice with a quality that is astonishing for her tender age, but she also has on her credit side acting ability of a stature that surprises along with her ability as a singer. 'Three Smart Girls' ought to please mightily!" —*Motion Picture Daily*

"To the listeners who have heard Deanna Durbin on our Sunday night program there is nothing more to be said about her lovely voice. But what they do not know is that Deanna Durbin possesses more charm, more poise, more personality than a half dozen of the biggest feminine stars in Hollywood today!" —*Eddie Cantor*

The NEW UNIVERSAL *presents*

DEANNA DURBIN

Radio Singing Sensation of Eddie Cantor's Hour in

3 SMART GIRLS

with

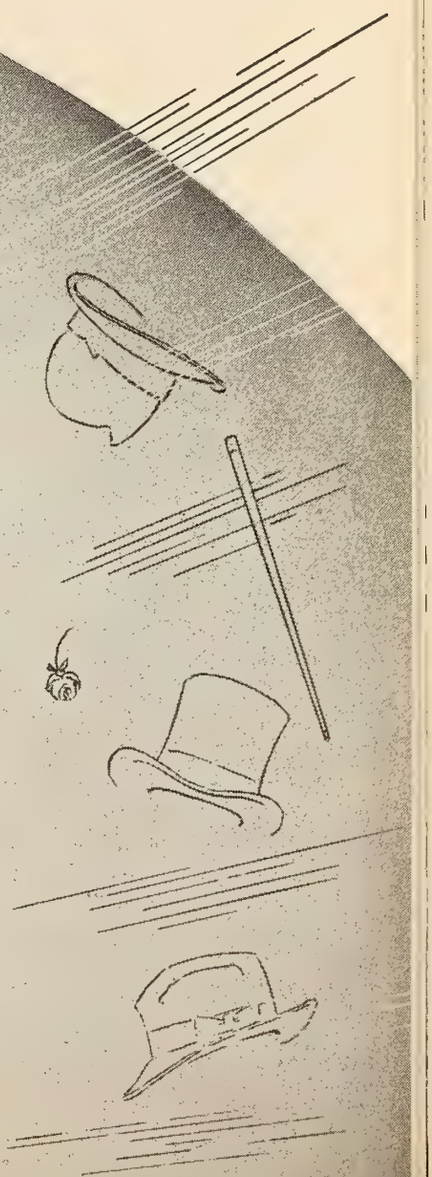
BINNIE BARNES
ALICE BRADY
RAY MILLAND

CHARLES WINNINGER • MISCHA AUER

NAN GREY • BARBARA READ • JOHN KING

Directed by HENRY KOSTER

CHARLES R. ROGERS EXECUTIVE PRODUCER



Boy in Crowd Scene Sues Twentieth-Fox

Whether a producer can use a crowd scene in a feature without getting the consent of individual members of the crowd is a point of law raised in a suit against Twentieth Century-Fox on "15 Maiden Lane."

Harry Cook, an 18-year-old boy, has filed suit in N. Y. Supreme Court for $50,000 because he appears in five feet of film.

Fuller Files Bill of Equity

NEW ORLEANS, Dec. 6.—A supplemental bill of equity against Twentieth Century-Fox, RKO, Paramount, M-G-M, Harold Wilkes Gaston Bureau, United Artists and Universal asking an injunction issued against Vitagraph compelling them to live up to their contract to furnish film to the Pensacola theatres of George E. Fuller was filed here yesterday by Fuller's attorneys 15 minutes before closing time. Fuller alleges an effort to deprive him of films.

Federal judges will act in the case probably on Monday.

Hackett-Korda Case Dated

The suit of Francis Hackett against Alexander Korda, London Films, Ltd., and United Artists charging plagiarism and asking for an injunction and damages in connection with the picture "Henry the VIII" has been set for trial Oct. 15, 1937, by Federal Judge Caffey.

Anti-Trust Case Up Feb. 15

Federal Judge Coxe on Saturday set the trial of the suit of Vocafilms against A. T. & T., Erpi and Western Electric for Feb. 15, 1937. The suit charges violation of the Sherman Anti-Trust laws and seeks damages for $65,953,125.

Joyce Allowed $10,000

Federal Judge Coxe on Saturday granted John E. Joyce an interim allowance of $10,000 for his services as special master in the Paramount bankruptcy and reorganization proceedings.

Pollard Bankrupt

Bud Pollard, director, has filed a voluntary petition of bankruptcy in the U. S. District Court for the southern district of New York. He lists liabilities of $15,850 and no assets.

To Fill Bright's Job

A successor to Willis C. Bright, former treasurer of Grand National, will be named at a board of directors' meeting this week, it was learned over the weekend. Edward L. Alperson, president, has just returned from the coast. No board meeting was held during his absence.

"Holiday" to Paramount

"College Holiday" will be the Yuletide attraction at the Paramount. "Pennies from Heaven," a Columbia release with Bing Crosby, has been dated to start Wednesday.

Columbia Dance Feb. 13

The Columbian Club will hold its annual formal dance in the grand ballroom of the Waldorf-Astoria on Feb. 13. Leading stage and screen stars are scheduled to attend.

November Grosses Weaken; Total Dips to $1,568,247

Comparative grosses for the latest available periods:

	Week Ending Nov. 27-28		Week Ending Nov. 20-21	
	No. Theatres	Gross	No. Theatres	Gross
Boston	7	$84,300	7	$89,000
Buffalo	5	43,200	5	42,002
Chicago	8	123,400	8	116,700
Cincinnati	8	57,900	8	60,650
Cleveland	5	48,000	5	59,400
Denver	7	36,750	7	31,000
Detroit	6	80,800	7	84,800
Houston	4	25,300	4	26,300
Indianapolis	4	35,300	4	26,850
Kansas City	5	37,500	5	37,900
Lincoln	5	15,250	5	11,360
Los Angeles	9	88,522	10	100,500
Louisville	7	26,900	6	21,100
Milwaukee	5	25,700	5	32,100
Minneapolis	5	29,500	5	29,300
Montreal	5	33,500	5	44,500
New Haven	4	18,500	4	24,600
New York	9	239,875	10	257,800
Oklahoma City	4	14,000	4	16,100
Omaha	4	29,600	4	27,600
Philadelphia	9	72,600	9	80,700
Pittsburgh	5	48,000	5	58,000
Portland	6	39,800	6	41,200
Providence	5	45,900	5	43,400
San Francisco	9	72,700	9	85,850
St. Louis	7	63,750	8	70,450
St. Paul	4	20,250	4	12,700
Seattle	8	40,850	8	46,350
Washington	7	70,600	8	76,100
	176	$1,568,247	180	$1,654,312

Key city grosses from January to the week ending Nov. 27-28:

	No. Theatres	Gross
Jan. 9-10	179	1,901,455
Jan. 16-17	176	1,722,400
Jan. 23-24	173	1,539,065
Jan. 30-31	177	1,515,300
Feb. 6-7	168	1,591,350
Feb. 13-14	174	1,680,180
Feb. 20-21	175	1,558,185
Feb. 27-28	178	1,777,650
Mar. 5-6	179	1,689,550
Mar. 12-13	181	1,761,547
Mar. 19-20	174	1,502,583
Mar. 26-27	172	1,521,800
Apr. 2-3	174	1,373,875
Apr. 9-10	177	1,354,624
Apr. 16-17	180	1,732,100
Apr. 23-24	179	1,703,822
Apr. 30-May 1	186	1,583,945
May 7-8	182	1,565,050
May 15-16	169	1,432,569
May 22-23	170	1,441,980
May 29-30	169	1,379,250
June 5-6	165	1,458,666
June 12-13	166	1,357,750
June 19-20	160	1,349,200
June 26-27	165	1,376,208
July 3-4	168	1,557,696
July 10-11	169	1,431,650
July 17-18	165	1,357,200
July 24-25	165	1,426,153
July 31-Aug. 1	166	1,468,800
Aug. 7-8	169	1,518,011
Aug. 14-15	166	1,550,120
Aug. 21-22	162	1,559,350
Aug. 28-29	160	1,532,319
Sept. 4-5	163	1,747,748
Sept. 11-12	173	2,090,144
Sept. 18-19	176	1,806,350
Sept. 25-26	177	1,744,332
Oct. 2-3	177	1,705,308
Oct. 9-10	175	1,625,287
Oct. 16-17	174	1,780,168
Oct. 23-24	175	1,690,044
Oct. 30-31	177	1,625,216
Nov. 6-7	178	1,629,560
Nov. 13-14	180	1,711,209
Nov. 20-21	180	1,654,312
Nov. 27-28	176	1,568,247

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Legion Approves 16 Of 18 New Pictures

Only two of 18 new films reviewed and classified by the National Legion of Decency in its list for the current week were not approved, either for general patronage or for adults. Of those approved 11 were called unobjectionable for general patronage and five for adults. The two were classed as objectionable in part. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Arizona Mahoney," "Besehl Ist Besehl" (German), "Die Ganze Welt Dreht Sich Un Liebe" (German), "General Spanky," "Jungle Princess," "Roaring Lead," "Sing Me a Love Song," "Song of the Gringo," "Stormy Trails," "Three Smart Girls," "Yellow Cruise." Class A-2, Unobjectional for Adults—"Banjo on My Knee," "Der Mutige Seefahrer" (German), "Laughing at Trouble," "Lloyds of London," "Poil de Carotte" (French). Class B, Objectionable in Part—"Rembrandt," for "questionable dialogue and promiscuous love affairs," and "Wald-Winter" (German) because "the plot is solved by divorce."

Nat'l Board Group Picks Child Film

Approximately 50,000 pupils in New York's public and private schools are being influenced in their film tastes as a result of the work of the Schools Motion Picture Committee, sponsored by the National Board of Review, the board estimates. More than 50 schools are represented in the movement for the selection of programs designed especially for weekend child audiences between 12 and 16.

The plan originated some months ago under the chairmanship of Mrs. Alonzo Klaw. The programs are selected for adults' suitability as well, the selection dependent upon elimination in the program of war glorification, unnecessary brutality or killing, undue sympathy for immoral actions or characters, and risque sex situations. At present 38 theatres in the city are cooperating in the movement, the National Board declares. The committee sees all films before release, and prepares lists which are sent to all schools enlisted in the movement.

Forms Theatre Service

RICHMOND, Dec. 6.—Eumer C. Briant, theatre operator, has formed the Theatre Business Service here, which is designed to offer to the theatre owner all types of needed service, including management, advertising and exploitation, financing, accountancy, income tax consultation and the like.

Incorporate Theatre Company

KANSAS CITY, Dec. 6.—Commonwealth Carrollton Theatre Corp. has been formed in Missouri, and has purchased the Johnson at Carrollton from Ethel Johnson. Officers are: C. L. McVey, president; C. A. Schultz, vice-president, and O. K. Mason, secretary-treasurer.

Start New English Exchange

LONDON, Nov. 27.—National Provincial Film Distributors is a new British distributing company, which shortly will trade show British films from Incorporated Talking Films, Morgan Prod., and Medway Prod., independent units.

"Born Dance" Double Draw On the Coast

Los Angeles, Dec. 6.—"Born to Dance," heading a dual with "15 Maiden Lane," did the biggest business in the best week theatres have had in many months. The take at the Chinese was $15,000, over normal by $2,500, and at Loew's State the gross was $22,500, up by $8,500.

"Anthony Adverse" was $4,500 over the line on a take of $16,600 at Warners' Downtown and was $800 up at $14,800 in Warners' Hollywood.

Total first run business was $132,600. Average is $107,950.

Estimated takings for the week ending Dec. 2:

"LLOYDS OF LONDON" (20th-Fox)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days. **Gross:** $18,000. (Average, $17,000)
"BORN TO DANCE" (M-G-M)
"15 MAIDEN LANE" (20th-Fox)
CHINESE—(2,500), 30c-55c, 7 days. **Gross:** $15,000. (Average, $12,500)
"THE DEVIL IS A SISSY" (M-G-M)
4 STAR—(900), 30c-55c, 7 days, 2nd week. **Gross:** $3,500. (Average, $3,250)
"DER KAMPF"
GRAND INTERNATL—(750), 35c-40c, 7 days. **Gross:** $2,500. (Average, $1,200)
"WINTERSET" (Radio)
"THE FLYING HOSTESS" (Univ.)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $9,300. (Average, $8,000)
"BORN TO DANCE" (M-G-M)
"15 MAIDEN LANE" (20th-Fox)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $22,500. (Average, $14,000)
"WINTERSET" (Radio)
"THE FLYING HOSTESS" (Univ.)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $9,700. (Average, $8,000)
"THEODORA GOES WILD" (Col.)
PARAMOUNT—(3,595), 30c-55c, 7 days, 2nd week. Stage: Milton Watson, Peggy Bernier, F. & M. revue. **Gross:** $20,800. (Average, $18,000)
"ANTHONY ADVERSE" (W. B.)
WARNER BROS. (HOLLYWOOD)—(3,000), 30c-65c, 7 days. **Gross:** $14,800. (Average, $14,000)
"ANTHONY ADVERSE" (W. B.)
WARNER BROS. (DOWNTOWN)—(3,400), 30c-65c, 7 days. **Gross:** $16,500. (Average, $12,000)

"Mystery" Grosses $11,500, Montreal

Montreal, Dec. 6.—"The President's Mystery," with a stage show, won top position with a gross of $11,500, above par by $1,000.

"Libeled Lady," first feature at the Palace, also took $11,500, which was $500 above par.

Professional hockey and the automobile show were competition. Snow and slush predominated.

Total first run business was $43,500. Average is $43,000.

Estimated takings for the week ending Nov. 28:

"THREE MEN ON A HORSE" (F. N.)
"ISLE OF FURY" (W. B.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $9,000. (Average, $9,500)
"THE PASSING OF THE THIRD FLOOR BACK" (British)
"THANK YOU JEEVES" (20th-Fox)
HIS MAJESTY'S—(1,700), 25c-35c-40c-50c, 7 days. **Gross:** $5,000. (Average, $5,000)
"THE PRESIDENT'S MYSTERY" (Republic)
LOEW'S—(3,115), 25c-34c-50c-60c, 7 days. Stage: Broadway After Dark. **Gross:** $11,500. (Average, $10,500)
"LIBELED LADY" (M-G-M)
"SWORN ENEMY" (M-G-M)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $11,500. (Average, $11,000)
"THE GAY DESPERADO" (U. A.)
"ALL AMERICAN CHUMP" (M-G-M)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $6,500. (Average, $7,000)

"Theodora" Is Seattle Lead With $8,100

Seattle, Dec. 6.—"Theodora Goes Wild" was the big money-maker with a take of $8,100 at the Liberty. This topped par by $3,100. The film was held.

"Born to Dance" was strong at $9,750 in the Fifth Avenue and was moved to the Blue Mouse. "Three Men on a Horse" and "Rose Bowl" at the Paramount turned in a strong $7,350 and the combination was held.

Total first run business was $46,450. Average is $41,500.

Estimated takings for the week ending Dec. 4:

"REUNION" (20th-Fox)
"HERE COMES CARTER" (F.N.)
BLUE MOUSE—(950), 25c-40c-55c, 7 days, 2nd week, extended run from Orpheum. **Gross:** $3,400. (Average, $4,000)
"BORN TO DANCE" (M-G-M)
FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days. **Gross:** $9,750. (Average, $7,000)
"THEODORA GOES WILD" (Col.)
LIBERTY—(1,800), 15c-25c-40c-55c, 7 days. **Gross:** $8,100. (Average, $5,000)
"LIBELED LADY" (M-G-M)
MUSIC BOX—(950), 25c-40c-55c, 7 days, 3rd week, extended run from Fifth Avenue. **Gross:** $3,900. (Average, $4,000)
"MURDER WITH PICTURES" (Para.)
"SEA SPOILERS" (Univ.)
MUSIC HALL—(2,275), 25c-35c, 5 days. Stage: Vaudeville headed by Maud Hilton & Co. **Gross:** $3,900. (Average, $5,000)
"A WOMAN REBELS" (Radio)
"MR. CINDERELLA" (M-G-M)
ORPHEUM—(2,450), 25c-30c-40c, 5 days. **Gross:** $4,200. (Average, $6,000)
"THE BIG SHOW" (Republic)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Vaudeville headed by Sally Payne. **Gross:** $5,850. (Average, $4,500)
"THREE MEN ON A HORSE" (F.N.)
"ROSE BOWL" (Para.)
PARAMOUNT—(3,050), 25c-30c-40c, 7 days. **Gross:** $7,350. (Average, $6,000)

"Go West" Buffalo Smash at $12,000

Buffalo, Dec. 6.—"Go West, Young Man" at the Great Lakes was the smash hit of the week. It drew $12,000, breaking par by $4,700.

The Lafayette's dual, "The Magnificent Brute" and "The Man I Marry," ran a close second with $9,800, over average take by $3,800. "Rose Bowl" and "High Tension," playing the Century, bettered normal by $1,600.

Due to program changes at all theatres on Thanksgiving, "Reunion" at the Buffalo and "A Woman Rebels" and "The Longest Night" at the Hippodrome ran only six and five days, respectively, and fell considerably under the line.

Total first run business was $43,200. Average is $38,400.

Estimated takings for the week ending Nov. 28:

"REUNION" (20th-Fox)
BUFFALO—(3,000), 30c-50c, 6 days. **Gross:** $8,300. (Average, 7 days, $12,000)
"A WOMAN REBELS" (Radio)
"THE LONGEST NIGHT" (M-G-M)
HIPPODROME—(2,500), 25c-40c, 5 days. **Gross:** $5,700. (Average, 7 days, $7,300)
"GO WEST, YOUNG MAN" (Para.)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $12,000. (Average, $7,300)
"ROSE BOWL" (Para.)
"HIGH TENSION" (20th-Fox)
CENTURY—(3,000), 25c, 7 days. **Gross:** $7,400. (Average, $5,800)
"THE MAGNIFICENT BRUTE" (Univ.)
"THE MAN I MARRY" (Univ.)
LAFAYETTE—(3,300), 25c, 7 days. Gross: $9,800. (Average, $6,000)

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British Plan Unit to Show Child Films

By BRUCE ALLAN

LONDON, Nov. 27.—A proposal for the formation of a non-commercial organization to acquire and distribute films for exhibition exclusively at children's matinees was approved at a Child Film Conference here, organized by the British Film Institute.

Present were such representative members of the industry as Simon Rowson, T. H. Fligelstone, president of the C.E.A., Sidney Bernstein and Kenneth Nyman participating in the discussions. The official delegates, numbering over 90, included representatives of the Home Office, Board of Education and numerous bodies concerned with child welfare.

Outstanding statements during the discussion included the pronouncement from S. W. Harris, delegate of the Home Office that, "The Home Office consider there is very little connection between films and young offenders. Juvenile delinquents may visit films, but are not made by them. The child may copy film methods but not motives." This view was endorsed by Dr. E. Manuel Miller, of the Child Guidance Council.

Asks More Children's Shows

Rowson, stating the trade viewpoint, asserted that 500 British theatres provided weekly children's matinees, entertaining 600,000 children for an aggregate cash taking of £300,000 per year. He suggested that the number of theatres running children's matinees could be trebled and the revenue increased to £1,000,000 a year, providing producers with £200,000 new revenue.

Both Bernstein and Nyman, from personal experience, said the children's matinee at present was unremunerative, and supported the idea of a central body to supply special films. The American Museum of Modern Art was quoted as a model.

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No Punches Pulled

Toronto, Dec. 6.—Lucille Ryman, talent scout for Universal, didn't pull any punches when, after a visit here, she said she was unable to find "a beautiful girl with a beautiful voice" suitable for a screen test, in Toronto. She said she may return here next March, for the Dominion Drama Festival in Ottawa.

British Technicians Ask a Standard Pact

LONDON, Nov. 27.—The Ass'n of Cine-Technicians, which has a membership of 1,200, has presented a draft of a standard agreement to 13 studios, three newsreel companies, and five laboratories.

An official statement from the organization declares that there is a need for an agreement between studios and technicians similar to those existing with trade unions representing manual workers. The group asks:

A working week in studios of 48 hours, with extra payment for work in excess and special remuneration, or time off, for Sunday work.

Two weeks holiday a year with pay. Payment during illness.

Fifty per cent participation in any profits made by the letting out of any technician's services.

Screen credits for actually responsible technicians, instead of for heads of departments only.

Minimum salary for juniors of £1:15s per week, to eliminate unpaid "learners."

As regards newsreel companies no "overtime" demand is made and, in laboratories, a 44-hour week is asked. Wage demands in laboratories range from £4 minimum to £6:10s maximum.

British Talking Net Is $13,000 for Year

LONDON, Nov. 27.—British Talking Pictures, Ltd., has shown a profit for the year of £2,634 against £3,962 the previous year. The trading profit was £1,638 against £815.

During the year Associated Sound Film Industries, Ltd., an associated company, after disposing of the Wembley studio to Fox British Pictures, repaid to B. T. P. the balance of £44,666 first mortgage debentures, with accrued interest. This was used to pay a loan of £7,500 and also to pay to creditors 4s 6d on the pound, making a total payment of 13s on the pound. In the Associated Sound Film Industries report it is stated that the price received for the Wembley studio was £50,000.

U. T. P. Will Pay No Dividend This Year

LONDON, Nov. 27.—A. E. de B. Jennings, chairman of United Picture Theatres, Ltd., told the annual meeting of stockholders that there is no prospect of a dividend this year, the deficit standing at £398,681.

U. P. T. is managed by Gaumont British, which receives £10,000 per year, or five per cent of the gross takings, whichever is the larger amount. The company has already reported a trading profit for the year of £27,829 but a net loss, after debenture and other charges, of £13,636.

Government Controls Films in Manchukuo

By TETSUYA MORI

TOKYO, Nov. 22.—Government control of a subsidized film industry for Manchukuo, long under discussion, is now under way with the establishment of a new national film company, capitalized at 5,000,000 yen, of which half is from the Manchukuo Government, and half from the South Manchuria Railway Co.

The National Cinema Control Commission approved the plan unanimously. The new firm will be under the direct supervision of Eiga Kyokai (Manchukuo Cinema Ass'n), which was established at the same time. Every phase of film activity will be very closely controlled by the new company.

All distribution will go through the association, which includes importations from all countries including Japan. A film law is being prepared by the Manchukuo Government which will prescribe definite rules for film activity, which is seen as eventually meaning the end of all private companies.

The significance of the Manchukuo arrangement lies in the indication that it is virtually a test of such a plan, which will be watched closely by Japanese authorities, with a view to possible inauguration of a similar system in this country.

Rentals Supplanting Japan's Percentages

TOKYO, Nov. 22. — There is a marked tendency among exhibitors in Japan at the moment to take product on a rental basis, instead of on percentage arrangements. The one exception is the Shinko Circuit, which is seeking percentage terms now.

In general, theatres with high average grosses prefer rentals, while producers are demanding percentage terms from the larger houses.

* * *

The leading Japanese newspapers have reached a high point in the production of newsreels, which in recent months have attained a new popularity among Japanese audiences. *Asahi*, *Nichi-nichi* and *Yomiuri* together are producing more than 500,000 feet of newsreel films each month. They are making every effort to extend the market, planning large studios and laboratories, and making serious inroads into the exhibition of shorts.

Plans Stimulant to Argentine Producers

By N. BRUSKI

BUENOS AIRES, Nov. 24. — Dr. Miguel Navas has proposed to the City Council here the awarding of cash prizes for the best Argentine films exhibited in the city each year, as a stimulant to the young industry of the country. The author, producer, artistic director, sound expert and others would share in the prizes.

* * *

The Ministry of Justice has decreed that any producer desiring to utilize the service or cooperation of any Government department for a film, must first submit the story for examination and approval to a commission composed of the National Commission of Culture, the technical director of the Instituto Cinematografico, and a representative of the department involved.

Reich Seen Gainer By Hungarian Pact

By ENDRE HEVESI

BUDAPEST, Nov. 24.—Although the official text of the film agreement recently concluded between German and Hungarian authorities at Berlin has not been made public, information concerning its content as indicated in informed quarters leads to the general conclusion that Germany has virtually dictated terms, although certain phases of the reported terms are apparently favorable to Hungarian distributors.

It is indicated, as well, that American films will have even less market in Hungary than at present, under the agreement.

According to the most widely credited version, Germany will allow the importation of five German dialogue films made here, but only on the conditions that they adhere rigidly to the Aryan principle in production. The producer of every German-speaking film in Hungary would have to pay 50,000 pengoes ($3,000) into a special fund to be used to import 40 German-made films into this country without permit tickets, thus saving distributors the 2,000 pengoes they now must pay for the permit tickets on each film. Thus German interests are in a more favorable position, since Hungarian distributors would be more willing to import German product, if the permit ticket charge were eliminated.

The increase in the importation of German films into Hungary, seen as a prime result of the agreement obviously would virtually eliminate American product from the market, since Hungary has an annual film capacity of not more than 20 features.

Dutch Towns Raise Tax on Admissions

By PHILIP DE SCHAAP

AMSTERDAM, Nov. 26.—The action of the Dutch M. P. Federation in attempting to prevent increases of admission taxes in cities in Holland, has brought a reaction from some municipalities. Eight towns plan to raise admission taxes, in many cases about 20 per cent. The Federation's first move in that direction took place in Haarlem.

In Maastricht the exhibitors have served notice that if the town authorities go through with their avowed intention of maintaining the tax at 25 per cent, they will close their houses on April 1.

* * *

The double bill problem is becoming more acute, with some exchanges approving contracts providing for the showing of three pictures on one program. No shorts are shown, of course, in theatres using triple bills.

Set German-Polish Film

WARSAW, Nov. 24.—The German Tobis Co. has sent representatives here to negotiate for the production of a film in Polish and German versions. It will be the first German-Polish film to be made here.

Acquire Swiss Picture

Arthur Mayer and Joseph Burstyn have acquired the American distribution rights for "The Eternal Mask," a Swiss production.

MPTOA Seeks United Front On New Laws

(Continued from page 1)

return of false box-office statements as embezzlement; compulsory public liability insurance; employment of a full-time house fireman; an increase of municipal censor boards and "all of the 'half-baked' statutes that will be thought up 'to protect the safety of the theatre patron' once the lawmakers are started on regulation by statute."

The bulletin denies that the Neely-Pettengill bill will eliminate block booking and declares that its passage would be certain to bring on a "swarm" of new censor boards, increase censorship powers and censor fees.

"Such measures as the proposed criminal laws to prevent designated playdates and to put the affiliated circuits out of business," it says, "are obviously unconstitutional on numerous grounds, will undoubtedly be tied up in litigation for many years and can easily be evaded in innumerable ways."

Congressional Appeal Asked

The bulletin asserts, however, that if such "futile" legislation "should get completely out of hand," then organized theatre owners must have a voice in its provisions and be heard by Congress in order that their interests may be protected from the non-theatre owning interests which, it says, drafted the bills now in existence.

The M. P. T. O. A. statement urges a liberal unrestricted cancellation privilege as the only satisfactory solution for block booking problems and asserts that the present and prospective concessions from distributors on the M. P. T. O. A.'s 10-point trade practice program are indicative that real relief of this kind is at hand for every exhibitor.

The bulletin stresses the improvement in the moral tone of pictures during the past two years and declares that, as a result, "the only remaining agitation against the morals of the movies is by those who make a living out of such agitation."

"Allah" at $86,000 Betters First Week

(Continued from page 1)

proximately $42,000 in its eight-day run at the Capitol where the picture was replaced yesterday by "Born to Dance." Lines formed at the theatre early and by the time the cashiers were ready to get to work the customers reached a good distance on the 51st St. side of the house.

The Roxy, with "Reunion" and a stage show, took in slightly over $40,000 on eight days. "Banjo on My Knee" will open next Friday and after a week's engagement will be followed by "Stowaway," which will run through the Christmas period. "One in a Million" is dated to open Dec. 31.

Apparently resigned to a dual feature policy, the Criterion has slated "Accused" and "Captain Calamity" to open next Wednesday.

"Lloyds of London" tallied approximately $17,000 in the first week at two-a-day prices at the Astor.

Purely Personal

MILTON KUSELL left for Buffalo yesterday to meet MARSHA HUNT, Paramount player. From Buffalo, KUSELL will escort Miss HUNT to Albany, then back to New York, Philadelphia and Washington. GAIL PATRICK, who arrived Saturday from the coast, will meet KUSELL in New Orleans next Sunday and from there will make a tour of Paramount exchanges in connection with the ZUKOR Jubilee.

•

J. J. UNGER, Paramount district manager, will leave tomorrow for Birmingham, where he will speak to managers of Wilby-Kincey at a special meeting.

•

WILL H. HAYS and MRS. HAYS, MISTINGUETT and HANS FEHER are due today aboard the *Normandie*.

•

WILLIAM HAWKS, brother of Howard and partner in a coast agency, is in town on business.

WILLIAM JAFFE, law partner of SOL A. ROSENBLATT, became a daddy for the first time the other day. It was an eight-pound boy at Doctors' Hospital with MRS. JAFFE reported doing nicely.

•

MAUD K. MILLER, for many years manager of Paramount's New York story department, has joined Major Prod. in an editorial capacity. She will be associated with GEORGE PALMER PUTNAM, who heads the New York office of Major.

•

LULU DESTE, new star signed by B. P. SCHULBERG, and MARION GERING, director, will arrive from Europe on the next trip of the *Champlain*.

•

WILLIAM MALLARD, general counsel for RKO, plans to head for the coast after the first of the year.

•

EDWARD G. ROBINSON is due to arrive on the *Normandie* Dec. 23.

Out Hollywood Way

HOLLYWOOD, Dec. 6. — "Happiness Preferred," a Major Prod. unit, is scheduled to hurry to Truckee as soon as snow is reported.

ERNEST PASCAL, writer and collaborator on "Lloyds of London," signed to new term contract by DARRYL ZANUCK. . . . MARGUERITE CLARK to fly here from New Orleans to attend the Zukor Jubilee Dinner. . . . CLAUDETTE COLBERT home from her Palm Springs vacation. . . . BORIS MORROS back at work after an illness. . . . RALPH RANGER goes to the desert to finish recuperating.

EDGAR ANDERSON and PAUL WING back from Panama with background shots for Paramount's "Swing High, Swing Low." . . . JOSEPH and HENRY MANKIEWICZ to fly to New York Dec. 10. . . . MICHAEL LEVISON and DAVID MILGRAM, Philadelphia exhibitors, visitors here. . . . Short featuring alumni and present members of Our Gang scheduled to start soon. . . . HAL ROACH may build another stage as part of expansion program.

C. C. BURR, about to produce six "Crime and Courage" features, opens offices at International Studios. . . . Paramount advances start of "Tightwad" with LEW AYRES and MARY CARLISLE to Dec. 14. . . . JACK HALEY signed to term pact with 20th Century-Fox.

✚

Casting—JOSEPH SCHILDKRAUT in "Souls at Sea," Paramount. . . . HOWARD HICKMAN in "Join the Marines" and ROSCOE GERALL in "Dick Tracy," Republic. . . . PHYLLIS BARRY gets lead in "The Prince and the Pauper," Warners. . . . DONALD BARRY, LEE PHELPS and VIVIAN OAKLAND in "When's Your Birthday?" . . . TYRONE POWER and GREGORY RATOFF in "Cafe Metropole," Twentieth Century-Fox. . . . JOHN HARRON signed to term contract by Warners.

ADOLPHE MENJOU to play role of Blackie Daw in "The World's Our Oyster," with EDWARD ARNOLD. . . . JOHN CARRADINE added to cast of "Seventh Heaven," Twentieth Century-Fox.

✚

Writers—MERVYN LEROY signs ABEN KANDELL to do screenplay of "Death in the Deep South." . . . TOM LENNON working on "Women Are Poison," Radio. . . . WOLFE GILBERT doing musical score of "Escadrille," same studio. . . . Universal signs HANS KRALY to do original for DEANNA DURBIN.

Berry Claims All Majors to Attend Parley

(Continued from page 1)

the conferences, it was declared, but the list showed only 24 individuals, including Merlin H. Aylesworth of RKO, and although "scores of national trade groups" are to be represented, only 16 were listed.

Declaring the conference to be "the nation's most important post-election development," Berry said advices indicated the program would have unprecedented support from business, industry and labor.

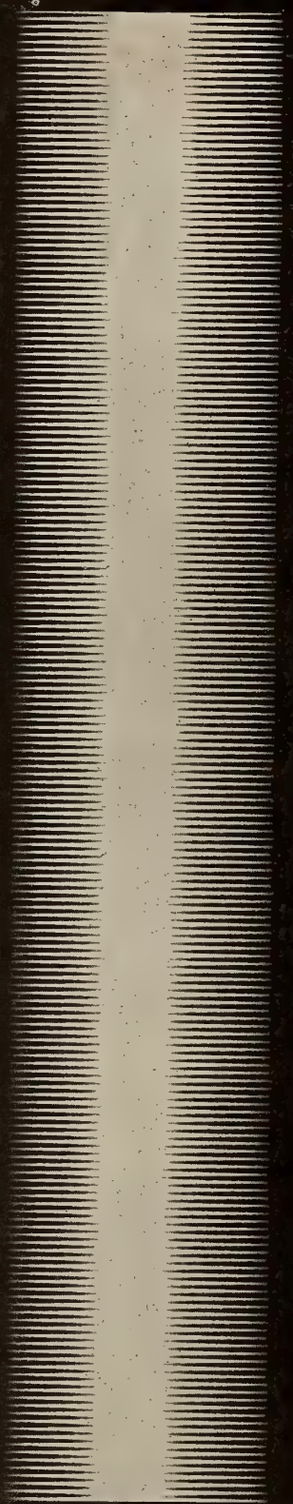
A tentative program released today showed that Berry will deliver the opening address, other speakers including Senator Wheeler of Montana, Representative Rayburn of Texas, Assistant Attorney General John Dickinson and William Green, president of the A.F.L.

Rosenblatt Will Go To Berry Conference

Sol A. Rosenblatt, former NRA code administrator, will leave for Washington tomorrow night to confer with Major George L. Berry's National Council for Industrial Progress. The meeting is slated for Wednesday.

Rosenblatt on Saturday said he had not been advised of any film executives who will attend the sessions.





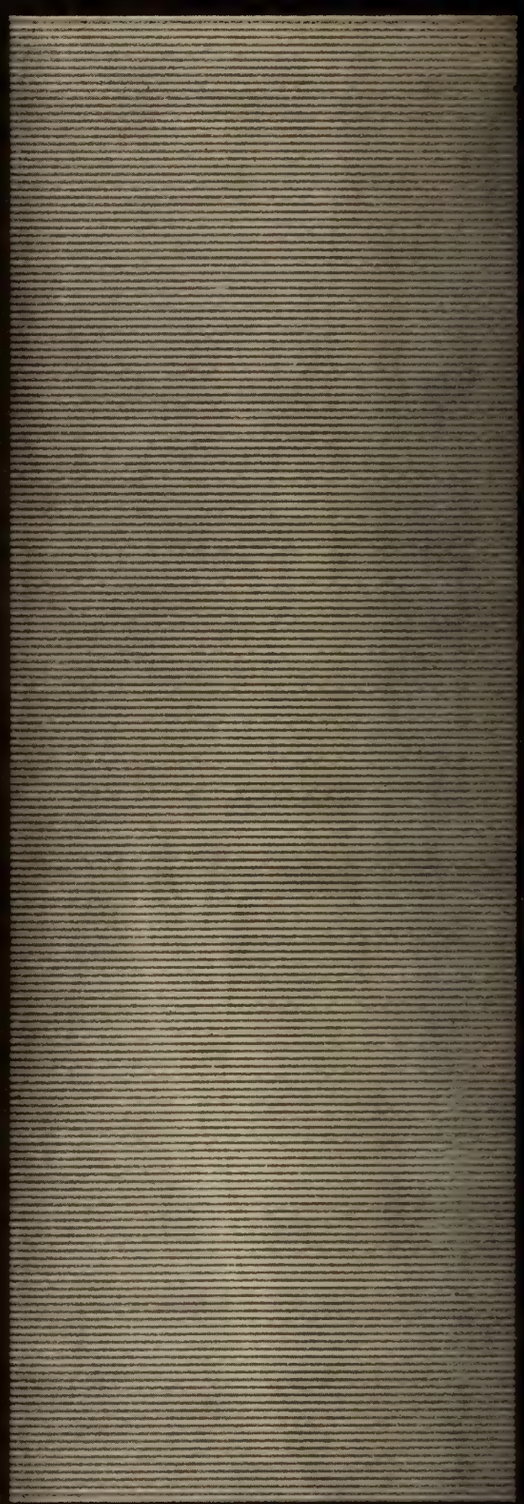
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VOL. 40. NO. 135 NEW YORK, TUESDAY, DECEMBER 8, 1936 TEN CENTS

Hays Pleased, He States, by Italy Accord

Says Details Must Come From Ambassador

Will H. Hays, arriving from Europe yesterday on the *Normandie*, said that he was "immensely pleased" with the accord reached with the Italian Government concerning withdrawals of American film revenue from that country and the importation there of American pictures.

Beyond stating that "an accord had been reached in principle," Hays declined to discuss the agreement, saying that details would have to be made public by Ambassador William Phillips at Rome, whom Hays credited with the success of the discussions.

Italy had proposed a drastic limitation of imports of American films and a decree which would have retained in Italy two-thirds of the revenue of American film companies derived from that country, with additional limitations on the uses to which such credits might be put. Earlier reports from Italy indicated that no quota restrictions would be imposed and that approximately 50 per cent o the Italian revenue could be withdrawn without specific limitations on

(*Continued on page 9*)

Goldwyn, Selznick, Wanger Pool Stars

HOLLYWOOD, Dec. 7.—Samuel Goldwyn, David O. Selznick and Walter Wanger stated jointly and officially today that a drive for big name talent on a pooling basis will be started immediately. Each artist contracted will be guaranteed three pictures, doing one for each of the three producers. Adolphe Menjou is the first star signed.

The new system will not conflict with present production schedules nor will it affect arrangements with talent now under contract.

Radio

A new national network springs into existence Dec. 29 when the Don Lee Central States and Iowa networks affiliate with Mutual. Details of this and other developments in the radio field on

Page 4

Three Responses on 10-Point Plan Vary; Favor Local Boards

The record to date of distributor action on the M.P.T.O.A.'s 10-point trade practice program follows:

Nov. 7.—Universal issues the first reply, granting liberalized cancellation, elimination of the score charge, support for the establishment of local conciliation boards.

Nov. 25.—20th Century-Fox is second to respond. The company offers liberalized cancellation and support for the conciliation boards, but will not abandon the score charge.

Dec. 7.—United Artists, third to answer, will eliminate the score charge effective with the 1937-'38 season and favors establishment of conciliation boards. Its producer organization prevents it from granting a cancellation privilege, the distributor states.

Schenck Pact Up to Loew Holders Today

With more than 51 per cent of the proxies on hand late yesterday, Loew's stockholders today will approve a five-year employment contract for Nicholas M. Schenck, president, and the transfer of a five-year option held by the late Irving G. Thalberg for the annual purchase of 9,600 shares of common stock at $40 a share to Schenck.

The five-year employment contract provides for the same salary and percentages Schenck is now getting. J. Robert Rubin, vice-president, will preside at the session which is scheduled to start at 11 A.M. in the home office.

Two stockholders thought the meeting was scheduled for yesterday and put in an appearance. As far as could be learned, Frank A. Harden is the only stockholder to have voiced an

(*Continued on page 8*)

Paramount's Issues At New High Marks

All three Paramount issues on the Stock Exchange yesterday soared to new highs for the year. Most active of the group was the common with a turnover of 48,300 shares. It closed at 23 for a gain of 1⅝ on the day. The first preferred jumped seven points on a trading of 4,300 shares, closing at 166. The second preferred showed a plus 1¼, with 6,800 shares changing ownership. The new high and closing quotation on this issue was 20¾.

Chicago's Theatres Repeat Basket Stunt

CHICAGO, Dec. 7.—Every theatre in Chicago again this year will join the move to supply Christmas baskets to the needy as they did last year for the first time. The plan is sponsored by the Chicago Amusement Publicists' Ass'n. The baskets will be gathered Dec. 22. Last year 20,910 baskets were filled.

Goetz-Gordon Start Their Partnership

Harry M. Goetz's partnership with Max Gordon, Broadway stage producer, officially began in Philadelphia last night when "The Woman," initial stage play under the arrangement, opened its tryout engagement. Of the new company, the Max Gordon Plays and Pictures Corp., Goetz is president, Gordon, vice-president; Marcus Heiman, secretary and treasurer, and A. L. Berman, the attorney, general counsel. Plays produced by the combination later will be filmed.

High Court Upholds Price Cutting Bans

WASHINGTON, Dec. 7.—State laws in California and Illinois which prohibit the sale of standard products at less than the price fixed by the producers were upheld as constitutional by the U. S. Supreme Court today. Justice Sutherland delivered both opinions, which were unanimous, and sustained decisions of the State Supreme courts. The measures involved were intended to prevent price cutting.

In two California cases which were appealed, the corporation involved contended they had not bound themselves by any form of contract to resell the commodities concerned at any specific price, and that they had the legal right to sell them at cut prices if they so desired.

Long Reels in Use; Will Be Made Legal

Although every major exchange in the local area is now employing the 2,000-foot reel with the approval of the Fire Dep't, the Board of Aldermen is now working on an ordinance which will make the enlarged reel legal.

The independent exchanges are gradually installing new rewinding apparatus for the handling of the new reel.

U. A. to Drop Score Charge Next Season

Local Boards Approved; No Cancellations

United Artists will abandon levying of a score charge after the current season and beginning with the sale of its 1937-'38 product, George J. Schaefer, vice-president, advised the M.P.T.O.A. yesterday in a letter which sets forth the company's stand in relation to the exhibitor organization's 10-point trade practice program.

In addition, United Artists declares itself in favor of the establishment of local conciliation boards but asserts that it is unable to grant a cancellation privilege because of its "long standing policy of selling our product on an individual picture or producer basis."

The distributor took the same position on cancellation when the industry's NRA code was drawn, but Code Authority subsequently held that the company was subject to the cancellation provisions of the code.

Schaefer's letter also puts United Artists on record as opposing the servicing of non-theatrical accounts which "in any way conflict with the business of a theatre." While stating that United Artists believes uniform clearance schedules to be "fundamentally sound," the letter states that Federal court decisions make it necessary to

(*Continued on page 12*)

Picquet Again Heads Carolina Exhibitors

CHARLOTTE, N. C., Dec. 7.—Charles Picquet was reelected here today as president of the Theatre Owners of North and South Carolina, at the closing session of the annual two-day convention. Attendance was the largest since 1929 and considerable enthusiasm for the 10-point trade practice program of Ed Kuykendall, president of the M.P.T.O.A. was evidenced.

The meeting unanimously adopted

(*Continued on page 8*)

Paper Value Jumps

Amusement issues listed on the N. Y. Stock Exchange increased 30.18 per cent on Dec. 1, as compared with the preceding month, according to a compilation of the exchange. Paper value at the beginning of the month was computed at $465,265,996.

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May Go Three Weeks

LOS ANGELES, Dec. 7.—"Three Smart Girls" is definitely set for a second week at the Hillstreet here and the Pantages, Hollywood and may go a third.

Grainger Leaving Wednesday

James R. Grainger, general sales manager of Universal, leaves for Chicago tomorrow. He will end his impending trip in Hollywood.

Skouras Planing East

HOLLYWOOD, Dec. 7. — Spyros Skouras left for New York today by plane following a week of conferences here with Sidney R. Kent and executives of Fox West Coast. It is understood that nothing concerning the Huffman theatre circuit was discussed.

Major motion picture distributing company requires immediate services of youthful and experienced Spanish publicist with knowledge of newspaper work and preparation Spanish press book. State qualifications in detail. Box 390, MOTION PICTURE DAILY



FLYING 'GOLD DIGGERS' INVADE INDIANAPOLIS on latest stop of Warners' 4-week Sky Tour with city's key, officially tendered by both Governor and Mayor, making the flight's 20th. KANSAS CITY NEXT! (Adv.)

Columbia 87% Sold, Montague Tells Men

CHICAGO, Dec. 7.—Abe Montague, Columbia general sales manager, closing the sales meeting at the Drake here yesterday, disclosed that the company has already sold 87 ½ per cent of the total available bookings, leaving only 12½ per cent still open. He said a decision will be made shortly relative to the feasibility of roadshowing "Lost Horizon" when it is released. He said the reports of the men in the field on the plan are being studied.

The sales executive told the delegates that the release of "Interlude," starring Grace Moore, would depend on the availability of extended playing time for the film. He screened "Dodge City Trail," a musical western starring Donald Grayson, Chicago singer, declaring it the forerunner of a new type of film that will be inexpensive but box-office.

The mid-season meeting was attended by 85 men. Montague will leave tomorrow for New Orleans, where another meeting will be held next week.

Realign Bank Night Unit

DES MOINES, Dec. 7.—The local branch of the Bank Night distributors of Denver, has been reorganized as a partnership under the name of Affiliated Distributors with Myron Blank, Raymond Blank, Harry M. Weinburg and Ray Coffin as partners, and with Ray Coffin as general manager. The territory covered by the company includes Iowa, Nebraska, Minnesota, North Dakota, South Dakota, Wisconsin, Kansas, Missouri, Illinois, Indiana and part of Michigan.

Biddell Going to Coast

Sidney M. Biddell, story editor for Grand National, leaves for the coast the end of the week. He will make his permanent headquarters at the studios in the future. A staff will be set up at the home office to keep in constant contact with Biddell on stories and plays.

He Soirees

Bob Goldstein held another weekly musical soiree over the weekend. It was attended by a number of well-known film men. According to an advance guest list furnished by the host, these were present:

Noel Greenbaum, Ginger Levine, Honey Suckle Ginsberg, Chiquita Mendelbaum, Ming Toy Cohen, Merle Lapidus and Sir Basil Rabinowitz.

King, Mrs. Simpson Swim on the Screen

King Edward VIII and Mrs. Simpson paddle a small boat and dive and swim unconscious of the presence of a camera, apparently, in the latest issue of Fox Movietone News released Thursday night at the Embassy and sent out generally for showing the first half of this week.

By Friday night Truman Talley was deluged with telephone calls, both at the office and at home.

Magazines, newspapers and photo syndicates wanted clips. They offered up to $100 a frame. Talley refused them on the theory that he had a scoop and that exhibitors should get the scenes first.

Reel Unchallenged in Canada

TORONTO, Dec. 7.—Newsreels showing clips of Mrs. Simpson have not been submitted to the Ontario board of censors and, since there is no question of screen morals involved, there is no ban on her screen appearance.

King Edward, pictured in a newsreel over the weekend, was received in silence by the audiences, whereas his previous appearances had invariably brought forth applause.

"U" Vacations Start

The Universal sales forces will begin taking two-week vacations on Dec. 19.

Winners Picked in Packard-RKO Tieup

John Barcroft of the RKO Palace, Columbus; C. G. Keeney of the Park, Reading, Pa., and Paul M. Ellis, Robins, Warren, O., have been declared the first three winners of the RKO-Packard Motor Co. tieup on "Swing Time." Each will receive Packard Six cars. In addition, 13 other managers were awarded cash prizes totaling $1,500.

The 13 runners-up are: E. E. Whittaker, Fox, Atlanta; Jack Gross, RKO Hillstreet, Los Angeles; Louis E. Mayer, Mainstreet, Kansas City; Mickey Gross, RKO Orpheum, Sioux City, Ia.; Guy W. Martin, Colfax, South Bend, Ind.; Ray Halloway, Ellanay, El Paso; E. A. Patchen, Stuart, Lincoln, Neb.; Sid Holland, Elco, Elkhart, Ind.; Vernon S. Denson, Albany, Albany, Ga.; Joe Floyd, New Granada, Sioux Falls, S. D.; C. R. Lindblad, Iowa, Atlantic, Ia.; H. A. Gillespie, Capitol, Yakima, Wash.

A-Mike Vogel of *Motion Picture Herald* headed the list of judges which included Ned E. Depinet, president of RKO Distributing Corp.; Chester La-Roche, president of Young & Rubicam, advertising agency; F. H. McKinney, vice-president in charge of advertising and publicity for Packard; Leonard Lewis, associate editor of *Printer's Ink;* James S. Tyler, editor of *Advertising and Selling;* Fred Wile, Young & Rubicam, and John F. Reeder, account executive of Packard.

Rohrs Is Appointed Atlanta U. A. Head

Fred A. Rohrs has been named Atlanta branch manager for United Artists by George J. Schaefer. He succeeds William Richardson, resigned.

Jay Schrader has been moved from the Dallas exchange to Charlotte, the spot vacated by Rohrs.

Paramount Sets Its Product Conference

HOLLYWOOD, Dec. 7. — Paramount's annual product conference will last three days—Jan. 8, 9 and 10—and will be held at the Ambassador Hotel.

It had previously been planned to hold the meetings at Palm Springs.

Elman Back in Chicago

CHICAGO, Dec. 7.—Henri Elman, head of Capital Film Exchange and local franchise holder for General Pictures, today returned from New York after a week there on product deals and said the three-day meeting with Fenn Kimball, president of General, Bob Welsh and Mack Weinberger will start around Jan. 15 at the Blackstone.

According to present plans, General will produce six features this season and 26 next year.

Elman plans to return to New York on Dec. 22. He will sail from Manhattan on Dec. 24 for a 10-day Bermuda vacation trip.

Botsford Ends Vacation

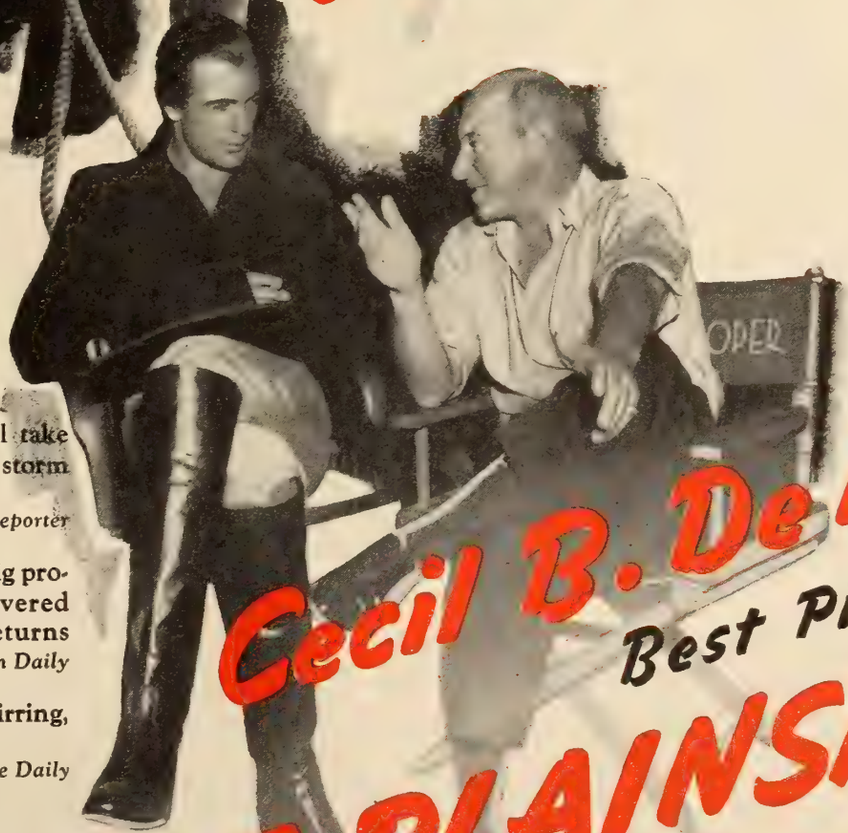
HOLLYWOOD, Dec. 7.—A. M. Botsford, having completed his vacation, returned today to the Paramount lot to take up his duties as manager of production plans. He was formerly an associate producer.

Reports here have Paramount planning to purchase the current Botsford contract.

The Best
GARY COOPER
Picture



The Best
JEAN ARTHUR
Picture



"THE PLAINSMAN" will take the box-offices of the world by storm and roll up a magnificent record.
— *Hollywood Reporter*

"THE PLAINSMAN" is a big production of the "Cimarron", "Covered Wagon" type. Its box-office returns should be great. — *Film Daily*

"THE PLAINSMAN"... stirring, human interest entertainment.
— *Motion Picture Daily*

Cecil B. DeMille's
Best Picture
"THE PLAINSMAN"

with James Ellison • Charles Bickford • Helen Burgess • Porter Hall • Directed by Cecil B. DeMille

Paramount Pictures

Baird Television Is Previewed in London

By BRUCE ALLAN

LONDON, Dec. 7.—A demonstration for the press of the Baird television apparatus at the Domion yesterday showed fair quality and undistorted pictures measuring eight feet, six inches by six feet. Head and shoulder pictures only were shown. A public address system used permits of a question by telephone and a reply through the screen. A 120-line picture was screened.

The experimental land line was damaged in the fire which razed the Crystal Palace last week, where the Baird laboratory was located, but the method was declared to be adaptable to regular transmission. It is claimed that which was used is the largest high definition screen in the world. The screen was clearly visible from the rear of the theatre.

Join NBC-Blue Jan. 1

NEW HAVEN, Dec. 7.—WICC of Bridgeport and New Haven, owned by John Shepard, will become part of the NBC-Blue network on Jan. 1. WEAN, Providence, also joins on the same day.

WICC will inaugurate a program featuring people featured in local and county news Thursday night. People whose names appear on the front page of the *Post* or *Telegram* will be interviewed over the air by Rocky Clark and the feature will be presented at various periods during the days when news breaks.

The application suggests theatre stunts along identical lines.

WREN Asks Sale Approval

KANSAS CITY, Dec. 7.—WREN has filed application with the Federal Communications Commission for approval of its sale to the *Kansas City Star*, operator of WDAF.

If the sale is approved the *Star* will operate the stations, for a while at least, separately. The deal includes a five-year lease of the first floor of the WREN building in Lawrence. WREN's transmitter is near Tonganoxie, Kan., about 12 miles from Lawrence.

WGRC Studios Set

LOUISVILLE, Dec. 7. — Station WGRC, the George Rogers Clark broadcaster which started airing three weeks ago, now has studios in the Indiana Theatre, New Albany, and the Dream, Jeffersonville, both in Indiana, across the Ohio from Louisville.

The station operates on 250 watts, daylight hours, and is a member station of the Affiliated Network.

Theodore Doolittle Dead

MIAMI, Dec. 7.—Theodore Doolittle, announcer for WQAM, died in a local hospital as the result of a spinal injury suffered a few days previously when he fell from a jetty at Miami Beach. Doolittle had been associated with WGST and WATL in Atlanta and CKLW, Windsor, Ont.

Lee Takes Four More

HOLLYWOOD, Dec. 7.—The Don Lee network over the weekend added four coast stations to its group. They are: KFXM, San Bernardino; KPMC, Bakersfield; KDON, Monterey, and KGDM, Stockton.

Finish Plans Linking Up New Networks to Mutual

Plans to celebrate the linking of the Don Lee, Central States and Iowa networks to Mutual on Dec. 29-30 have been completed. The details will be revealed by Mutual on or about Dec. 15.

Mutual will inaugurate the celebration on Dec. 29, from 10 P.M. to 2 A.M., E.S.T. Stations which will provide the entertainment include WOR, New York; WGN, Chicago; WLW, Cincinnati; and CKLW, Detroit-Windsor.

Each station will offer a preview of its best programs. It was planned originally to recruit a gala roster of "name" guest artists for the celebration, but this was abandoned in favor of the stand-by Mutual attractions in order to enable the new listeners to become acquainted with the regular network fare.

WOR's top programs and personalities definitely assigned to the program include "Jazz Nocturne," Alfred Wallenstein's Sinfonietta, Benay Venuta, Gabriel Heatter, Nat Brusiloff and Morton Gould. Bandleaders include Guy Lombardo, Horace Heidt, Eddie Duchin, Cab Calloway, Red Norvo, Kay Keiser and Freddie Martin.

Principal speakers from New York will be Alfred J. McCosker, chairman of the Mutual board and president of WOR, and W. E. Macfarland, Mutual president. Tom Lee, son of the founder of the Don Lee network, will make an address from California.

The following evening at 10 P.M., E.S.T., Don Lee will return the salute to Mutual. Also participating in the return ceremonies will be the stations comprising the Central States and Iowa networks. The former network consists of KFAB and KOIL, Lincoln and Omaha, respectively; while the latter chain is made up of WMT and KSO, Cedar Rapids and Des Moines, respectively.

The entertainment from the middle western and west coast webs will consist also of previews of each individual station's best features, although there is a possibility that Don Lee may supplement its program previews with appearances of film players.

Conrad Nagel will "em cee" the Don Lee offerings; while George M. Cohan has tentatively agreed to act similarly for Mutual.

Also as a feature of the amalgamation, Don Lee will present exclusively the annual football game between the all-star teams of the east and west, a New Year's Day feature in San Francisco. The description of the game will be broadcast at 4:30 P.M., E.S.T.

"Sealtest" to J. Walter Thompson

The Sealtest Corp., sponsors of the strife-torn "Saturday Night Party" program yesterday notified N. W. Ayer & Co. that the program henceforth would be handled by J. Walter Thompson & Co.

The move was not entirely unexpected, although a transfer in agency while a contract is still in force is highly unusual. It is reported that the contract is for 52 weeks, at the usual 13-week intervals. The program this week goes into its ninth broadcast.

"Saturday Night Party" ran into trouble almost from the very beginning when the script detail was taken from Walter O'Keefe and placed into the hands of staff agency writers. O'Keefe's dissatisfaction terminated in a walk-out. Last week, following a complaint about material, Jean Paul King, program announcer and "em cee," was let out.

It is not known at the moment whether J. Walter Thompson will continue with the present cast or return Walter O'Keefe to the program.

Your Witness

Having received so many reproachful stares from Jack Pearl's army of friends because of a lukewarm notice in this space following the Baron's debut on his current air series some weeks back, this department tuned in on the program again last night in an effort to determine whether or not the Baron had been libeled.

Taxing every effort to make amends in the event that an injustice had been committed, we listened with pencil in hand, jotting down the jokes that drew the most applause from the studio audience. We list as many as space will allow:

Baron: My wife is Welsh.
Sharlie: Do you speak Welsh?
Baron: Only a rare bit.

* * *

Sharlie: Who is the speaker of the house?
Baron: The wife!

* * *

Baron: Will you Yuletide me $100?
Sharlie: What do you mean, Yuletide you $100?
Baron: You'll tide me over with $100.

* * *

A bit later in the program came this repartee:
"How many make a dozen?"
"Twelve."
'How many make a million?"
"Very few!"

This time we'll not say whether the Baron's material is funny or no. We believe that it speaks for itself.

Jack Pearl's series is heard on Mondays at 9.30 P.M., E.S.T., over the NBC-Blue network. Raleigh and Kool Cigarettes sponsor.

BANNER

McCann on Fair Bonds

Bonds of the New York World's Fair will be distributed among the advertising agencies by Harrison K. McCann, president of McCann-Erickson, Inc., who has accepted the chairmanship of the volunteer committee of the agency group.

May Hook-Up New England

Local CBS officials refuse to corroborate, but it is reported that an all-New England hook-up of principal CBS-affiliated stations is being considered, with WEEI, Boston, and WDRC, Hartford, as the key stations. In addition to the aforementioned, the chain would comprise WMAS, Springfield; WPRO, Providence, and WORC, Worcester.

Cooper Succeeds Parker

Jerry Cooper has been signed as Frank Parker's successor on the Wednesday night Procter and Gamble program heard over WJZ, New York; WBZ, Boston; and WBZA, Springfield. Cooper's contract is for 29 weeks.

Maybelline Goes Sponsor

Overnight, Maybelline Products Co. decided to place a program on the air, with the result that Freddie Martin has been contracted to begin a new series which will be heard over the NBC-Red network.

Anderson, Driessens, Et Al

Short Shots: Dick Anderson of NBC's press department today is elevated to the station relations division . . . Colbey Driessens, radio editor of the *New Haven Register*, honeymooning in New York this week . . . Ann Sothern and Gene Raymond have been added to Friday's "Court of Honor" program. They will broadcast from Hollywood . . . Reinald Werrenrath, Jr., son of the Metropolitan Opera baritone, is a tour guide at NBC . . . Lily Pons in town for a short stay . . . Mutual's November business, $227,543.25, represents an increase of 19 per cent over last year's figure for the corresponding month . . . Hugh Cowham, local CBS traffic manager, now in California on official business . . . Paul Taylor's choir, now featured on the Crosby, Nelson Eddy and Marion Talley programs, is auditioning for a fourth coast-to-coast program . . . Harry Jackson, maestro on the "Paducah Plantation" program is being considered by George Washington Hill for a "Hit Parade" berth . . . Jimmy Thunnel, engineer at KDKA, transfers to Fort Wayne, Ind., where he will be studio operator for WOWO and WGL, two stations recently added to the NBC chain. He will be succeeded by George B. Meyer, formerly of the KDKA transmitter at Saxonburg . . .

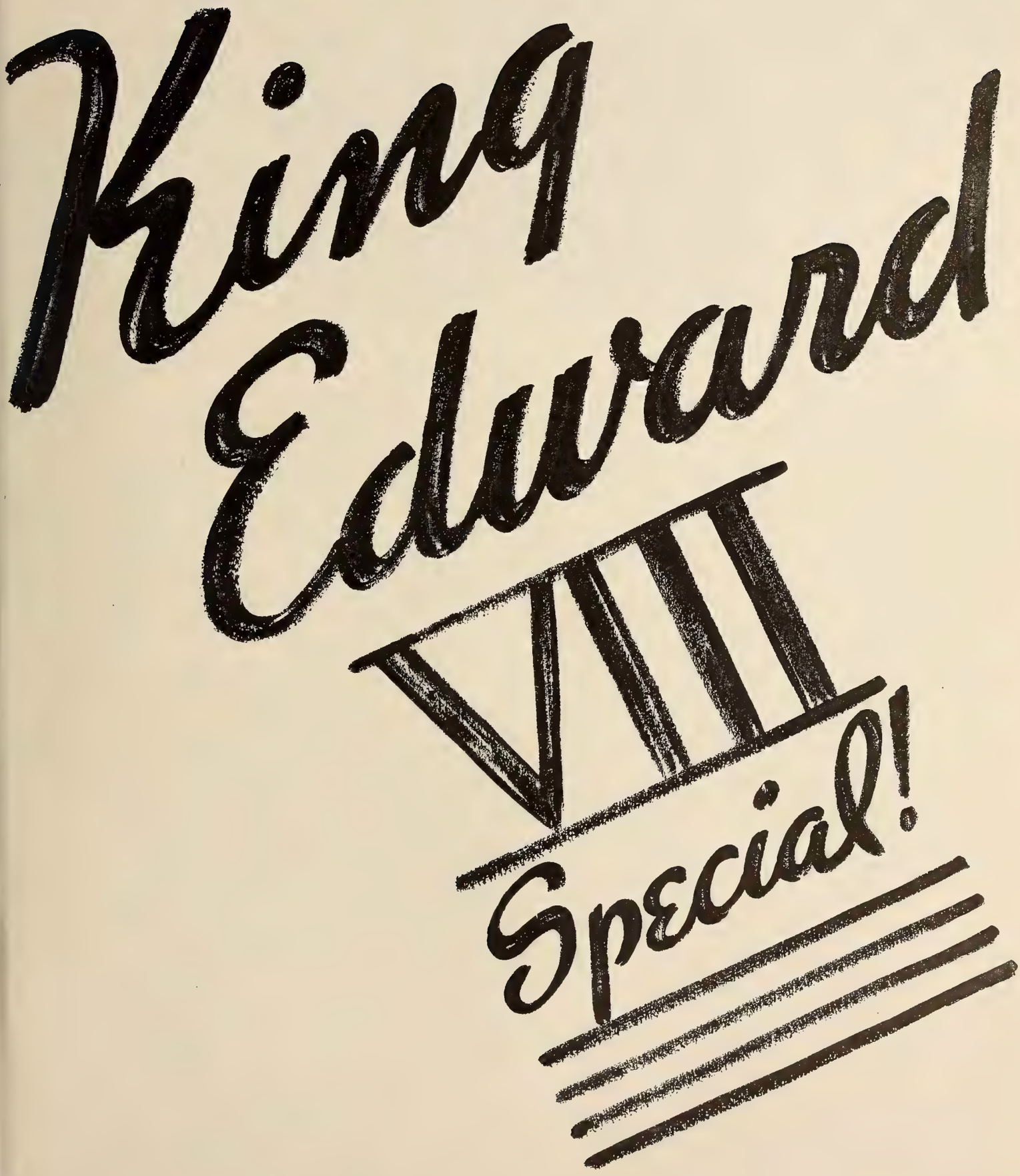
Radio Show Seeking To Revive the Stage

The movement to re-establish the American theatre will be launched via radio by a group of theatre leaders tomorrow at midnight over the NBC-Red network. The program will feature an address by Lawrence Robinson, managing director of the American Theatre Movement, and talks by Daniel Frohman, Selena Royle, Mrs. Richard Mansfield, Douglass Montgomery and others.

The program is a forerunner of a campaign waged by the American Theatre Movement to re-establish stage centers in principal American cities. Walter P. Eaton, Morris Gest, George C. Tyler, Clayton Hamilton, Crosby Gaige, John Golden, Edgar Kobak and Grover Whalen are sponsoring.

Hedges Quitting NBC For Crosley Position

William S. Hedges, head of the NBC managed and operated stations, yesterday resigned his network post to become vice-president of the Crosley Radio Corp., owners and operators of stations WLW and WSAI, Cincinnati.


King Edward
VIII
Special!

"Dance" Grabs Big $30,000, Philadelphia

PHILADELPHIA, Dec. 7.—Thanksgiving Day rolled up some of the best figures in years. "Born to Dance" at the Stanley was a mop-up with $33,500.

"Three Men on a Horse" took a corking $30,000 at the Fox. "Garden of Allah" kept in the parade with $19,500 at the Aldine, the third highest gross since United Artists management of the theatre.

"Dance," "Three Men" and "Allah" are holding over.

Total first run business was $130,250. Average is $80,930.

Estimated takings for the week ending Dec. 3:

"GARDEN OF ALLAH" (U.A.)
ALDINE—(1,300), 40c-55c-65c, 7 days. **Gross:** $19,500. (Average, $8,160)
"WEDDING PRESENT" (Para.)
(2nd run)
ARCADIA—(600), 25c-40c-50c, 3 days. **Gross:** $550. (Average, 7 days, $2,400)
"LOVE ON THE RUN" (M-G-M)
BOYD—(2,400), 40c-55c, 7 days, 2nd week. **Gross:** $17,000. (Average, $14,000)
"THEODORA GOES WILD" (Col.)
(2nd run)
EARLE—(2,000), 25c-40c-55c, 7 days. **Gross:** $16,000. (Average, $14,000)
"THREE MEN ON A HORSE" (F.N.)
FOX—(3,000), 40c-55c-65c, 7 days. **Gross:** $30,000. (Average, $14,000)
"CHARGE OF THE LIGHT BRIGADE" (W.B.)
(2nd run)
KARLTON—(1,000), 25c-35c-40c, 8 days. **Gross:** $4,800. (Average, 7 days, $4,000)
"REUNION" (20th-Fox)
(2nd run)
KEITH'S—(2,000), 30c-40c-50c, 7 days. **Gross:** $3,100. (Average, $4,000)
"BORN TO DANCE" (M-G-M)
STANLEY—(3,700), 40c-55c, 7 days. **Gross:** $33,500. (Average, $14,000)
"HIDEAWAY GIRL" (Para.)
STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $5,800. (Average, $7,000)

Cantor Fights Action

Charges and countercharges featured the opening yesterday in N. Y. Supreme Court of the action of David Freedman, writer, against Eddie Cantor, for $250,000 damages. Freedman alleges that Cantor in 1934 broke an oral agreement with him, under which Freedman was to write all Cantor's radio scripts. The agreement was made in 1931, Freedman claims.

File "Cimarron" Briefs

Attorneys for RKO and Allan Caruthers yesterday filed briefs in Federal court in connection with the plagiarism suit on "Cimarron." Federal Judge Woolsey, who has been sitting on the case, was scheduled to set a date for seeing the picture. This has been temporarily delayed because the judge was not in court yesterday when the briefs were filed.

Doris Dudley Wed

HOLLYWOOD, Dec. 7.—Doris Dudley, actress, and Jack E. Jenkins, restaurant man, have been married in Yuma, Ariz., they revealed on their return here by plane.

Dave Gould Married

HOLLYWOOD, Dec. 7.—Dave Gould, film dance director, and Frances Paxton, singer and dancer, were married in Yuma, Ariz., over the weekend.

Current Scene at the Capitol



Friday, Saturday and Sunday business of "Born to Dance" at the big Broadway theatre was 16 per cent above the opening three days of "The Great Ziegfeld" at the same house.

"Allah" Cincinnati Leader at $14,500

CINCINNATI, Dec. 7.—Top honors went to "The Garden of Allah" which brought $14,500 to the RKO Albee last week, plussing average by $2,500. It was moved to Keith's.

"Winterset" went $1,500 over the $10,000 average at the RKO Palace, and moved to the RKO Capital. "Theodora Goes Wild" had a $3,600 third downtown week at the RKO Grand, where average is $2,750. "Mummy's Boys" set a first half record at the RKO Family with $1,950, up $700, and "Isle of Fury" did an average $1,200 on the second half of the split week.

Business otherwise was below par. The weather was mixed between cold and warm.

Total first run business was $58,800. Average is $58,700.

Estimated takings for the week ending Dec. 3:

"THE GARDEN OF ALLAH" (U. A.)
RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $14,500. (Average, $12,000). Moved to Keith's.
"WINTERSET" (Radio)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $11,500. (Average, $10,000). Moved to RKO Capitol.
"LUCKIEST GIRL IN THE WORLD" (Univ.)
RKO SHUBERT—(2,150), 40c-60c, 7 days. Stage: "Manhattan Scandals of 1937." **Gross:** $11,500. (Average, $12,000)
"LOVE ON THE RUN" (M-G-M)
RKO CAPITOL—(2,000), 35c-42c, 7 days. **Gross:** $5,200. (Average, $6,500). Moved to RKO Grand.
"WITHOUT ORDERS" (Radio)
RKO LYRIC—(1,400), 35c-42c, 7 days. **Gross:** $4,100. (Average, $6,500)
"THEODORA GOES WILD" (Col.)
RKO GRAND—(1,200), 25c-40c, 7 days, 3rd downtown week. **Gross:** $3,600. (Average, $2,750)
"MUMMY'S BOYS" (Radio)
RKO FAMILY—(1,000), 15c-25c, 4 days. **Gross:** $1,950. (Average, $1,250)
"ISLE OF FURY" (W. B.)
RKO FAMILY—(1,000), 15c-25c, 3 days. **Gross:** $1,200. (Average, $1,200)
"VALIANT IS THE WORD FOR CARRIE" (Para.)
KEITH'S—(1,500), 30c-40c, 7 days. **Gross:** $5,250. (Average, $6,500)

Gable Gets Lunt Role

HOLLYWOOD, Dec. 7.—Clark Gable has been chosen for the Alfred Lunt role in "Idiot's Delight," the Robert E. Sherwood play just purchased by M-G-M. No other cast, writing or directing assignments have been made as yet.

Louisville's Best Bet "Love on Run"

LOUISVILLE, Dec. 7.—"Love on the Run" made the best comparative showing at Loew's State, running up a total of $8,400 and besting par by $2,900.

"Go West, Young Man" at the Rialto did a good $6,200. This was $1,700 over normal, but below previous Mae West grosses. "Reunion" at the Strand also came in for some nice returns. The $5,000 take was $1,500 over average.

The weather was cold and clear. Opposition was furnished by an aerial act, Benny and Betty Fox, who attracted about 15,000 people downtown for five free outdoor performances.

Total first run business was $26,900. Average is $21,800.

Estimated takings for the week ending Nov. 26:

"THE BIG GAME" (Radio)
"THE SMARTEST GIRL IN TOWN" (Radio)
BROWN—(1,500), 15c-25c-40c, 7 days, 2nd week. **Gross:** $2,200. (Average, $2,500)
"STAGE STRUCK" (F. N.)
"CHINA CLIPPER" (F. N)
KENTUCKY—(900), 15c-25c, 7 days. **Gross:** $1,600. (Average, $1,500)
"LOVE ON THE RUN" (M-G-M)
LOEW'S STATE—(3,000), 15c-25c-40c, 7 days. **Gross:** $8,400. (Average, $5,500)
"THE CAPTAIN'S KID" (F. N.)
"BENGAL TIGER" (W. B.)
MARY ANDERSON—(1,000), 15c-25c-40c, 7 days. **Gross:** $2,800. (Average, $3,500)
"RED SALUTE" (20th-Fox)
"HERE COMES TROUBLE" (20th-Fox)
"THE LITTLEST REBEL" (20th-Fox)
"CROSS COUNTRY CRUISE" (Univ.)
OHIO—(900), 15c, 7 days, split week. **Gross:** $700. (Average, $800)
"GO WEST YOUNG MAN" (Para.)
RIALTO — (3,000), 15c-25c-40c. 7 days. **Gross:** $6,200 (Average, $4,500)
"REUNION" (20th-Fox)
"THE LUCKIEST GIRL IN THE WORLD" (Univ.)
STRAND—(1,500), 15c-25c-40c, 7 days. **Gross:** $5,000. (Average, $3,500)

Delay "Good Will" Shorts

Negotiations with Columbia for a series of shorts on the "Good Will Court," Sunday night radio attraction, have been called off by A. L. Alexander, owner of the rights and producer of the program.

The reason given for calling off talks is that the program is still in the experimental stage and Alexander is anxious to build it up before selling the film rights. It is estimated that 5,000,000 radios are tuned in every Sunday night.

"Dance" Tops Pittsburgh's Record Gross

PITTSBURGH, Dec. 7.—"Born to Dance" led the first runs in a record-breaking Thanksgiving week helped by fine weather. The take at the Penn was $29,500, which was $18,500 over normal. This topped "Mutiny on the Bounty" by $3,000. At the last minute the management decided to switch the film to the Warner for a run, instead of holding it for a second week.

The Warner had its most profitable double bill in years, "Our Relations" and "Rose Bowl," bettering $7,300 in nine days, while the Fulton developed a holdover, its fourth in three months, with "The Gay Desperado," getting $6,500. The new Dionne picture, "Reunion," fell off somewhat after a strong start but still managed to collect $10,250.

Total first run grosses were $7,750. Average is $44,000.

Estimated takings for the week ending Dec. 3:

"REUNION" (20th-Fox)
ALVIN—(2,000), 25c-40c, 7 days. **Gross:** $10,250. (Average, $5,500)
"THE GAY DESPERADO" (U. A.)
FULTON—(1,750), 25c-40c, 7 days. **Gross:** $6,500. (Average, $4,500)
"BORN TO DANCE" (M-G-M)
PENN—(3,300), 25c-50c, 8 days. **Gross:** $29,500. (Average, for 7 days, $11,000)
"POLO JOE" (W. B.)
STANLEY — (3,600), 25c-60c, 8 days. Stage: "Hollywood Follies of 1937," with Leon Errol, Sunnie O'Dea, Yola Galli, Jimmy Hadreas, Gresham and Blake, Lou Ashe, Arthur Norris and Kraft and Gaut. **Gross:** $22,000. (Average, for 7 days, $18,500)
"OUR RELATIONS" (M-G-M)
"ROSE BOWL" (Para.)
WARNER—(2,000), 25c-40c, 9 days. **Gross:** $7,300. (Average, for 7 days, $4,500)

"Born to Dance" on Dual Milwaukee Hit

MILWAUKEE, Dec. 7.—Opening the new pictures a day earlier to catch Thanksgiving business, first runs did fairly well with "Born to Dance" and "15 Maiden Lane" grossing $12,000 at Fox's Wisconsin for high honors. This was $4,000 above average. The bill was held for a second week.

"Go West, Young Man" and "The Jungle Princess" grossed $6,000 in eight days at Fox's Palace, just $1,000 to the good.

The weather was generally fair and mild.

Total first run business was $30,000. Average is $24,500.

Estimated takings:

Week Ending Dec. 2:

"REUNION" (20th-Fox)
"MAD HOLIDAY" (M-G-M)
STRAND—(1,400), 25c-35c-50c, 7 days. **Gross:** $1,200. (Average, $1,500)
"THREE MEN ON A HORSE" (F.N.)
"MAKE WAY FOR A LADY" (Radio)
WARNER—(2,400), 25c-35c-50c, 7 days. **Gross:** $5,600. (Average, $5,000)
"BORN TO DANCE" (M-G-M)
"15 MAIDEN LANE" (20th-Fox)
WISCONSIN—(3,200), 25c-35c-50c, 7 days. **Gross:** $12,000. (Average, $8,000)

Week Ending Dec. 3:

"GO WEST, YOUNG MAN" (Para.)
"THE JUNGLE PRINCESS" (Para.)
PALACE—(2,400), 25c-35c-50c, 8 days. **Gross:** $6,000. (Average, $5,000)
"HEARTS IN BONDAGE" (Republic)
RIVERSIDE—(2,300), 20c-25c-30c, 7 days. Stage: "Let's Swing It" Revue. **Gross:** $5,000. (Average, $5,000)



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tell the story of
millions of ears
thrilled by

THE NEW
Western Electric
MIRROPHONIC
SOUND SYSTEM

"Allah" Hits Big $39,000 On the Loop

CHICAGO, Dec. 7.—"The Garden of Allah" proved the ace attraction in chilly windswept Loop and grossed $39,000 at the Chicago. This was $7,000 above average and the picture was held.

"Born To Dance" was strong at the United Artists and hit $21,000 which was $6,000 above par. The Oriental and State-Lake, helped by increased admission prices and big cash awards, did very well. The Oriental gross was $20,500 and the State-Lake, with the two-reeler "You Can't Get Away With It" billed over the feature, did the best business in weeks to hit $17,900. The Palace, with "Winterset," in for eight days, grossed a nice $22,000.

The weather was cold and cloudy most of the week. The International Livestock Exposition brought many visitors to town and helped business generally.

Total first run business was $146,600. Average is $115,000.

Estimated takings:

Week Ending Dec. 2:

"WINTERSET" (Radio)

PALACE—(2,509), 35c-55c-75c, 8 days. Stage: "Glorified Follies" Revue. **Gross:** $22,000. (Average, $19,000)

"GARDEN OF ALLAH" (U. A.)

CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Radio Rogues and revue. **Gross:** $39,000. (Average, $32,000)

"LEGION OF TERROR" (Col.)

ORIENTAL—(3,490), 30c-55c, 7 days. Stage: "Froliques De La Paix" Revue. **Gross:** $20,500. (Average, $15,000)

Week Ending Dec. 4:

"COME AND GET IT" (U. A.)

ROOSEVELT—(1,591), 35c-55c-75c, 8 days, 2nd week. **Gross:** $11,300. (Average, $11,000)

"BORN TO DANCE" (M-G-M)

UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days, 2nd week. **Gross:** $21,000. (Average, $15,000)

"GO WEST, YOUNG MAN" (Para.)

APOLLO—(1,400), 35c-55c-65c, 7 days. **Gross:** $7,600. (Average, $4,500)

"PIGSKIN PARADE" (20th-Fox)

GARRICK—(900), 35c-55c-65c, 7 days. **Gross:** $7,300. (Average, $5,500)

"HOUSE OF SECRETS" (Chesterfield)
"YOU CAN'T GET AWAY WITH IT" (Univ.)

STATE-LAKE — (2,776), 25c-35c-40c, 7 days. Stage: Vaudeville Revue. **Gross:** $17,900. (Average, $13,000)

Sixty British House Licenses Adjourned

LONDON, Dec. 1.—Applications for the renewal of theatre licenses have been adjourned in 60 instances, it is stated, by the chairman of the Entertainments Committee of the L. C. C., in order that owners may comply with demands already made by the council for alterations and improvements. Licenses will depend on the extent to which necessary work has been undertaken by Dec. 10, date of the adjourned hearing. In the case of 18 other theatres, short period licenses only will be granted to permit similar alterations.

Odeon Plan 3,000-Seater

LONDON, Dec. 1.—Applications for site at present occupied by the Central Mills in Bradford, Odeon plans to erect a 3,000-seater; also schemed is the largest theatre parking space in England and a number of shops.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Great Guy"

(Grand National)

HOLLYWOOD, Dec. 7.—Producer Douglas MacLean has brought James Cagney back in a typical knock-down-and-drag-out Cagney film. As far as fistic action is concerned, particularly in the last reel, there is plenty of pace, but the other elements of comedy, romance and drama appear to labor under the handicap of excessive dialogue and somewhat unbelievable situations.

Satisfactory for the Cagney fans who like to see him swing his fists, the film presents James Burke, Edward Brophy, Henry Kolker, Robert Gleckler, Joseph Sawyer and Matty Fain in good performances.

Appointed a sealer of weights and measures, Cagney embarks on a one-man crusade to clean up the short weight racket. With the straight story interlarded with comedy romance involving Mae Clarke, the trail leads to Gleckler, a fixer; the figure-head mayor, Douglas Wood, and the boss, Kolker. When Fain and Edward Gargan are kidnapped and manhandled for being honest, Cagney gathers enough evidence to show that Kolker is the brains behind the gang. Cagney is easy for Kolker's men, who steal the evidence.

From that point the film's pace picks up. Sawyer falls before the Cagney right and he trails Kolker and Gleckler to the apartment where the evidence is hidden. Cagney hands out a terrific beating, gets the papers, cleans up the racket and completes the romance with Miss Clarke.

Based on a series of magazine stories by James Edward Grant, the screen play was by Henry McCarthy and Henry Johnson, with added dialogue by Harry Ruskin. John G. Blystone directed.

Production Code Seal No. 2,929. Running time, 75 minutes. "G."

"Love and Kisses"

(Melody Pictures-Maurice Conn)

HOLLYWOOD, Dec. 7.—A light, inconsequential musical production that should please neighborhood and small town patronage, this one ranks favorably for the independent market.

The story is based on an original by Al Martin and Sherman L. Lowe and adapted by Lowe. Pinky Tomlin, an Arkansas farm boy with song-writing visions, sends his first offering to New York, which is promptly stolen by a popular crooner, played by Kane Richmond. Pinky embarks for New York to protect his rights and is immediately bought off by Richmond for $200. A racketeer overhears the deal and forces both Richmond and Tomlin go into the song publishing business with him. Toby Wing and her ever-drunk brother, Arthur Houseman, finally come to the rescue and force the racketeers to make a legitimate deal with Tomlin.

Houseman is very good as the drunk comedian. Tomlin enacts his part, in which he sings several songs, in very favorable manner. Toby Wing, as the night club torch songster, gives an adequate performance.

Russell Hopton, Jerry Bergen, Billy Gray, Fuzzy Knight, Kenneth Thomson, G. Pat Collins, Cliff Hytton and Jack Ingram handled the lesser parts favorably. A colored trio, The Peters Sisters, entertains with a song, which was well taken by the audience.

Les Goodwine, director, did all that could be expected with what he had to work with. Songs sung by Tomlin were written by himself, Paul Park, Al Heath, Buddy LaRoux, Harry Tobias and Connie Lee.

Production Code Seal No. 2,892. Running time, 67 minutes. "G."

Bernie, York Elected

Ben Bernie has been named second vice-president and Chick York has been picked as fourth vice-president of the American Federation of Actors.

Bernie fills the unexpired term of Victor Moore and York suceeds Guy Magley, who resigned to devote all his time to managing the Chicago offices of the A.F.A. Belle Baker has been named to the advisory council.

Warners to Remodel

WASHINGTON, Dec. 7.—Warners will close the Avalon here on Dec. 16 for extensive remodeling, and will reopen it Christmas Day.

Bills Conn. Allied Topic

NEW HAVEN, Dec. 7.—Proposed bills in the state legislature affecting all exhibitors will be discussed at the regular meeting of Allied Theatres of Connecticut tomorrow. They include two men in the booth, censorship, elimination of Bank Night, safety devices and others.

Heads Ardmore Sales

Joseph Klein has been appointed general manager of Ardmore Pictures Corp. and a member of the board of directors. The company's first picture will be "What Becomes of the Children," featuring Joan Marsh.

Picquet Again Heads Carolina Exhibitors

(*Continued from page* 1)

resolutions condemning the M-G-M sales policy as unreasonable and unfair. Kuykendall's stand on Ascap and the Duffy copyright bill was heartily approved.

Other officers elected were: Harry Buchanan, first vice-president; Albert Sottile, second vice-president; Mrs. Walter Griffith, secretary-treasurer. Directors are W. H. Hendrix, H. R. Berry, R. E. Bryant, F. H. Beddingfield, E. L. Hearne, H. F. Kincey, J. F. Miller, S. S. Stevenson and L. M. Wilson. A banquet tonight concluded the convention.

Nyman Is Nominated By London CEA Unit

LONDON, Dec. 1.—Ken A. Nyman has been nominated unanimously by the London and Home Counties Branch of the C.E.A., for the vice-presidency of the association, which carries with it succession to the presidency the following year.

Regarded as the fighting branch of the exhibitor body, the branch members are believed to be putting forward Nyman, one of their most vigorous representatives, as a move to invigorate C.E.A. policy. The branch has decided to make direct approaches to licensing authorities in its area, in regard to overbuilding instead of acting through headquarters. It also is opposed to the decision to abandon the formation of a statistical bureau.

Schenck Pact Up to Loew Holders Today

(*Continued from page* 1)

objection to the transfer of the option on the purchase of Loew stock.

Schenck is en route to the coast to confer with his brother, Joseph M., Sidney R. Kent, Isidore and Maurice Ostrer on the M-G-M-Twentieth Century-Fox-G. B. deal.

M-G-M-Schine in Deal

M-G-M has signed the Schine circuit of approximately 80 theatres in Kentucky, New York and Ohio on a three-year franchise. William F. Rodgers, general sales manager, and Jack Flynn, district manager, represented the distributor, while Louis Schine and George Lynch acted for the circuit. The pact was signed in Cincinnati.

Returning from a 10-day trip yesterday, Rodgers said he had no comment to make at this time on protests by Ohio and Philadelphia exhibitors against the company's policies.

Court Acquits Berger

MINNEAPOLIS, Dec. 7.—Bennie Berger, president of the Berger Amusement Co. and operator of the Time, was found not guilty in Municipal Court of a charge of disorderly conduct growing out of the showing of the film "Marihuana."

Open 20th-Fox Branch

DES MOINES, Dec. 7.—Twentieth Century-Fox held a house warming in their new office here today. It was in the nature of a celebration as the local office placed fourth in a recent sales drive.

Hays Pleased, He States, by Italy Accord

(Continued from page 1)

the uses to which the balances remaining in Italy might be put.

Hays said that the American State Dep't and Ambassador Phillips have been "thoroughly cooperative and most helpful" in the situation and that there was apparent in Italy "a sympathetic understanding of the problems there of the American film industry."

Hays said that he had not been fully informed concerning the objectives of the meeting called by the National Council for Industrial Progress, which opens in Washington tomorrow and that as a result no decision had been made yet on sending an official industry representative to the meeting. He said that a decision on this probably would be made today.

Silent on Farley

The M. P. P. D. A. head said that no successor would be named to fill the post vacated by John Boettiger, his assistant for the past two years, who resigned recently to become publisher of the *Seattle Post-Intelligencer*. Boettiger's work, Hays said, would be absorbed by others within the organization.

Queried by ship news reporters for metropolitan newspapers on the recurrent reports of James A. Farley becoming associated with the M. P. P. D. A. in some official capacity, Hays said: "That's your story. It belongs to the newspapers and all I know of it is what I learn from you."

Hays, who was accompanied by Mrs. Hays, was met at Quarantine by Carl E. Milliken, Gabriel L. Hess, Frederick L. Herron, Kenneth Clark and Walter Trumbull, of the M. P. P. D. A., and John Flinn, former executive secretary of the Code Authority for the industry. While abroad, Hays made brief visits to Paris and London, in addition to Rome, and said that his observation of conditions in all three capitals impressed him favorably.

Union Deal Unsettled

No decision was reached on several points at issue in the agreement in negotiation to merge the Allied union with Local 306, at a meeting yesterday in the office of Howard Cullman at the Roxy, among representatives of the two unions and the I. T. O. A., it was learned. Another meeting will be held in the near future, but no date has been set.

Makes a Fire Film

EAST ORANGE, Dec. 7.—Fire Commissioner John A. Bowman is making a film of fire fighting and fire prevention. He carries a camera in his car and makes scenes every time the department answers a blaze. He intends to show the completed film to local organizations.

Bank Takes Waldorf

The Greenwich Savings Bank has purchased the Waldorf, independent house, at a foreclosure sale yesterday. The bid was $350,000.

Overseas Previews

"Men Are Not Gods"

(*London Films-United Artists*)

LONDON, Dec. 1.—This is good box-office. It is also a smart piece of production. Walter Reisch, author of "Escapade" and other successful film plays, both wrote and directed it, doing a good job of work in both departments. Miriam Hopkins also is in top form and even a bit beyond it in some of the comedy scenes. In an episode of hysterical outbreak, she is swell.

It is a story with a basis as old as the films. Just the story of a gallery girl infatuated with a star actor and philanderer. The actor's wife, about to become a mother, appeals to the other girl. The husband, who has contemplated murdering his wife after he learns the other girl is leaving him, repents immediately he hears of the coming child.

What makes it good entertainment is first the dramatic background of the theatre, the fact that the actor plays Othello and in that character nearly makes the murder scene real, and secondly Reisch's extraordinary sense of character and appreciation of minor situations. The girl, secretary to a dramatic critic, played by Miss Hopkins, is an altogether human and appealing figure. Very funny in an early scene in which she takes too much champagne with the actor and his wife, she is forcible in the big dramatic moment when, by her scream from the gallery, she prevents the stage murder.

Rich in secondary characters, in atmosphere and in its pictorial variety—Charles Rosher's camera work is a feature—"Men Are Not Gods" also offers big crowd scenes in theatre interiors staged at the late London Alhambra. Gertrude Lawrence, Sebastian Shaw and Rex Harrison are all up to their roles. The interludes from "Othello" are well staged and beautifully spoken.

It looks like one of the best pieces of popular entertainment England has sent to America and should put into the shade many more pretentious films from this side. Reisch ought to make a lot more box-office stuff.

Running time, 90 minutes. "A." ALLAN

Looking 'Em Over

"Heading for the Rio Grande"

(*Grand National*)

With a story that begins with a promise of something to develop in later sequences which fails to materialize, this western merely makes the grade as an average offering, suitable for a double bill. The plot follows familiar channels and the follow up on the narrative incoherently leads the film to its routine, romantic conclusion.

Tex Ritter and Sid Saylor, a pair of happy-go-lucky cowboys, drop in on Budd Buster at the psychological moment when racketeers are about to force their "protection" on the old man. Soon after they again cross the path of the same clique as they repeat their threats to Eleanore Stewart's father, Charles French. At this point the story gets started. Ritter joins Miss Stewart's cow hands. Shortly afteward Ritter has a brawl with Charles King, who shoots French as he rides away. Ritter takes French to a doctor and while he is away the outlaws stampede the stock. French later dies.

In events leading to the climax Ritter with the aid of an Indian agent and his charges rounds up the entire gang and so makes the range safe again for the cattlemen. And, of course, the original duet becomes a trio with the romantic addition of Miss Stewart.

Ritter, who has a reputation for his recorded singing, fulfills the demands of the part. Creditable performances are also turned in by Charles King, Warner Richmond, Earl Dwire, William Desmond and Snub Pollard. Robert N. Bradbury directed. Ed Finney produced.

Production Code Seal No. 2,801. Running time, 61 minutes. "G."

To Show Telefoto

A demonstration of the new process of transmitting photographs over a telephone line will be given Thursday at the next meeting of Ampa at the Edison hotel. A picture of the gathering will be made, phoned to the Wide World Photos office in the Times Bldg., another print made there and the result returned to the luncheers at the hotel.

To Dual for Holidays

ALBANY, Dec. 7.—Warners' Strand here will show duals for two weeks, starting Dec. 10 in an effort to get holiday trade. After that the house will revert to single bills.

RKO Palace Sets Duals

ALBANY, Dec. 7.—The RKO Palace, a Fabian theatre, first run house, will start double bills Dec. 11.

Hungarian Edict Is Boon to Exhibitors

By ENDRE HEVESI

BUDAPEST, Nov. 25.—The Government edict permitting the exhibition of only one feature on a program has been a distinct advantage to first run houses, and has not hurt neighborhood houses to the extent anticipated, since their grosses are maintaining previous levels and they have less rental to pay for product.

Distributors, on the other hand, have suffered heavily from the edict. Increased competition forced them to import a great many films this year, and the Government restriction has left them with more product on their hands than they can dispose of in a reasonable length of time. A few distributors have attempted to meet the almost disastrous turn of affairs by cutting some features in half and releasing each half as a short subject. The result, as a film, lacks any sort of structure, but the distributors contend they were driven to the expedient in self defense.

Next year, with distributors acting accordingly, the situation is expected to be remedied.

Magda Sonja Is Here

Magda Sonja, Viennese actress, and Hans Feher, juvenile star, who are featured in "The Robber Symphony," arrived yesterday on the *Normandie* for a New York visit during which they will attend the premiere here of that picture. They were met at the dock by Edward and Mrs. Klein, representing British film distributors, and by Al Friedlander, whose Fortune Film Co., will distribute the film here.

Suohami Reaches N. Y.

David Suohami, former managing director for Paramount in France and head of Gallic Films, Paris, his own company, was one of the passengers on the *Normandie* which arrived here yesterday.

Former Editor Arrives

Hugo Weiner, editor of *Film Kurier*, prominent German trade paper, prior to the Hitler regime, arrived on the *Normandie* yesterday and leaves for Hollywood in a few days.

"Diggers" in Indiana

INDIANAPOLIS, Dec. 7.—The flying "Gold Diggers" arrived here today, with Mayor John W. Kern heading the reception committee. Governor Paul V. McNutt presented the "keys to the state" at the Capitol. A luncheon, inspection tour and personal appearance filled the day. The group goes to Kansas City tomorrow.

Get New Year's Booking

NEW HAVEN, Dec. 7.—Warner's have moved "Gold Diggers of 1937" from a contemplated Xmas booking to New Year's Eve, with admission at $1 for all houses in the territory.

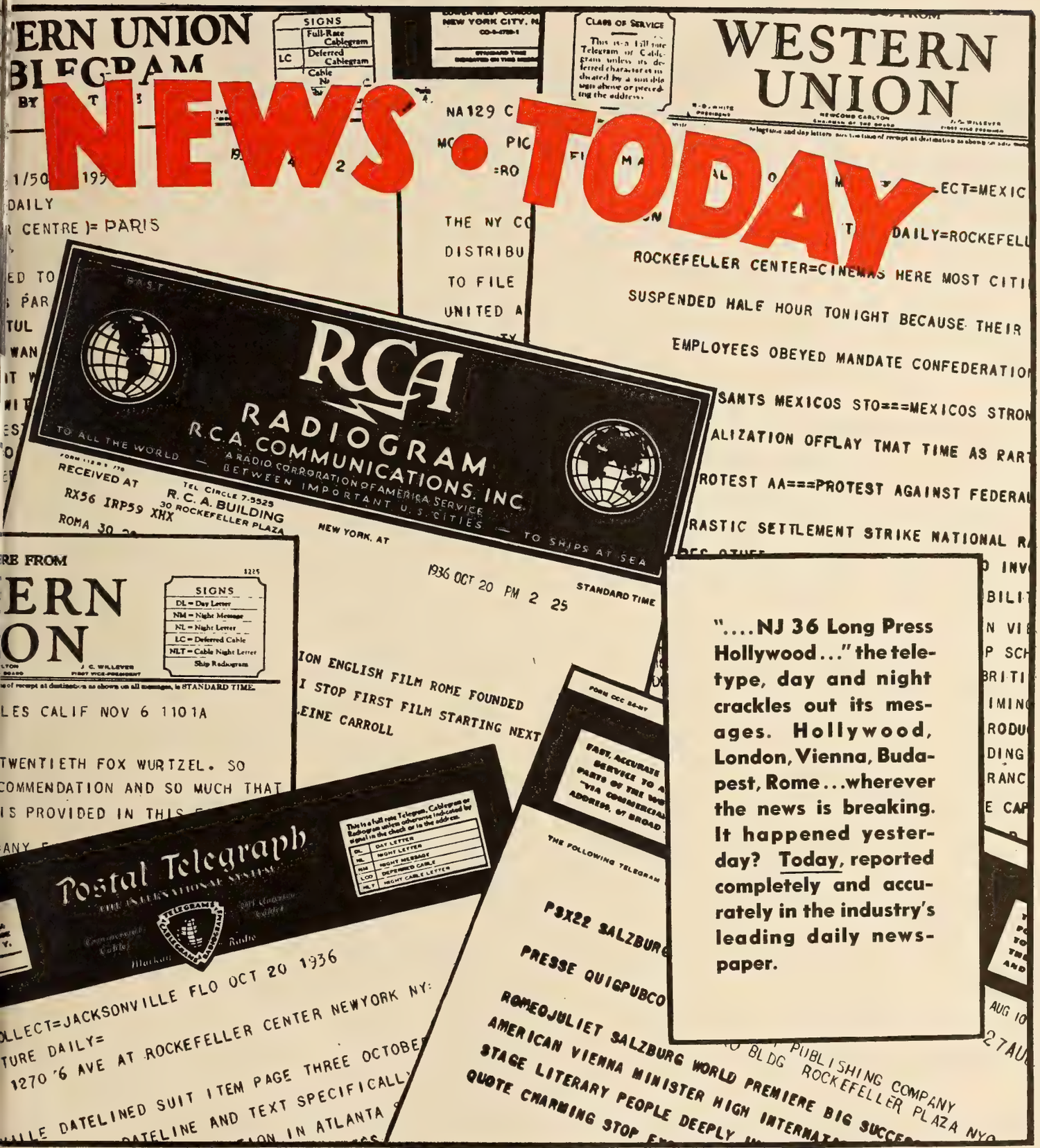
Named to Pa. Censor

HARRISBURG, Dec. 7.—Mrs. A. Mitchell Palmer, widow of the Attorney General in President Wilson's cabinet, has been appointed to the Pennsylvania censor board by Gov. Earle. She will succeed L. Howell Davis, who has resigned, effective Dec. 31.



MOTION PIC

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Purely Personal

HERB CRUIKSHANK, enriched by a blank parchment, was made a Kentucky colonel yesterday with JACK ALICOATE delivering the dedication speech and HERB trying to accept the luncheon check as the retort courteous. Actually, the function at "21" was another party for SIDNEY SKOLSKY, who returns to Hollywood next Tuesday, Wednesday or Thursday, but there was considerable doubt as to who actually was the guest of honor. No speculation, on the other hand, about those present, the list including J. SAVINGTON CRAMPTON, BILL LUCKENBILL, DANNY DANKER, JOE PINCUS, SAM ENGEL, BOB GOLDSTEIN, JOE MOSKOWITZ, IRVING HOFFMAN and RED KANN. Once again and in order to keep HARRY BRAND posted, he was telephoned at the 20th Century-Fox studio. All the boys said "hello" and asked pertinent questions, such as "How's the weather out there?"

•

WALTER GOULD, assistant to ARTHUR W. KELLY, foreign head of U.A., is the father of an eight-pound four-ounce boy. It happened late Saturday night at the New York Hospital where MRS. GOULD is reported doing nicely.

•

SOL LESSER arrived in town yesterday morning and will leave for Europe Dec. 26. He spent lunch and time thereafter with NED E. DEPINET conferring on "Rainbow on the River."

•

MARSHA HUNT, Paramount player who is making a series of personal appearances in connection with ADOLPH ZUKOR'S silver jubilee, is scheduled to arrive here tomorrow and will end her tour in Washington on Friday.

•

DAVE PALFREYMAN of the M.P.P.D.A. leaves Toronto today to attend a series of exhibitor meetings in Chicago, St. Louis, Oklahoma City, Dallas and New Orleans.

•

BILL PINE hit town yesterday and leaves this afternoon for Atlanta and Birmingham in the interest of "The Plainsman," of course. Due back in New York the end of the week.

•

HARRY GOLD, eastern sales manager for U.A., was in Atlanta yesterday. His next two stops on a two-and-one-half week trip will be Dallas and New Orleans.

•

N. NAPOLI, assistant to V. VERLINSKY, president of Amkino, returns tomorrow on the *Berengaria* after two months in England, Russia and other countries.

•

L. JACK SCHLAIFER was in Chicago yesterday on the first leg of a six-week tour which will take the U. A. sales executive as far as Seattle.

•

ALEC MOSS is developing quite an interest in the technicalities of the rhumba.

•

DAVE CHATKIN postcards from Hollywood: "Pictures for the new year look very good."

•

ARTHUR W. KELLY has left from Buenos Aires for Madeira and from there will leave for South Africa, where he is due around Jan. 1.

•

WILL H. HAYS plans to visit Hollywood after the Christmas holiday, which he will spend at his Sullivan, Ind., home.

•

MRS. ALICE GOLD, daughter of I. PERSE of Capitol M. P. Supply Co., is the mother of a seven-and-a-half pound baby boy.

•

ROBERT BALDWIN, New York stage actor, has been signed to a long term contract by EMANUEL COHEN.

•

E. V. RICHARDS, Jr., looking very fit as he strolled along West 52nd St. yesterday.

•

MRS. JAMES R. GRAINGER leaves for Hollywood tomorrow to spend the holidays with her son, EDMUND.

•

WILLIAM DANZINGER has rejoined the M-G-M publicity department.

•

KATHARINE HEPBURN is in town.

•

DAVE EPSTEIN flies west today.

Out Hollywood Way

HOLLYWOOD, Dec. 7.—JACK WHITE, representing GEORGE SKOURAS, leaving for New York Wednesday on personal business.

JEANETTE MACDONALD and NELSON EDDY to be teamed in "The Girl of the Golden West," M-G-M, with WILLIAM ANTHONY MAGUIRE producing.

SOL LESSER signs KURT NEUMAN to new three-picture contract, next to be "Boy Blue," with BOBBY BREEN . . . Seven players, WALTER COY, DIANA GIBSON, GORDON JONES, VINTON HAWORTH, GEORGE IRVING, FRANK M. THOMAS and CONSTANCE WORTH assigned to "Miss Customs Agent," Radio . . . TRIXIE FRIGANZA, FUZZY KNIGHT, FRANK MELTON and ROBERT MCCLUNG in "Silks and Saddles," Victory.

JEAN HERSHOLT signed to new term contract by 20th Century-Fox; next "Cafe Metropole" . . . 20th Century-Fox borrows PATRICIA ELLIS from Warners for lead in "Step Lively, Jeeves" . . . BUDDY DE SYLVA to produce "Mr. Broadway" for Universal . . . This makes his third for "U" . . . TEX RITTER on vacation until Jan. 1, when he will start "Trouble in Texas," Grand National.

IRVING BERLIN writing a special number for the Ritz Brothers in "On the Avenue" . . . Warners recall ROSALIND MARQUIS from "Gold Diggers" air tour for "Marked Woman."

✚

Casting—PAUL KELLY and ROSALIND KEITH in "Freedom for Sale," Columbia . . . MADY CHRISTIANS in "Seventh Heaven," 20th Century-Fox . . . ERROL FLYNN replaces PATRIC KNOWLES in "The Prince and the Pauper" . . . Universal borrows VIRGINIA BRUCE from M-G-M for lead in "Class Prophecy"; KENT TAYLOR opposite . . . ROBERT GLECKLER in "Pick a Star," HAL ROACH . . .

✚

Directors—JOHN FORD assigned to "Wee Willie Winkle," SHIRLEY TEMPLE'S next . . . CHARLES ROBERTS to direct first of new shorts series starring BILLY GILBERT, Radio.

Will Get Camelias

Richmond, Dec. 7.—Edith Lindeman, film critic of the *Times-Dispatch*, wanted to get reader-reactions on her column. And here's what she did.

She wrote to Robert Taylor asking him if he would give a prize for the best letters on "what kind of movie news I want to read."

He agreed. He promised to send beautiful creamy camelias with personal messages to those designated by Miss Lindeman. The contest closes at midnight, Dec. 15. Men are eligible.

A camelia is a genus of Asiatic evergreen shrub, cultivated for their beautiful rose-like flowers and shining foliage, according to the dictionary.

He has just finished a role in "Camille," but she went for red roses.

U. A. to Drop Score Charge Next Season

(*Continued from page* 1)

"negotiate for the necessary clearance at the time of the sale."

Schaefer's letter declares that United Artists is "decidedly against" the practices of overbuying and double featuring, but believes the solutions for them are in the hands of the exhibitor. It expresses a hope for the elimination of all unfair competition and says that the distributor favors a "clear and concise contract" of as short a form as possible, but that, because of "recent court decisions," it cannot agree to adopt a short, uniform license agreement.

Of the policy of asking for preferred playing time, the distributor's letter says "It will be impossible to forego the practice of negotiation for preferred playing time due to the fact that so much of our product is played on a percentage basis. Theatres do their best business on Saturdays, Sundays and holidays and we feel that we are rightfully entitled to a reasonable share of that time. We do not believe that the exhibitor should be required to play pictures that are unsuitable for Saturdays and Sundays and we will be reasonable in that respect."

In reference to the forcing of shorts with features Schaefer's letter points out that United Artists distributes only the Walt Disney cartoons and sells these on a "separate and distinct" basis, apart from the feature sales.

The distributor's statement on cancellation reads: "United Artists Corp. is unable to grant the 10 per cent cancellation privilege. You know, of course, it has been a long standing policy of selling our product on an individual picture or producer basis. Furthermore, there is no business relation or common interest between the various producers who only use this corporation as a common medium for distribution. These producers make from three to six pictures a year and do not in themselves attempt to make or supervise a large quantity of pictures."

Schaefer's statement on the establishment of local conciliation boards, like that of Sidney R. Kent of 20th Century-Fox, included an approval of a central appeals board to be located in New York. The opinion within M.P.T.O.A ranks, however, is that no appeal board is necessary in view of the fact that the very nature of the boards precludes the possibility of enforceable or appealable decisions being rendered. The M.P.T.O.A. belief is that the boards will be effective only through conciliation and persuasion on behalf of parties to complaints who will agree voluntarily to abide by accepted settlement procedures.

Action Looked for Next Month

The letter also asks for further discussion of the machinery and jurisdiction of the boards and indications are that this will take place early next month at a second meeting of the M.P.T.O.A. trade practice committee with national distributors.

"We are entirely in sympathy with the movement of your organization for a better understanding between the exhibitor and the distributor and are willing to cooperate with you and any other organization at all times in that respect," Schaefer's letter, which was addressed to Ed Kuykendall, M.P.T.O.A. president, concludes.

United Artists is the third major company to reply to the M.P.T.O.A.'s trade practice program, Universal and 20th Century-Fox having responded earlier. Paramount and RKO are expected to make their replies next.

"Bulldog" Is Retitled

HOLLYWOOD, Dec. 7. — "Bulldog Drummond Escapes" has been selected as the release title of the picture "Bulldog Drummond Comes Back."

Wall Street

Paramount Issues Hit New High

	High	Low	Close	Net Change
Columbia	37⅜	36¼	37⅜	+1
Columbia, pfd.	43	43	43	.....
Consolidated	4⅞	4⅜	4¾	.....
Consolidated, pfd.	17	16⅜	16⅜	— ⅛
Gen. T. Equip.	28	27½	27½	.....
Loew's, Inc.	63¾	63	63½	+ ⅛
Paramount	23	21¼	23	+1⅝
Paramount 1 pfd.	166	158½	166	+7
Paramount 2 pfd.	20¾	19¾	20¾	+1¼
Pathe Film	10¼	9½	9½	— ⅛
RKO	8⅝	8⅜	8¼	.....
20th Century-Fox.	36⅞	36	36	.....
20th Century, pfd.	45½	44¾	45½	+ ¼
Universal, pfd.	102¼	102¼	102¼	+ ¼
Warner Bros.	17¼	16⅜	17	+ ½

Universal Off on Curb

	High	Low	Close	Net Change
Grand National	3¼	3¼	3¼	.....
Sentry Safety	⅞	⅞	⅞	.....
Sonotone	2	2	2	.....
Technicolor	21½	21	21	.....
Trans-Lux	4⅜	4⅜	4⅜	.....
Universal Pict.	14	14	14	—1⅛

RKO Bonds Drop 1¼ Points

	High	Low	Close	Net Change
Keith B. F. 6s '46	99	99	99	.....
Loew's 6s '41 ww deb rights	101½	101¼	101½	+ ¼
Paramount Pict. 6s '55	100⅜	100⅛	100⅛	.....
RKO 6s '41 pp	117¼	117¼	117¼	—1¼
Warner Bros. 6s '39 wd	98⅜	98	98	— ¼

(Quotations at close of Dec. 7)

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

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Ask 20th-Fox To Reconsider MPTOA Reply

Cancellation and Score Charge Stand Cited

Reconsideration by 20th Century-Fox of its avowed intention to continue to exact score charges from exhibitors, and to give a 10 per cent cancellation privilege only to those exhibitors who take all of the 20th Century-Fox product offered at the same time, is asked by the M. P. T. O. A., in a letter from Ed Kuykendall, president, to Sidney R. Kent, 20th Century-Fox head, made public yesterday.

The letter presumably follows a detailed study by the M. P. T. O. A. of 20th Century-Fox's concessions with respect to the exhibitor organization's 10-point trade practice proposals. An earlier letter by Kuykendall, which accompanied the release of the 20th Century-Fox response to the proposals, declared that the film company's reply was a "definite step in the right direction," and one which will afford immediate benefits to independent exhibitors.

Kuykendall, in his latest communi-

(*Continued on page* 20)

CBS Sets Plans For Studio in Hollywood

HOLLYWOOD, Dec. 8.—CBS on Feb. 1 will launch a $750,000 program for the construction of new Hollywood studios, it was stated today by Donald W. Thornburgh following the awarding of the building contract to William Simpson Construction Co., a local firm. The combined building and property cost will total $1,000,000. J. C. Edwards of the building company returned today from New York where he completed conferences with Columbia officials relative to the construction and equipment of the studios.

Plans for the new development are now being completed in New York by William Lescaze, architect, and Earl Heitschmidt. They provide for a five-story building of modern design and

(*Continued on page* 18)

Films Best School Help—Aylesworth

PRINCETON, Dec. 8.—Films and phonograph records can be developed as classroom aids in education, declared Merlin H. Aylesworth here tonight, but radio is not adapted to this use and the future value of television cannot be gauged as yet.

Aylesworth spoke before the Guild

(*Continued on page* 19)

GB "A" Shares to Maxwell Or Deal Will Fail, Report

LONDON, Dec. 8.—Unless the Ostrer Brothers can deliver to John Maxwell, head of B.I.P., the 5,100 "A" or voting shares of Metropolis and Bradford Trust, holding company which controls 57 per cent of G. B., the deal for purchase by Maxwell of G. B. control will collapse, it was indicated here on good authority today.

Maxwell already has acquired 240,000 shares of the Ostrers' "B" holdings in M. & B. and an understanding is said to exist relative to his acquisition of the "A" shares. It is understood that the Ostrer contract with Maxwell included an obligation on the Ostrers to obtain the consent of 20th Century-Fox to the sale of the "A" shares. Twentieth Century-Fox owns 4,900 shares of the "A" stock in M. & B. and its consent is required before the Ostrers may dispose of their holdings.

It is that consent which it is believed Isidore and Maurice Ostrer are seeking to obtain from Joseph M. Schenck and Sidney R. Kent in Hollywood conferences now going on.

CEA and KRS Seen Unified On Moyne Plan

By BRUCE ALLAN

LONDON, Dec. 8.—Despite the lack of an official statement, it was believed here that the Kinematograph Renters' Society and the Cinematograph Exhibitors' Ass'n will adopt the same policy with respect to the recently issued recommendations of the Lord Moyne committee on revisions of the Films Act.

The belief was expressed in informed quarters following the meeting today of the C. E. A. general purposes committee at which K. R. S. representatives were present. The meeting was for a discussion of possible joint action by the two major industry bodies on the Moyne report.

The identical policies of the two organizations are expected to embody

(*Continued on page* 9)

Berry Awaits Film Reaction To Conference

By BERTRAM LINZ

WASHINGTON, Dec. 8.—With plans completed for the conference of the National Council for Industrial Progress on Thursday, George L. Berry, Coordinator for Industrial Cooperation, and his associates tonight awaited the special meeting of the film industry tomorrow afternoon as an indicator of the interest of business in his proposals for revival of NRA principles.

The film group, the only sector of industry to meet in advance of the general conference, is scheduled to gather at the Mayflower Hotel tomorrow afternoon to discuss their own particular problems and develop a policy by which they will be guided in cooperating with the Berry group.

Although more than a score of

(*Continued on page* 20)

Radio Shows Aim at Return Of Performers to Theatres

By C. S. AARONSON

Utilizing the unquestioned propaganda power and far-flung range of the radio, there is under way at the moment a new concentrated drive, designed to bring about the return of stage presentations to theatres, which means film houses, of course.

Basically having nothing whatever to do with the long-drawn picketing campaign of musicians' unions, fostered and led by Local 802 of the American Federation of Musicians in New York and seeking the return of musicians to film houses, the new effort probably will be infinitely more

(*Continued on page* 19)

Additional Radio News on Pages 18 and 19

Schenck Gets Contract and Stock Option

Opponents Are Swamped In Stockholder Vote

By BILL ORNSTEIN

Stockholders of Loew's at their annual meeting yesterday approved a five-year personal contract for Nicholas M. Schenck, president, and the transfer of the late Irving G. Thalberg's unexpired five-year option for the annual purchase of 9,698 2/5 shares of stock at $40 by a vote of 970,414 to 4,284. More than 100 shareholders attended the session conducted by J. Robert Rubin. This is the first contract for Schenck.

That the stockholders would approve both pacts was exclusively reported in MOTION PICTURE DAILY on Nov. 25.

Under provisions of the five-year contract, Schenck's salary and percentage continues as heretofore. He has been getting $2,500 a week, plus two and a half per cent of the net profit after deductions of $6.50 dividends on the preferred and $2 on the common stock. Last year, it was stated by Rubin on a query by a minority stockholder, the president of

(*Continued on page* 8)

Employes of Loew's To Receive Bonuses

All Loew employes earning $50 and under a week and who have been with the company or any of its subsidiaries for more than a year will receive two-weeks' salary as a Christmas bonus, David Bernstein, vice-president and treasurer of Loew's, stated yesterday at the annual stockholders' meeting. The plan was approved by the board of directors at its last meeting and yesterday ratified at the stockholders' meeting.

Employes in the same brackets who have been with the companies less than a year will be given a bonus on a sliding scale. The plan includes employes all over the world.

Lesser Will Build Own Coast Studio

Sol Lesser, who is now producing independently on the Pathe lot, plans to build his own studio in Hollywood, starting next June, he said yesterday. The studio will have three stages, he added, and will be built at a cost of about $350,000.

Production costs on the three Bobby

(*Continued on page* 20)

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Minneapolis Houses To Pool Christmas

Effective Christmas Day, Mort Singer and Minnesota Amusement Co. will pool six downtown theatres in Minneapolis.

Singer is partner with RKO in the Orpheum, while the Minnesota company has the Minnesota, Century, State, Lyric and Astor. Under terms of the deal signed late last week, the Minnesota and Orpheum will play "A" product, the Century will operate on a split week policy and the State will feature twin bills.

Policy for the Lyric and Astor is not set. Max Fellerman, assistant to John J. O'Connor, RKO circuit buyer, will leave today for Minneapolis to set up arrangement with L. J. Ludwig and John J. Freidl. He will be gone a week.

Major motion picture distributing company requires immediate services of youthful and experienced Spanish publicist with knowledge of newspaper work and preparation Spanish press book. State qualification in detail. Box 390, MOTION PICTURE DAILY.

Insiders' Outlook

By RED KANN

FROM MOTION PICTURE DAILY, October 23:

The news is this morning that George S. Kaufman, that old sophisticate, still believes in fairy tales. It is far more important news than "Stage Door," his latest collaboration with Edna Ferber, which last night sent a slightly hysterical audience at the Music Box into real or imaginary snorts of delight and more handshaking than this reviewer, even at his magnanimous most, can account for.

It was not good Kaufman. Neither was it good Ferber. It was, however, the old Cinderella theme, cooked over the same fire, garnished with the usual truffles and served up with the same, old sauce. A very familiar dish and on scraping acquaintance, at least, with everyone's palate.

They poke at Hollywood with lusty digs, yet they have written a routine potboiler no doubt looking toward its purchase by that very Hollywood they take for a ride. It seems fitting to point out here and now that the picture colony can and does do much better.

The play is interlarded occasionally with lines of the bright and witty school of which Kaufman is a member and some amusing pieces of business. But the story it has to tell is stretched out painfully and thin with large patches of daylight shining through.

"Stage Door" would make a motion picture. Nothing exciting, mind you, but a motion picture. The boys in Hollywood, however, can do as well. For the big money which will be sought for the rights there is too little to buy.

▼

The word now is that RKO, proud possessor of the film rights, paid $130,000 for the privilege of turning this play, enjoying lusty business less because of merit and more because the stage crop to date has been sparse, into a film. We gallop into the next sentence which is to divulge our opinion that RKO, no doubt, will transform "Stage Door" into an interesting picture, especially in the light of its plans to co-star Katharine Hepburn, Ginger Rogers and Burgess Meredith. Probably it will be a better film than a play, for such is Hollywood's record in a number of recent and significant instances. . . .

▼

The point, and we think it is quite a point, about all of this is something entirely different. It arouses what persists in being a year-to-year mystery with us and it seeks to ferret out why so many of the industry's major producers insist upon setting themselves up as fall guys in awe of the New York theatre. We know most of the answers about paucity of material, the desire to sink hooks into whatever looks potential. But there ought to be some reasonable limit to the fortunes turned loose and certainly we do not think the price paid for "Stage Door" falls within rational boundaries in the light of what it has to say for itself. RKO, as with all other producers, will capture success with this property, not on the strength of the inevitable sounding off about its New York draw, but quite emphatically on the appeal of the job done at the studio. The job includes considerable deodorizing to eliminate from plot and dialogue an attack on Hollywood as devastating as any to come along in some time. It is of the essence of the play, yet it must come out. What, then, has RKO purchased?

A structure with a useless foundation. . . .

▼ ▼

Back in 1927 a very talkative young waiter at the Paramount Long Island Studio used to juggle trays over the heads of nervous stars and directors with what might be described as gay abandon. When the youngster —his name was Joe—wasn't talking he was whistling. Everybody liked him, but his whistling wasn't exactly an obligato. One of the customers was a tall young woman with jet black hair and big dark eyes who had very little to say to anybody—even Joe. Her name was Adele Comandini.

A short time back Joe—he's Joseph Pasternak now—finished his first important Hollywood-made film as a producer. It was Universal's "Three Smart Girls," and a good one. The original story and screen play were by Adele Comandini. . . .

▼ ▼

No sooner had the Lord Chamberlain lifted the long-standing ban on theatrical treatment of Queen Victoria, than Herbert Wilcox indulged in some slight cable sizzling to get word here first that he planned a picture based on the royal life. Now it seems Alexander Korda has a similar idea. Very much around is the excellent "Victoria Regina," a holdover from last year's New York stage season and likely material for a film about the queen, if anyone wants to attempt a picture about Victoria.

Three already and practically all major American companies yet to be heard from. . . .

▼ ▼

Football brainstorming in these parts ended with your correspondent's compilation of the All-Celluloid, a presumably funny takeoff on the All-American. Yesterday this foolishness went further as the All-American Pushovers, hurling good-natured darts at some of the mighty figures in the New York industry. The contributor, virtually blushing over the telephone, refused published credit, but his handiwork is this:

Bitter End—Charlie Moses.
Block Booking Tackle — Sid Samuelson.
On Guard—Charlie Moskowitz.
Raving Center—"Pop" Dollinger.
Off Guard—Harry Shiffman.
Block and Tackle—Casey and Wheeler.
Both Ends and Middle—Al Suchman.
One Quarter Back — George Skouras, also captain.
Anything Back—Sam Rinzler.
All Back—Abe Schwartz.
Full Back—Leo Brecher.

Substitutes

Way Back—"Pop" Landau.
Off Center—Max Cohen.
Interference—Fred Meyer.
Buck Passer—Eddie Rugoff.
Chronic Kicker—Leo Justin.
Coach—Sam Cocalis.
Trainer—Matty Kutinsky.
Cheer Leaders — Harry and Billy Brandt.

▼

The anonymous one also volunteered additional information, to wit:

That George Skouras, the captain, states these players are not subject to the usual intercollegiate restrictions, but play the old army game exclusively.

That whirling in and about the elevated pillars on 9th Avenue were reports a few of these stars are negotiating with professional teams which they intend joining if they can get out of this league. . . .

▼ ▼

This morning the Criterion opens its doors with two films:

"Love in Exile"
and
"The Life of the Prince of Wales"

The former, in story structure, bears an uncanny resemblance to the chief heart-throb news of the day. We don't mean the G.B.-20th Century-Fox-Loew deal. But the producer? Gaumont *British*. . . .

"U" Has Short on King

Universal has assembled a special short called "King Edward VIII" to take advantage of the current interest in the ruler's romance. Comments are by Lowell Thomas, who traveled with the King's entourage in South America.

Show No Simpson Reels

LONDON, Dec. 8.—Newsreels are advising patrons via the screen that pictures of Mrs. Wallis Simpson will not be shown, but the king was pictured in full uniform, with the words, "God Save the King."

"TARZAN" TOPICS!



A pageful of pointers on "TARZAN ESCAPES." Here's a typical campaign. You can clean up too, as hundreds of showmen are doing, with this exploitation natural!

(Read how they went to town in Bridgeport, Conn., and the results paid off plenty!

"TARZAN ESCAPES" LOBBY—Walls draped with truckload of skins, stuffed birds, animal heads, etc . . . promoted from local furriers. 3 ft. cut-out letters strung overhead in lobby. Constructed for advance and during run.

SHADOW BOX STAGE—Stuffed animal heads and skins displayed on lobby floor and in shadow box stage mounted with photos from picture. Colored automatic lighting gave flash effect.

LIVE TARZAN IN LOBBY—Bally man dressed as Tarzan performed with live monkeys in replica of Tarzan bungalow made of large tree branches and mounted on 15 ft. platform in lobby.

FLASH FRONT—Box office made into a hut and draped with leopard skins. Side panels of Weissmuller and O'Sullivan . . . 3 ft. silver metallic cut-out letters on center board with stuffed bird as added ornament. Spotlights suspended from marquee threw bright colors on front.

STREET BANNER—15 x 20 ft. net banner across Main Street visible for many blocks. Lettered in bright colors and spotlighted at night.

MARQUEE POSTER—Colorful 24 sheet sniped with playdate atop marquee. Illuminated at night.

OUTDOOR HOTEL DISPLAY—"Tarzan Escapes" sign made of 3 ft. cut-out letters hung from second story of Hotel at Main and Congress.

ELEPHANT EXHIBIT—300 year old elephant head weighing 450 pounds was a crowd-stopping lobby display. Borrowed from original Barnum museum.

ANIMAL SOUND EFFECTS –Amplified jungle sounds were broadcast over loud-speaker to street.

ILLUMINATED SIX SHEET—Six sheet posted four stories high on building opposite theatre. Panel was brightly illuminated at night.

APE MAN BALLY—On opening day, bally man (dressed in Tarzan costume) attracted thousands by climbing rope ladder suspended from marquee.

CLASSIFIED AD CONTEST—Theatre ad placed on classified ad page and names of Tarzan stars scattered in all ads. Guest tickets to winners.

FREE AD CONTEST—Promoted free ad on classified page via contest inviting readers to hunt thru columns for names of wild beasts in picture.

NOVELTY CO-OP AD—Full page co-op ad in Bridgeport Sunday Herald. Paper ran candid camera pictures of four unknown girls and offered Tarzan tickets to those identifying themselves. Picture received liberal mention in illustrated story and four column art streamer.

"IT'S TRUE" MAT—Two column art feature ran in Times-Star three days in advance of opening with theatre plug and playdate.

ART MAT—Times-Star ran captioned three column mat and special story on top of amusement page.

EXTRA ART—Bridgeport Telegram ran one column, six inch mat scene from picture with story.

"WEEKLY" PUBLICITY—Bridgeport Life, a weekly printed on coated stock, ran three column cut and story.

EXTRA-BUDGET AD CAMPAIGN—Big space ads used in Bridgeport dailies.

FOREIGN PAPER PUBLICITY—Hungarian and Italian papers published special readers.

SCHOOL PUBLICITY—Local high school ran "Tarzan" reader.

LIBRARY DISPLAY—Flash display made of stills, enlarged photos and theatre card, displayed in main library and six branches.

BOOK MARKS—Five thousand theatre-imprinted book marks distributed to lending libraries and schools.

TABLOID INSERT—Five thousand four-page M-G-M tabloid heralds with playdate imprinted distributed in daily papers and house-to-house.

THEATRE PROGRAM—Five thousand theatre programs distributed in advance to patrons and mail list.

"EXTRA" NEWS EDITION—Twenty-five boys distributed "Extra" edition of local daily papers. "Tarzan Escapes" was imprinted in red ink and large type on first page with theatre playdate.

BOOK TIE-UP—Window and counter displays in Grands, Kresge, Five and Ten Cent stores featuring Big Little Book, titled "Tarzan Escapes".

STORE COVERAGE—Mounted stills with copy displayed in twenty-five downtown store windows.

HOTEL LOBBIES—All of Bridgeport's leading hotels featured large theatre displays in main lobbies.

BUS CARDS—One hundred Public Transportation busses displayed 11" x 21" cards.

HOUSE DECORATIONS—Entire house displayed special advance cards in Ladies' and Gents' rooms . . . shadow boxes, transparents, screen trailers . . . two week advance.

FREE PUBLICITY—Total free newspaper linage on campaign totalled 5,550 lines.


"BORN TO DANCE
Just when you thought that the record-shattering "San Francisco" and the wondrous "Great Ziegfeld" must remain forever the greatest money-makers in all show history along comes a picture that TOPS EVERYTHING!
THE MAGICIAN OF THE BOX-OFFICE!
He's got plenty more up his sleeve!

IT BEATS THE EARTHQUAKE!

"San Francisco" and "Great Ziegfeld" records go boom! Isn't it wonderful!

MORE WEEK-END OPENINGS FOLLOWING LAST WEEK'S RECORD-BREAKERS!

BRIDGEPORT—Beats "San Francisco" "Great Ziegfeld" "Tugboat Annie" and all M-G-M history-making hits.

HARTFORD—Same sweet story as Bridgeport above!

BUFFALO—Same sweet story. *Beats everything!*

DAYTON—Greater than the great "Great Ziegfeld"!

WILMINGTON—Tops the topmost "Frisco" "Ziegfeld", etc.

NEW YORK—Capitol is 16% better than zippy "Ziegfeld"

EVANSVILLE—Mightier than M-G-M's mightiest!

SALT LAKE CITY—"Born To Dance" sweeps the town!

SPOKANE—"Frisco" business jams Main stem! Oh boy!

HOUSTON—"Ziegfeld's" totals left behind! Terrific!

ATLANTA—As Houston went, so went Atlanta. Swell!

MEMPHIS—They've forgotten the all-time records of "Tugboat Annie" since "Born To Dance" whirled into town!

DANCING INTO ITS 2ND WILD WEEK!

Flash! Happy hold-overs are just beginning:

PHILADELPHIA, PITTSBURGH, NORFOLK, RICHMOND, CHICAGO, DENVER, LOS ANGELES, MILWAUKEE, SEATTLE, SAN FRANCISCO, SAN DIEGO

and more as we swing to press!

"IS RUNNING WILD!"



Purely Personal

GEORGE J. SCHAEFER and STEPHEN PALLOS will leave by plane today for Hollywood. EMANUEL SILVERSTONE, who was scheduled to attend the U. A. board meeting on the coast, has changed his plans and will remain here.

•

ARTHUR A. LEE, GEORGE W. WEEKS, A. P. WAXMAN, CLINTON M. WHITE and ARTHUR GREENBLAT of the G. B. New York office and HERB GIVEN, Philadelphia branch manager, will attend the annual Variety Club party in Philadelphia Sunday night.

•

ARCHIE FEINBERG, sales manager for U. S. Air Conditioning Corp. has gone to Minneapolis after conferences here with J. J. FERRETTI, chief engineer. He will direct theatre sales from Minneapolis.

•

FREDERICK M. WILCOX of the M-G-M coast production staff will sail today on the *Normandie* to make exterior shots in the Alps and Austrian Tyrol for "Maiden Voyage."

•

FELIX F. FEIST, JR., who is completing the script of "How to Figure Out Your Income Tax" with BOB BENCHLEY, will leave for Hollywood the end of the week.

•

RICHARD WALLACE arrived from the coast yesterday accompanied by JESS SMITH. WALLACE's last directorial enterprise was "Wedding Present" for B. P. SCHULBERG.

•

MILLY MONTI, Italian film star, has been signed by EMANUEL COHEN to a five-year contract with Major Pictures. HARRY LEEDY of the Rockwell-O'Keefe agency handled the deal.

•

GERTRUDE MICHAEL has been discharged from the Doctors' Hospital where she was taken late in September on the eve of a proposed European trip.

•

GEORGE A. HIRLIMAN has purchased "Love Takes Flight," original by ANNE MORRISON CHAPIN, for production in color for Grand National.

•

MARJORIE GAGE, recently signed by Universal, flew in to spend Christmas in New York and do a stage play. She will return to the coast later.

•

HAROLD STEIN, former studio director and head of National Studio press service, has joined Cosmopolitan Studios.

•

REG WILSON, G. B. district representative at Indianapolis will be at the Variety Club party at Cleveland tomorrow night.

•

C. C. KOONTZ of International Seat Corp. has just returned from a trip to the south and west. Business is gaining, he says.

•

SPYROS SKOURAS returned from the coast yesterday via American Airlines. On the same plane was LEON LEONIDOFF.

•

JACK ROBBINS will leave for Worcester, Mass., on Friday and from there will head for the coast on Monday.

•

J. A. MALMUTH has joined the Hurley Screen Co. to take charge of marketing newly developed merchandise.

•

GAIL PATRICK has arrived in town from Hollywood, and is staying at the Waldorf-Astoria.

•

SOL LESSER will head for Boston on Friday to visit his children over the weekend.

•

BARNEY BALABAN is figuring on heading for the coast again this weekend or early next week.

•

LOUIS A. SOLOMON has resigned as president of Puritan Pictures Corp. and has opened offices at 723 7th Ave.

•

HERB CRUIKSHANK "poured" for ERROL FLYNN yesterday. Strictly an all-male party.

•

SAM ENGEL, 20th Century-Fox producer, and MRS. ENGEL, are at the Waldorf-Astoria on their honeymoon.

•

JOSEPH STEINER has just returned from a countrywide trip on behalf of American Tobis.

•

DANNY DANKER of the J. Walter Thompson agency office in Hollywood, here for a couple of weeks.

•

W. K. JENKINS of Atlanta is here for conferences with Paramount home office officials.

•

MORRIS HELPRIN will leave tomorrow for Boston.

•

J. J. UNGER left for Birmingham yesterday.

•

LOU DIAMOND plans to fly out to the coast tomorrow.

•

BESSIE LOVE sails today on the *Berengaria.*

•

BEN ROSENBERG, formerly of the National Screen metropolitan sales staff, has been switched to the Los Angeles office.

•

HARRY MOSKOWITZ of Loew's will leave for St. Louis today.

•

ANNE NICHOLS is due to return from the coast this week.

•

BRIAN AHERNE is due tomorrow on the *Bremen.*

•

. . . Omaha

ALLEN BANKS has sold the Empress at Akron, Iowa, to V. W. SMITH.

GLEN VAN WEY, owner of the *Sun* at Gothenburg, Neb., has bought the Rialto at Arnold, Neb., from U. A. BROWN.

REGINA MOLSEED, secretary of the Omaha Film Board of Trade, reports that Film Row has donated more than $500 to the community chest.

ELMER TILTON of Des Moines, co-owner of Republic-Midwest exchanges, spent a week here. Republic salesmen J. C. COLLINS and EVERETT RUSHING are working in this territory until Christmas.

ERNEST GRUNDMAN has bought the interest of his partner, JOHN L. ZOZ, in the Cook at Cook, Neb.

•

. . . Pittsburgh

SAM STERN, the Warner artist, has painted a portrait of the daughter of C. J. LATTA, assistant zone manager.

PHIL DOYLE, one of the town's veteran stagehands, is the new property man at the Stanley.

HARRY KOCH, manager of the South Hills, is mourning his father, who died in Shelbyville, Ind.

LOU GILBERT's wife is back in town after a vacation of several weeks.

•

. . . Seattle

TOM SHEARER of the B. F. Shearer Theatre Equipment Co., has just returned via Los Angeles from a business trip to Chicago.

NED EDRIS, Tacoma city manager for John Hamrick, has returned from a visit to the Hollywood studios.

BEN PRITECA, architect, is supervising alterations and redecorating of the Film Club and a big reopening party is planned prior to Christmas.

Looking 'Em Over

"Abyssinia"

(*Amkino*)

Russian screen propaganda moves on all possible fronts.

The last film released in this country from the state-controlled industry there turned attention to Mongolia, and offered a very thinly disguised attack on Japanese methods and possible intentions.

With the headlines recently full of the European Fascist grouping in opposition to Communism, which means Russia, this latest importation turns toward Italy, seat of Fascism, and attempts to score with a news film depiction of the manner in which the Italian army conquered Ethiopia.

Two cameramen of Soyuzfilmnews, the Soviet news reel, covered the Italo-Ethiopian war. The burden of the message is that peaceful, healthy Ethiopia was invaded by the imperialistic might of Mussolini, with machine guns, bombing planes and similar equipment pitted against old guns, spears and primitive shields.

High spot of the record is the destruction of a field hospital by bombs immediately after surgeons had completed the dressing of the wounds of Ethiopian soldiers. Presuming the shots to be authentic, the scene depicts ruthless, unscrupulous warfare.

For the screens of this country, the film means little.

Reviewed without production code seal. Running time, 53 minutes. "A."

RCA Licenses Debrie On New Print Device

Andre Debrie, Inc., of America, manufacturer of studio and laboratory processing equipment, has been licensed under RCA patents to manufacture and sell a new non-slip printer for film processing based on technical developments of the RCA laboratories. Other equipment manufacturers also are negotiating for similar licenses, according to Edwin M. Hartley, RCA Photophone sales head.

The non-slip printer, according to Hartley, automatically compensates for differences caused by shrinkage of the processed negative and positive film printed from it. It was pointed out that with ordinary printers, minute variations between print and negative at the point of printing blurs the photographic registration.

Edna Buckler Replies

Edna Buckler yesterday filed an answer in her $2,000,000 damage suit against Sidney Kingsley, Norman Bel Geddes, Random House and Samuel Goldwyn to an interrogation submitted by attorneys for the defendants.

Miss Buckler reiterated her complaint, claiming that her play, "Money," was plagiarized in the stage production, "Dead End." She seeks an injunction to prevent a film version of the play from being made by Goldwyn who has purchased the rights for $165,000. She charges that the main parts of "her play were plagiarized and used in 'Dead End'" and cites many alleged parallels.

Dictograph Obtains Stay

An injunction was granted yesterday by N. Y. Supreme Court Justice Louis A. Valente restraining Pirnie, Simons & Co., the A. M. Andrews Investment Corp. and other banks and investment firms from transferring control of their stock in Dictograph Products Co., Inc.

The Dictograph company sought the injunction in order to maintain the status quo pending determination of the ownership of 31,000 shares.

Deny Pathe Application

WASHINGTON, Dec. 8.—The Securities and Exchange Commission today denied the application of the Boston Stock Exchange for unlisted trading privileges in Pathe Film Corp. common stock on the ground that the stock is not substantially equivalent to Pathe Exchange common, a stock admitted to unlisted trading on the exchange, within the meaning of the regulations under the Securities Exchange Act.

Consider Danbury Site

DANBURY, Conn., Dec. 8.—A Main St. site is being considered by the M. and P. circuit for a house here. The city has three theatres at present, all controlled by Warners.

Acquires Canada House

MONTREAL, Dec. 8.—United Amusement Corp., operating 23 theatres in the Montreal area, has acquired control of Suburban Theatres, Ltd.

Ellington Booked

LOS ANGELES, Dec. 8.—Duke Ellington and his band have been booked at the Paramount for the week of Dec. 10.

"3 SMART GIRLS" TOPS "SHOWBOAT" IN LOS ANGELES!

OVERFLOW CROWDS FORCE SATURDAY SPECIAL MIDNIGHT PERFORMANCE! WORD-OF-MOUTH TERRIFIC!

HOLDOVER *and* HOW!

BULLETIN No. 1 *from the* **NEW UNIVERSAL!**

Schenck Gets Contract and Stock Option

(Continued from page 1)

the company received $312,000 and the year before $186,000.

The transfer of Thalberg's unexercised stock option was the subject of much criticism. A number of the smaller stockholders were of the opinion that Schenck's salary or bonus should be increased rather than transfer the option. Eugene W. Leake, former trustee for Paramount, and representing 36,500 shares; Walter Reade, head of the Reade circuit and owner of 10,000 shares; Hugo Sonenshine, attorney for B. & K. and substantial stockholder; Bernard Castle, who holds 27,400 shares, and an unnamed stockholder who said he held 2,165 shares lauded Schenck's enterprise and efforts on behalf of the company.

Cites 1932 Refusal

It was pointed out by Rubin that in 1932 Schenck turned down a long-term stock option as well as a service contract, stating at the time that he felt it was for the best interests of the company that the others get the contracts. He added, according to Rubin, that he couldn't express an unbiased opinion if he accepted the offers.

The stock arrangement, as passed yesterday, provides that Schenck cannot sell the stock for less than $15 under what he pays for it; and that if the stock is under $55 he cannot sell. In the event the president should die within the five-year period, his estate can claim the stock option for the given year, provided death takes place after Feb. 1.

Schenck, Rubin, David Warfield, George N. Armsby, Bernstein, I. Frey, Leopold Friedman, John R. Hazel, C. C. Moskowitz, William A. Parker, Thomas Nelson Perkins and William A. Phillips were reelected directors. The board will meet today if a quorum can be secured, to reelect the present officers.

Amendment Badly Beaten

An amendment by Daniel S. Schwartz, owner of approximately 600 shares, to alter the option price to Schenck from $40 to $60 a share was defeated by a vote of 960,322 to 5,040. Exclusive of the proxies, a majority of those present voted against the amendment.

Despite the criticism, which was not unexpected, Bernstein, Rubin, Friedman and Moskowitz expressed themselves as pleased with the meeting.

After the resolutions which were adopted at the last board meeting, were presented to the gathering. Leake made an impressive speech, recalling how he made a two-and-a-half year study of Loew's. He said that in 1932, when he represented groups with 660,000 shares of Loew stock, he "personally tried to persuade the board to set aside a block of shares for Schenck.

"I thought it was a just and wise policy at that time, and after four years, during which time I have made a survey for downtown bankers in connection with the $15,000,000 indenture at 3½ per cent, I still think it is a wise move.

Coast Investment Large

"Week in and week out the company sends from $500,000 to $700,000 to the Pacific coast to invest in production. The difference between good management and indifferent management is the difference between profit and loss.

"In time there will be a monument built for Marcus Loew, the founder of the company, who started with an arcade, and a monument to the men who surrounded him and are now executives of the company. Most of all, this honor will be bestowed to the conservative man who needs no Legion of Decency to guide him; he himself is one."

Commenting on the stock bonus, he said: "Not one additional share of stock is to be set aside for Schenck in excess to those already put aside by the management. Not $1, or share of stock, will be diluted. He is receiving what I earnestly hoped he would take in 1932.

"I marvel not at the amount of salary he is getting, but that a man like Schenck should give his heart and soul, day and night to making 50 pictures a year when I know he can make five on his own and make more than what you are giving him a year.

Leake's Sentiments Applauded

"There is no one but himself to parallel. I congratulate the stockholders on his service and endorse the unanimous recommendations of the board." Leake was applauded.

The first dissenting voice was Benjamin Mahler's. He said:

"I don't know Schenck's ability, or inability; I am giving my own opinion.

"Some companies like Warners have advanced farther than Loew's in appreciation of stock and dividends. Good management is not confined to Loew's; maybe business has improved with the times. I don't think Loew's business is attributed to Schenck. If Schenck is such a wizard, we should dispense with the rest of the officers." A ridiculing laugh broke out at this point.

Thalberg's Name Injected

"Irving Thalberg was not engaged in administration, but production. Why should someone else not taking his place get his stock?" Leake wanted to interrupt at this juncture, but Rubin asked him to be patient.

"If Thalberg is replaced, then give the stock option to his successor. I don't know Mr. Schenck's qualifications, but I don't see why he should not pay $63 a share instead of $40. If it is through Schenck that the stock has gone up, then Schenck should be paid in the future and not in the past."

M. Strauss, a minority holder, followed Mahler and was anxious to learn what Schenck's contract would amount to in figures, based on the percentage clause.

Reade announced how much stock he owned and that his business amounts to $8,000,000 a year. "We of the industry are so proud of Mr. Schenck we would like him to stay. This is one company in which no director is interested in any other film company.

"Schenck, in my opinion, is virtually in control of this business. If Schenck would leave this company it would be a lousy Christmas present for you."

"But," interjected a voice from the front of the room. "Thalberg left us."

"Not willingly," was Reade's retort.

"Your stock wouldn't be worth $63 without Schenck," he concluded.

Stockholder Pays Tribute

Mr. Ross, who said he held 610 shares, praised Schenck, stating "he has done a splendid job for the company and there are few men who would do as good a job.

"I have no objection to giving Schenck a bonus as an incentive, but I don't think he should be placed in a greater position than Thalberg." He pointed out that in 1932, Loew stock hit a high of 37 and a low of 13¼. "This was an inducement for Thalberg to build up the company.

"We say to Mr. Schenck we are not concerned with the company as far as earnings go. I suggest that the option for Mr. Schenck be given at the market price or five points below. At the same time, his bonus can be doubled or trebled."

Sonenshine asserted he had had several occasions to deal with Schenck on deals for B. & K. and other interests "on the other side of the fence."

"Schenck shouldn't be penalized for foregoing the right to the stock option in 1932," he said. "It comes down to what is Mr. N. M. Schenck worth to the organization he has built up, an organization of unexampled loyalty. This concern has never ceased to pay dividends in prosperity and in trying times when others were either in receivership or facing it.

Asks Value to Competitors

"That's the test. Everyone who knows him regards him highly. This is a personal industry, a changing one, and cannot be standardized, or routineized, if there is such a word. It is the resourcefulness of the men in it that make it what it is today. Schenck is an outstanding figure in the industry and if we are going to do this thing, let's do it right."

Castle was succinct. "What would a competitor offer Mr. Schenck?" He left this query with the stockholders as he left to keep an appointment.

An unnamed stockholder declared he came to the meeting with fire in his eyes and ready for battle, but after hearing the speeches, he was reconciled that "we need Mr. Schenck and are indeed fortunate to have a man like him. My only regret is that the contract is not for 10 years instead of five."

Before the session adjourned, Rubin explained in reply to a query that the $2,396,172.30 on the consolidated statement against adjustment of value of productions in suspense and continuities was marked off as a result of money invested by Thalberg in stories and scripts at the time of his death.

Just Like Screeno

With more than 100 stockholders present, the largest group to attend an annual Loew's session in the last 10 years, Oscar Doob marvelled at the turnout, and said:

"We must be playing Screeno."

No Criticism

Although several stockholders disagreed on the two contracts offered to Nicholas M. Schenck, president of Loew's, there was not one uncomplimentary remark passed against the management during the entire two-hour session yesterday.

As a matter of record, a vote of confidence was recommended by an unnamed shareholder and unanimously passed.

B & K Sets Dividend; Large Earnings Seen

CHICAGO, Dec. 8.—A dividend of $5 per share on the common stock of B. & K. has been declared by the company's board of directors. It is payable Dec. 9 and is the first dividend on the common since July, 1932, when the payment was 37½ cents.

The directorate has also voted the regular quarterly dividend of $1.75 a share, payable Dec. 24.

An unofficial report indicates that the company's earnings for the current year will exceed $2,000,000 as compared with $638,134 in 1935. The majority of the 264,206 shares of common stock of B. & K. are owned by Paramount Pictures, Inc.

H. M. Warner to Miss Stockholder Meeting

Harry M. Warner, president, will not attend the annual stockholders' meeting in Wilmington on Monday. He leaves for the coast today accompanied by Jake Wilk, story head.

Robert W. Perkins, Samuel L. Carlisle, Joseph Hazen, E. K. Hessberg and Stewart McDonald will leave Sunday night for the Delaware session. The board of directors will be reelected Monday, and on Tuesday the board will meet in New York and continue the present executive setup.

Warner plans to spend about two months in Hollywood. Wilk's visit will be a short one.

"Diggers" at Denver

DENVER, Dec. 8.—Warners' flying "Gold Diggers" are due at the municipal airport at 11 o'clock today to be welcomed by the Governor, Mayor and representatives of the *Denver Post*, which is sponsoring a Christmas charity drive. Lunch, broadcasts and personal appearances at the Denver are on the program.

The troupe spent yesterday at Kansas City. The next stop is Salt Lake City and then they'll go to San Francisco and Los Angeles.

DeMille Back on Coast

HOLLYWOOD, Dec. 8.—Cecil B. DeMille is back from his cross-country tour during which he previewed "The Plainsman" in Dallas, New Orleans, New York, Chicago, Denver and Omaha, the first time such widely scattered previews have been attempted. He intends to make a few changes, he says.

Wants Loew Job

An unnamed Loew stockholder attending yesterday's meeting inquired for the personnel manager after registering. Asked the why and wherefore, he said he was anxious to know if there was a job open for him.

CEA and KRS Seen Unified On Moyne Plan

(Continued from page 1)

an expression of the necessity of self-government within the industry, without official Government control, as virtually suggested by the Moyne committee, and a conviction of the impracticability of the proposed flexible quota which would carry the figure to 50 per cent within 10 years.

The Board of Trade officially has invited the C. E. A., K. R. S. and the F. B. I. Films Group to submit opinions and suggestions on the Moyne report, which invitation is seen as making the C. E. A.-K. R. S. agreement still more important and significant.

The Parliamentary secretary of the Board of Trade, replying today to a question in the House of Commons as to whether the Government will introduce legislation during this session in line with the Moyne recommendations, said the proposals are being examined by the Government. Steps are being taken, he said, to acertain the views of the various sections of the industry. Some time must necessarily elapse in this effort, he indicated, and declared he was unable to say whether any legislation would be introduced during this session.

Overbuilding Hit By Nyman at CEA Fete

LONDON, Dec. 8.—Ken Nyman, chairman of the London and Home Counties Branch of the Cinematograph Exhibitors' Ass'n, stressed the necessity of attacking immediately the overbuilding problem in England, at the C.E.A. dinner at the Savoy here tonight.

Nyman was chairman of the affair, which was attended by 500 leaders of the industry here. Nyman argued that an increase in the number of theatres will mean a corresponding increase in the exhibition of inferior films. He criticized local authorities which grant all licenses as they are sought because of their fear of their vague legal position. He sharply attacked speculative builders who erect theatres without regard for the investing or the film-going public.

"Camille" Premiere Set

HOLLYWOOD, Dec. 8.—The world premiere of "Camille" will be held at Palm Springs and will open the new independent house operated by Earl Stredbe. The cast, with the exception of Greta Garbo and Robert Taylor, will attend the showing.

No other dates for the film have been set.

Hays Ass'n Meeting

The board of directors of the Hays organization will hold its quarterly meeting today. Will H. Hays is expected to review the highlights of his trip abroad.

Executives Due on Coast

HOLLYWOOD, Dec. 8.—Nicholas M. Schenck, Al Lichtman and Samuel J. Briskin are due from the east today. Lichtman joined Schenck in Chicago.

Out Hollywood Way

HOLLYWOOD, Dec. 8.—Radio will team CHARLES BOYER and GINGER ROGERS in "Perfect Harmony," an original by JACQUES THIERY and PHIL EPSTEIN.

DOUGLAS MACLEAN sets back start of "23½ Hours Leave" to Dec. 1 . . . WARNER OLAND'S new contract with 20th Century-Fox guarantees 10 Charlie Chan roles with no time limit set, next to be "Charlie Chan at the Olympic Games" . . . DAVID BUTLER to direct "Saratoga Chips," EDDIE CANTOR'S first for 20th Century-Fox . . . Universal has three stories for JOHN WAYNE, the first "I Cover the War," an original by BERNARD MCCONVILLE . . . The next two are "Forest Legion" and "Adventure's End."

MRS. DAVID LOEW flew here, but arrived seven hours late for the Zukor dinner . . . J. CARROL NAISH recuperating from operation at Good Samaritan Hospital . . . M-G-M to make special trailer, "Ye Merrie Gentlemen," with CLARK GABLE, SPENCER TRACY, ROBERT TAYLOR and WILLIAM POWELL for Christmas showing . . . FRED QUIMBY and JACK CHERTOK take over BERNIE HYMAN'S old offices at M-G-M . . . PETER LORRE'S 20th Century-Fox contract gives him time off next year to produce "Napoleon" in New York.

GRANTLAND RICE'S daughter signed to an M-G-M contract . . . GEORGE LYNN doubling between his part in M-G-M's "Torture Money" and Pasadena Community Playhouse where he has role in "Ulysses Sailed By" . . . LEW C. NICOLL, photographer, signed by DAVID O. SELZNICK for color stills on "A Star Is Born," starring JANET GAYNOR and FREDRIC MARCH . . . MABEL STAR, woman tiger trainer, signed by General Pictures for "Circus Queen."

FRED MACMURRAY substituting baked apples and cream for doughnuts and coffee as mid-morning snacks . . . BUCK JONES starting "Left Handed Law" with NOEL FRANCIS . . . EMANUEL COHEN signs ROBERT BALDWIN to term contract . . . MITCHELL LEWIS signed to long term agreement by M-G-M.

✚

Casting—TOBY WING signed by SAM KATZMAN to play opposite HERMAN BRIX, former Olympic champion, in "Silks and Saddles," Victory . . . EDGAR HORTON, SIGMUND RUMANN, GENARO SPHENOLI, BELLE MITCHELL, JANS JOBY, EPHIGENIE COSTIGLIANA and GUY BATES POST cast in "Maytime," M-G-M.

JACK HALEY and PATSY KELLY teamed in "Wake Up and Live," MICHAEL WHALEN in "Time Out for Romance," THOMAS BECK in "Seventh Heaven," and ALAN DINEHART in "Step Lively, Jeeves," all at 20th Century-Fox . . . MYRA MCKINNEY and GEORGE LLOYD in "The Case of the Stuttering Bishop," Warners.

✚

Directors—MICHAEL CURTIZ assigned to "The Gentleman from Kimnerly," and WILLIAM DIETERLE to do "Truth Is On the March," Warners . . . SIDNEY LANFIELD assigned to "Wake Up and Live," 20th Century-Fox.

✚

Story Buys—Radio acquires "Super Sleuth," by ARTHUR SHEEKMAN for JACK OAKIE . . . Radio buys "A Bridge in the Sky," a GRACE NORTON original.

✚

Titles Changed—Universal's "Blonde Dynamite" now "She's Dangerous" . . . "Peach Edition" to be released as "Woman Wise" by 20th Century-Fox.

AT & T's Film Work To Be Probed Again

WASHINGTON, Dec. 8.—Film activities of the American Telephone & Telegraph Co. are expected to come up for investigation by the Federal Communications Commission about Dec. 21 in New York, where hearings will be transferred during the holiday season.

Tentative plans of the commission to take up the film aspects of the company's operations were made known today by Samuel Becker, special counsel for the commission, as hearings resumed after the summer recess.

The inquiry today was directed to the financial side of the telephone company's laboratory, tracing the acquisition of the various properties used for research and the financial policies followed in its operation. During this portion of the proceedings Samuel Meisel, a special FCC investigator, testified that Western Electric Co. profited to the extent of $2,112,000 from the organization of Bell Telephone Laboratories, Inc., by selling to the laboratories for $4,552,000 properties which were listed on the W. E. books at $2,439,000.

Retitle Fairbanks Film

LONDON, Dec. 8.—"Forever and Ever," latest by Douglas Fairbanks, Jr., for Criterion Films, has been renamed "Thief in the Night."

Court Postpones All N. J. Actions on Fox

ATLANTIC CITY, Dec. 8.—Vice-Chancellor W. Frank Sooy today postponed all action in the New Jersey Chancery Court on the $9,535,000 William Fox bankruptcy because of the growing complication of actions in other courts. The hearing on a show cause order involving efforts to have All-Continent Corp. placed in receivership and further restrained from disposing of its assets, was set over indefinitely. Decision was postponed to Jan. 5 on an application made today to dismiss William Fox personally from this action.

Sooy called for briefs on two other questions which he took under advisement. One is whether to continue the Chancery Court argument until the Pennsylvania Federal Court decides on a permanent restraint on the Chancery Court action. The other is whether the matters now before Sooy shall be moved to the New Jersey Federal Court.

Adjourn Rights Hearing

No final disposition of the theatrical, screen and television rights owned wholly or in part by the estate of the late Charles Dillingham was made at a hearing in the office of Federal Referee John Joyce yesterday. Discussion of the bids was held and the hearing was adjourned to Jan. 7.

Paramount Is Trying Interstate Checking

Paramount is trying out Interstate Checking service in all of its branches, it was learned yesterday. Negotiations had been under way for some time, as reported in MOTION PICTURE DAILY.

An executive of Paramount pointed out that Interstate does not replace Ross Federal Service and that Interstate is not handling all of the company's checking.

Dave Freedman Dies

Dave Freedman, writer, who was on the stand in N. Y. Supreme Court Monday testifying in his suit against Eddie Cantor for alleged breaking of a verbal contract, was found dead in bed yesterday morning. A heart attack was blamed.

Freedman lived at 371 Central Park West. A mistrial was ordered by Justice Ferdinand Pecora when news of the death reached the court.

Joe Kahn Passes

MEMPHIS, Dec. 8.—Joe Kahn, 64, for more than 40 years connected with Memphis theatres, died December 5 after a long illness. He was formerly treasurer of the Lyric. His widow survives.

C. C. Lindsey Dead

LUBBOCK, Tex., Dec. 8.—C. C. Lindsey, 42, secretary-treasurer of Lindsey Theatres, Inc., here, and associated with the Griffith Amusement Co., Oklahoma City, died recently of pneumonia and heart complications.

Will Elect W. A. Fannin

CHICAGO, Dec. 8.—W. A. Fannin, formerly district manager of the Heywood-Wakefield Co. here and at Los Angeles, will be elected president of the International Seat Corp. at the next board of directors meeting.

Wall Street

Board Gains Continue

	High	Low	Close	Net Change
Columbia	37½	37½	37½	+ ⅛
Consolidated	4⅞	4⅞	4⅞	+ ⅛
Consolidated, pfd.	16⅝	16⅜	16⅜	.....
Eastman	177¼	176½	176½	+ ½
Eastman, pfd.	164	164	164	+1
Gen. T. Equip.	27¼	27	27	— ½
Loew's, Inc.	64⅝	63⅛	64⅜	+ ⅜
Loew's, Inc. pfd.	106	106	106	.....
Paramount	23¼	22⅝	22¾	— ¼
Paramount 1 pfd.	170	168¼	169	+3
Paramount 2 pfd.	21¼	20⅝	21	+ ¼
Pathe Film	10⅛	9½	9½	.....
RKO	8⅜	8⅛	8⅛	— ⅛
20th Century-Fox	37⅜	36½	37⅜	+1⅜
20th Century, pfd.	46½	45½	46½	.....
Warner Bros.	17¼	17	17¼	+ ¼

Technicolor Up 1⅛ on Curb

	High	Low	Close	Net Change
Grand National	3¼	3⅛	3¼	.....
Sonotone	2	1⅞	1⅞	— ⅛
Technicolor	22⅛	21⅛	22¼	+1⅛
Trans-Lux	4½	4⅜	4½	.....
Universal Pict.	13⅞	13⅞	13⅞	— ⅛

Little Bond Activity

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	101½	101⅜	101⅜	— ⅛
Paramount Pict. 6s '55	100¼	100⅛	100¼	+ ⅛
RKO 6s '41 pp	116¾	116¾	116¾	— ½
Warner Bros. 6s '39 wd	98⅜	98	98	.....

(Quotations at close of Dec. 8)

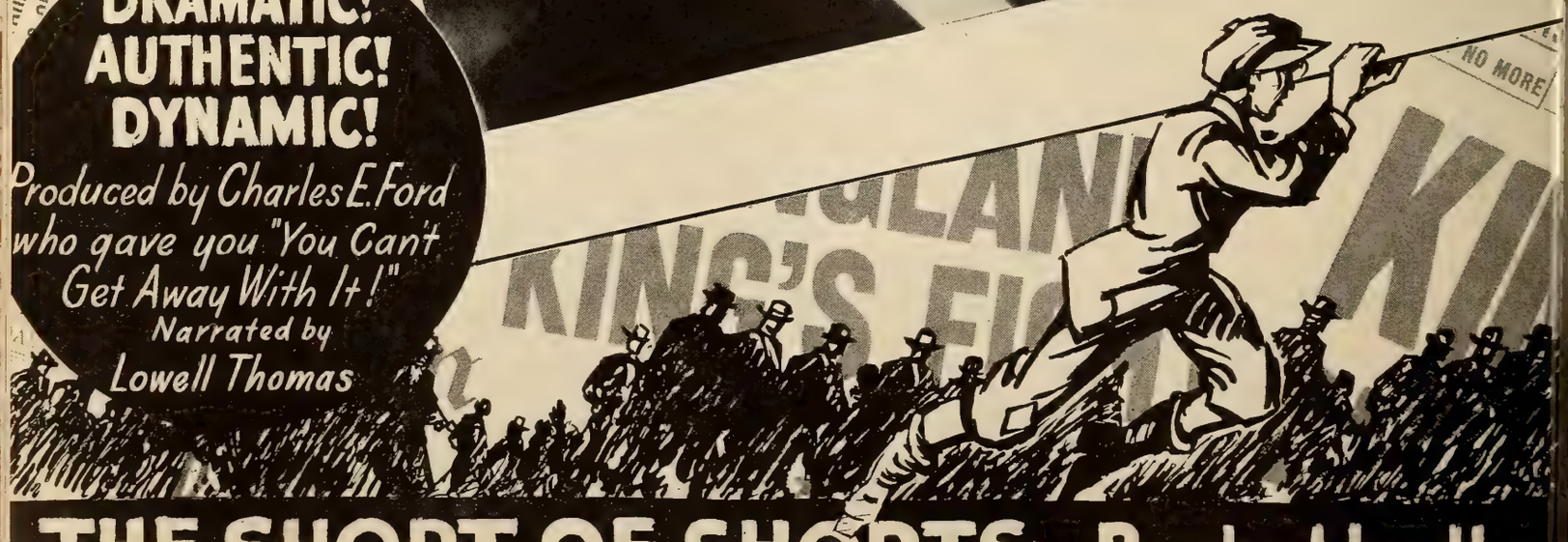
Another

EXTRA!



DRAMATIC!
AUTHENTIC!
DYNAMIC!

Produced by Charles E. Ford who gave you "You Can't Get Away With It!"
Narrated by
Lowell Thomas



THE SHORT OF SHORTS...Backed by the

ew Universal Scoop!

THE MOST TALKED ABOUT MAN IN THE WORLD!

King Edward VIII Special!



greatest word-of-mouth campaign in the world!

The whole trade's humming!

20TH HAS TURNED THE TRICK AGAIN!



THE LONGER IT RUNS, THE BIGGER IT GETS!

Gloriously "BANJO ON MY KNEE" is fulfilling the great box-office predictions made for it . . . and proving itself the word-of-mouth wonder of the year! In KANSAS CITY it beat "Pigskin Parade" and "To Mary"! In INDIANAPOLIS the 2nd and 3rd days topped the opener by 60% and 100%, respectively. Leading "Girls' Dormitory" in ALBANY, the 3rd and 4th days each were 80% bigger than the 1st two days. At HOUSTON, steady building made the 4th day nearly double the opener. In BALTIMORE it's ahead of "Sing, Baby, Sing"! 2nd day at LOUISVILLE was 200% of the opening. In BRIDGEPORT 2nd and 3rd days were 50% and 130% bigger than the 1st day.

LOYDS OF LONDON' SWINGS INTO ITS 2ND



Barbara STANWYCK and *Joel* McCREA

in

BANJO on my knee



with HELEN WESTLEY • BUDDY EBSEN
WALTER BRENNAN • WALTER CATLETT
ANTHONY MARTIN • KATHERINE DE MILLE
THE HALL JOHNSON CHOIR

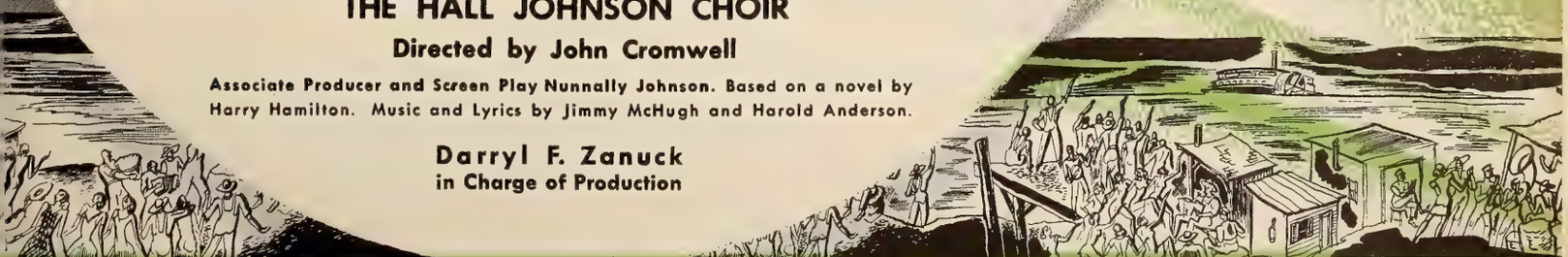
Directed by John Cromwell

Associate Producer and Screen Play Nunnally Johnson. Based on a novel by Harry Hamilton. Music and Lyrics by Jimmy McHugh and Harold Anderson.

Darryl F. Zanuck
in Charge of Production

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE



SH WEEK AT THE ASTOR AND CARTHAY CIRCLE!



EXPLOITATION NATURAL NO. 1

Inspired by the headlines on the front pages. An "exploitation natural" for live wire exhibitors.

BUDDY *and* MARY ROGERS BRIAN

WEEK END MILLIONAIRE

Directed by Arthur Woods

An ALLIANCE Production

A GB RELEASE

CANADA DISTRIBUTORS
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2 EXPLOITATION NATURALS HOT OFF THE FRONT PAGES!

EXPLOITATION NATURAL NO. 2

Inspired by the headlines on the front pages. An "exploitation natural" for live wire exhibitors.



CLIVE BROOK
HELEN VINSON

LOVE IN EXILE

With MARY CARLISLE
Directed by ALFRED L. WERKER

TOPS 'EM ALL

A CAPITOL FILM A GB RELEASE

CANADA DISTRIBUTORS, EMPIRE FILMS, LTD.

WORLD PREMIERE RADIO CITY

In the Box-office Tempo of "Theodora Goes Wild"

"Columbia adds still another notch to its high comedy score! Jean Arthur and George Brent give bang-up performances! A boxoffice asset that can be sold at a profit through the full range of theatres!"
—Hollywood Reporter



P. S. "Heavy laughs!"—Daily Variety.

"Matches standard of Columbia's better pictures!"—Motion Picture Daily.

"Fine picture! Smart comedy! Swell entertainment!"—Showmen's Trade Review

COLUMBIA'S

MUSIC HALL TOMORROW!

JEAN ARTHUR ★ GEORGE BRENT

More THAN A SECRETARY

LIONEL STANDER

RUTH DONNELLY · REGINALD DENNY · DOROTHEA KENT

Directed by ALFRED E. GREEN

NEW EXTRA-BIG ONE!

CBS Sets Plans for Studio in Hollywood

(Continued from page 1)

Class A construction. There will be one studio, a two-story building and a music hall accommodating 1,000 persons. Prominent acoustical engineers are collaborating.

A feature of the current program will be an experimental television laboratory, indicative of the company's new policy regarding this medium.

The new plant is expected to be ready for occupancy next June.

K. G. Ormiston and Lester H. Bowman left for San Francisco yesterday to arrange for the changeover from KSFO.

Musso Heads WBNO

NEW ORLEANS, Dec. 8.—Station WBNO, located in the St. Charles Hotel, is now under management of Ed Musso, the original lessees from the Coliseum Baptist Church, which holds the license, due to the resignation of J. E. Richards, general manager.

It has just been revealed that Richards was arrested recently after he attempted to broadcast the results of races at the Fair Grounds. It appears that during the regime of the late Senator Long a law was passed making it a major offense, punishable by a jail sentence and fine of from $1,000 to $3,000, for a radio station to broadcast race results. Richards' case probably will come up next month.

Form New Station

WAUSAU, Wis., Dec. 8.—Northern Broadcasting Co. has been organized to erect a station here with studios in the Leath & Co. Bldg. Call letters will be WSAU and it is expected the station will be in operation by Jan. 1 with Bert Horswell, formerly with WHBL, Sheboygan, Wis., as manager. J. L. Chapin is president, Donald R. Hurt, vice-president, and Merrill F. Chapin, secretary-treasurer.

To Erect New Radio Tower

MILWAUKEE, Dec. 8.—WTMJ will erect a new 400-foot single, radiator type antenna tower here, to cost $15,000. At the receiver the signal will be 27 per cent stronger than at present and the mast will increase the station's 5,000 watts by 70 per cent.

Seek Springfield, O., Station

SPRINGFIELD, O., Dec. 8.—Springfield Newspapers, Inc., has filed a petition with the Federal Communications Commission for a new station, daytime only, to be operated on 250 watts, 1120 kilocycles.

Asks to Take Over WALR

ZANESVILLE, O., Dec. 8.—Frank O. Klapp, this city, has filed a petition for a new 100-watt station, to be operated on 1,210 kilocycles. He asks facilities of WALR, local station.

WELI Seeking Extension

NEW HAVEN, Dec. 8.—WELI, now on the air from sunrise to sunset, has an application before the Federal Radio Commission for a permit to become full-time.

WSMK Asks Power Increase

DAYTON, Dec. 8.—WSMK, local Columbia outlet, has filed a petition to install a new transmitter, and increase the station power from 200 to 500 watts.

NBC and CBS Let Words Fly In Claims on Network Total

NBC's statement of station strength made to MOTION PICTURE DAILY yesterday drew sharp rebuttal from CBS, which claimed that the NBC claim was misleading, although technically correct.

Briefly, the facts are these: NBC station affiliates now number 103 and will number 110 as of Jan. 1. CBS's total network stations to date number 97.

The bone of contention is the five to 10 "temporary point" stations used by CBS from time to time which that network claims are also used by NBC as well. These stations apparently are not represented in the CBS total and a spokesman for the Paley chain made the flat declaration that NBC's "temporary point" stations have been included in the latter's national total, thereby swelling its station strength beyond actual proportions.

When informed of Columbia's reply, NBC stated all of the stations represented in the present 103 total carry complete daily network sustaining and sponsored programs, as will also the stations that are to be added on or before Jan. 1.

"Temporary point" stations are units which are added to the networks from time to time when advertisers desire additional coverage. As an example, Columbia cited the "Then and Now," a Sears-Roebuck program, which is carried over 101 CBS outlets. Because the Columbia chain comprises 97 stations, it is obvious that four "temporary point" stations were added to carry the program.

However, the race for stations is becoming more acrimonious every day, with both networks maintaining men in the field to bring new stations into the fold. It has been a stern battle to date and the end is nowhere yet in sight.

Frank Morgan to Guest

Frank Morgan will be Elza Schallert's film guest this Friday at 10:45 P.M., E.S.T. on the NBC-Blue.

New Idea in Auditions

Bob Hope and "Honey Chile" yesterday auditioned in CBS Playhouse No. 1 for Zotoz, Inc., sponsors of last year's "Hour of Charm" program featuring Phil Spitalny's all-girl orchestra. Last night's audition set a precedent in that it was witnessed by a regular studio audience whose reactions to the material are now being studied by the prospective sponsor. Freddie Mayer, independent producer, planned the show.

Scramble Over Ford

Merriest agency scramble of the year is now being waged with the Ford contract as the prize. More than a dozen advertising agencies have submitted a total of about 40 shows within the past 48 hours and Hay McClinton, direct Ford representative, is now enroute to Detroit with the recordings.

It is expected that definite announcement as to Waring's successor will be made either Thursday or Friday of this week.

Black Replaces Eastman

Frank Black, NBC general music director, has been signed to direct the "Carnation Contented" program orchestra beginning with the broadcast of Jan. 4. Morgan L. Eastman has directed for the past five years.

"Carnation Contented" emanates from Chicago, which means that Black will have to fly to Chicago on Mondays for the Tuesday broadcasts, and return to New York for his weekly RCA series.

Tracy on Vallee Program

Spencer Tracy will head the five-star cast on the Rudy Vallee Hour tomorrow night. The film star supersedes Joe Cook as the program's featured attraction. In addition to Tracy and Cook, Vallee will present Doris Hare, Don Tannen, and Capt. John H. Ayers, head of the Missing Persons Bureau of the New York police department.

Armco Switches to Tuesday

The Armco Band concerts, heretofore heard on Sundays at 8 P. M., E. S. T. over the NBC-Blue, will broadcast on Tuesdays at 10 P. M. instead, beginning Dec. 15. Because of the change, the program will not be on the air this Sunday.

The Armco band is now in its eighth year of broadcasting.

New Fledglings Get Chance

The WHN-CBS "Airfinds" program presented over WHN and designed to give fledgling talent an opportunity that otherwise would be denied because of the crowded network channels, this week presents a group headed by the Eton Boys. Others include Rudy Madison, Adele Andre and the "Symphonettes," a girl's trio. The program is heard Thursdays at 8 P.M., E.S.T.

"Magic Key" Show Set

The RCA "Magic Key" program this Sunday will feature Percy Grainger, Emil Coleman's orchestra, the Yale Glee Club, and James Barton in a very much cleaned-up scene from "Tobacco Road."

Ponselle Closing Series

Rosa Ponselle will be the principal guest star on the final "Then and Now" program tomorrow at 10 P. M., E. S. T. over CBS.

Mourn Freedman's Death

Radio Row is mourning the unexpected passing of David Freedman, script writer, who died in his sleep yesterday. Freedman was well-liked.

Shep Fields, Ackerberg, Et Al

Short Shots: When John H. Woodbury, Inc., drops Paul Whiteman on Jan. 3, the new program will be known as the "Rippling Rhythm Revue," featuring Shep Fields' orchestra . . . The Pullman Motor Coach Co. may place a program on the air . . . Herbert Ackerberg, CBS head of station relations, now touring the nation on network business . . . "Drama of the Skies," a series of programs dealing with astronomy, will be resumed on a weekly basis beginning Saturday at 5:30 P.M., E.S.T. over CBS . . . Bertha Matlock of the Al Barnes circus will be Edward Everett Horton's "Shell Chateau" guest this Saturday night . . . Blanche Yurka, stage star, will be heard on Bide Dudley's WOR program Sunday at 3:45 P.M., E.S.T. . . . Biographical sketches of Louis Sobol, Walter Winchell and Ed Sullivan will be offered on the WMCA "Broadway Newsreel" program tomorrow at 8:15 P.M., E.S.T. by Jack Eigen . . . Kate Smith's all-collegiate football team will be announced on her "Bandwagon" program tomorrow night at 8 P.M., E.S.T. over CBS.

Talk Sound Stage Programs

HOLLYWOOD, Dec. 8.—The CBS-Twentieth Century-Fox deal currently in negotiation provides for the purchase of weekly broadcasts from the studio sets. It is understood here that disagreements regarding rates are holding up the signing of the papers.

Cantor to Coast Dec. 17

HOLLYWOOD, Dec. 8.—Eddie Cantor will return to Hollywood Dec. 17, resuming broadcasting on Dec. 20. The death of Dave Freedman is responsible for the change in his plans.

WNLC Getting Recognition

NEW LONDON, Dec. 8.—WNLC is winning considerable attention by its live programs, in spite of being limited to daytime operation and lack of press cooperation.

Kurst Makes Rice Boil

Houston, Dec. 9.—Score one for Professor Kurst!

A radio hoax that had the faculty and alumni of Rice Institute obviously upset and finally openly belligerent has become one of the real laughs of the town.

When the alumni met in the homecoming banquet hall, a red-bewhiskered gent, Professor Oscar Kurst, was introduced as the physical director of the University of Vienna, and proceeded to "broadcast" a denunciation of Communism and a rabid defense of Fascism. The professor's goulash accent added odor to the unpopular subject and the alumni of this southern university, which is noted for its liberal views, squirmed under the "Professor's" tirade. At one point Sylvester Gross, handling the "microphone," interrupted to announce he would be forced by radio rules to withdraw the address from the air.

Finally an ired group of alumni escorted "Professor Kurst" from the platform and the hall. John Paul Goodwin, assistant director of KPRC and the pseudo professor, decided the joke had gone far enough and revealed his identity to the disgruntled alumni. The story made the front page of the daily papers.

Radio Shows Aim To Bring Back Acts

(Continued from page 1)

far-reaching and possibly a great deal more effective in the final analysis.

The musicians have been picketing about 25 New York houses for many weeks now, the union choosing its pickets from among the extensive ranks of unemployed musicians, but the effectiveness of that campaign is highly questionable. Certainly it is no secret that the theatres being picketed, major circuit houses almost exclusively, are anything but disturbed over the picketing. The pickets are inoffensive, create no stir, but merely parade the sidewalk with their sandwich signs, competing with the restaurant and beauty parlor minions who march beside them at intervals.

But this new drive, conceived initially under the hand of WPA and its Federal Theatre Project's Radio Division, has taken to the air, selling, or re-selling the stage presentation idea to the American public. It comes from the three-week-old "Professional Parade," one-hour weekly program developed by the Federal Theatre Radio Division and the Artists' Bureau of NBC.

Quality Is High

The program, which incidentally, has been characterized by radio writers as excellent entertainment, is composed of unemployed professional variety players, those who in an earlier day in the entertainment world would have been playing the sticks and the hinterland, with their eyes and hopes pointing toward the pinnacle, a week at the Palace on Broadway.

Fred Niblo, Jr., ex-director for the screen, is master-of-ceremonies for the eight to 12 acts which are featured each Wednesday night from 9 to 10 P. M.

His remarks, introducing the program, and heard, it may be fairly assumed, by thousands of families over the country, include such phrases, exactly quoted, as:

"I marvel that such fine young professional talent is not appearing in every theatre in America where you may not only hear them but see them as well," and

"I am sure you will want to see in your theatres, in your cities, these boys and girls from the professional stage," and again

"Let's bring back stage presentations in all our theatres where you may see real people and hear them talk and sing and dance. In the words of my friend, Frank Buck, let's 'Bring 'em back alive.'"

Effect Problematical

The program, which by all recognizable bases of estimate of such things among those who know in radio, is gaining each week in popularity, goes out over the Blue Network of NBC, which means 20 stations of major power and importance across the country, in addition to many smaller stations.

It is, of course, far too early to ascertain what effect this new drive may have in its effort to bring reemployment, or initial employment, to thousands of potential, and experienced vaudevillians, but it is not completely unlikely that the public will eventually see the point, and bring pressure to bear on the theatre operator, and so down the line.

It is at once apparent that stage presentations and double bills cannot both occupy a theatre's program, and at present duals, and in some cases triples, hold the balance of power in this country's exhibition. Stage shows are expensive, of course, but if the public should get its mind made up, something might happen.

NBC's Artists' Bureau is to have complete charge of the stage units which are planned from each radio program personnel, and with the first unit practically set, efforts to book the stage groups in the country's theatres will go forward apace, aided by the "Professional Parade" on the air, and the calculated expressions of Niblo.

Films Best School Help—Aylesworth

(Continued from page 1)

of Brackett Lecturers' Reunion and the faculty of Princeton University.

"After all, radio broadcasting is the show business," he said. "Its very foundation is showmanship. This is true whether in the field of mass entertainment or in the dissemination of public information to all the radio listeners in all of the states of the union and to the world at large."

He said broadcasters had found that broadcasting transmitters cannot substitute for the teacher or professor in the classroom, because they "cannot do the combined job of the eye and ear."

Broadcasting of public events is the best means of carrying on adult education, he said. He also declared that he had always opposed the allotment of definite time for educational programs because labeling the periods educational caused people to tune out.

On the other hand, he pointed out, it was possible for educators to formulate a definite program for educational films and projectors were available without fire hazards.

"There are 50,000 radio sets in the 250,000 schools of the country—a small but growing number," he said.

Teachers to Talk Radio

WASHINGTON, Dec. 8.—Educators from all sections of the country will meet here Thursday for a three-day conference on the role of broadcasting in education, in cooperation with the Federal Communications Commission and the Office of Education.

Among the speakers will be Anning S. Prall, F.C.C. chairman; John W. Studebaker, Commissioner of Education; David Sarnoff, RCA president, and Levering Tyson, director of the National Advisory Council on Radio in Education. Subjects on the agenda include the development of broadcasting stations as community enterprises, educational broadcasting abroad, state planning for radio, radio and propaganda, and the possibilities of television.

FCC to Hear Station Pleas

WASHINGTON, Dec. 8.—Hearings were ordered today by the Federal Communications Commission on 10 applications for permission to construct new broadcasting stations. Three of them plan the use of 1,000 watts power, the others calling for 100 to 250 watts.

They would be located at Omaha, Duluth, Brooklyn, Washington, Albany, Jacksonville, Waterloo, Ia., Los Angeles and Wichita Falls, Tex.

Hits!

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THE KALMAR-RUBY SONG BOOK

Words and music of 11 famous Bert Kalmar-Harry Ruby parody songs. With special articles (teeming with misinformation and libel) by Ben Hecht, F.P.A., Groucho Marx, Robert Benchley, Moss Hart, Irving Berlin, Marc Connelly, Nunnally Johnson and James K. McGuinness.

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RANDOM HOUSE PLAY SUCCESSES:

Nine Plays by Eugene O'Neill
NOBEL PRIZE EDITION. A selection by the author, handsomely printed and bound. $5.00

Romeo and Juliet
The motion-picture edition, containing both original and screen scripts. Illustrated. $2.00.

Boy Meets Girl, by Sam and Bella Spewack. 2nd year in New York. $2.00.

Three Plays by Clifford Odets.
Waiting for Lefty, Till the Day I Die, Awake and Sing, complete and unabridged in one volume. $2.50.

End of Summer, by S. N. Behrman. $2.00.

The Pulitzer Prize Plays
From 1918 to 1934 inclusive. Complete, unabridged. $3.50.

First Lady
by Katharine Dayton and George S. Kaufman. $2.00

Dead End, by Sidney Kingsley. $2.00.

THE THEATRE GUILD ANTHOLOGY

Complete and unabridged texts of 14 famous Theatre Guild successes — plays that will never be forgotten. Included are *Saint Joan, Strange Interlude,* and *Mary of Scotland.* 961 pages.

$3.50, at all bookstores



Berry Awaits Film Reaction To Conference

(*Continued from page* 1)

invitations were sent to members of the film industry, the only returns, so far as could be learned, came from M. H. Aylesworth, of RKO, and Nathan Yamins, president of Allied States, and it was made clear today on behalf of the latter that he accepted merely as an observer and has signed no papers aligning him with the Berry group.

At Berry's office, it was admitted that few responses were received to the invitations, but it was asserted that the film meeting was arranged at the request of somebody in the industry and was not suggested by Berry.

From such reports of intended attendance as have been procurable, it is expected that the picture meeting tomorrow will be a flop, such attendance as may be will consist almost entirely of men coming as "observers" and taking no active part in any deliberations.

Trade organization representatives in Washington expressed the belief that the Thursday and Friday meeting will be a repetition of the conference last year, when practically all industrial representatives refused to participate. There will be a fair attendance of observers but, outside of the labor groups and the representatives of the few small trades which have been cooperating only a sprinkling of delegates will be prepared to act.

No N. Y. Men to Join Washington Confabs

So far as could be learned yesterday no New York film industry representatives will attend the conference called by Major George L. Berry in Washington today for informal talks prior to the all-industry conference scheduled tomorrow.

At the Hays office yesterday it was said that Will H. Hays had been so busy since his return from Europe that he had not had time to study the proposal. Representatives of the I.T.O.A. said they would not attend. Ed Kuykendall, M.P.T.O.A. head, stated several days ago that he had not been invited.

Sir Guy Tours Canada

HOLLYWOOD, Dec. 8.—Sir Guy Standing will leave here tonight on a tour of Canadian exchanges for the Zukor Silver Jubilee Drive. He will make his first stop at Vancouver Friday night and will go as far east as Montreal, and is due to return here Dec. 24.

Ray Milland and William Frawley will leave this week for tours of cities in the midwest, New England and other eastern points. Milland will fly to Boston Thursday and will make a personal appearance at the opening of "The Jungle Princess."

"Great Guy" Booked

"Great Guy," with James Cagney, has been booked for the Criterion starting Dec. 25. It will not be double featured.

Ask 20th-Fox To Reconsider MPTOA Reply

(*Continued from page* 1)

cation, notes that 20th Century-Fox has taken off all of the restrictions with respect to the proposal for a "reasonable and unconditional minimum rejection privilege in all contracts for 10 or more features bought at the same time," with the exception of the requirement that the exhibitor take all of the 20th Century-Fox product offered at the same time, excluding foreign made pictures or pictures not produced by the 20th Century-Fox studios. "This, we feel, is a big step forward," Kuykendall said.

"We assume," the letter continues, "that where an increased cancellation privilege is justifiable, you will negotiate a selective contract with the exhibitor.

Asks Broad Cancellation

"However, we would like to have you give further consideration to the one condition which you still impose. Our suggestion was that the minimum cancellation apply to all contracts for 10 or more features, which, we think, is fair and reasonable. Perhaps the strongest and most general complaint among exhibitors on the previously used cancellation clause was that they so frequently forfeited all rights of cancellation because they did not buy the entire number of pictures released by the distributor, although they did buy a large block of pictures."

On the score charge, Kuykendall said, "As we understand your statement, you intend to continue exacting the score charge in the same manner that has been pursued by your company in previous years. It is generally conceded that there is no longer any real justification for a separate score charge." He pointed out that some of the companies have dropped the charge, and expressed the belief that all companies do not exact the charge from all accounts, and that it has been generally abolished on short subjects.

Charges Injustice

"While it may be true that you derive a substantial amount of revenue from this source, it is equally true that the exhibitors are burdened with the payment of every dollar of revenue you collect and actually get nothing in return for what they pay on the score charge. If it is just a matter of the price of the picture, why should there be deception in the quoted price?"

Referring to Kent's endorsement of the proposal for local conciliation boards, Kuykendall declared it will be necessary to work out procedure and details of operation "as we go along," and that the boards have their limitations "and will not be in a position to make or enforce final decisions in controversies submitted to them; but we sincerely believe that it is the best possible plan that can be developed under present circumstances."

Kuykendall said his organization has no objection to a central appeals board located in New York, as suggested by Kent, "if it should develop that such an appeals board would serve any useful purpose." However, Kuykendall pointed out, since no final decision or enforceable award could be rendered by the local conciliation boards, "it is difficult for us to imagine just what there would be to appeal."

Concluding his letter to Kent, Kuykendall declared that he "will probably want to confer with you and John D. Clark, as soon as I have the opportunity to do so."

Kuykendall to Head St. Louis Speakers

ST. LOUIS, Dec. 8.—In addition to Ed Kuykendall it is expected that speakers at the annual meeting of the M. P. T. O. of St. Louis, Eastern Missouri and Southern Illinois will include Building Commissioner Welsch and several members of the Missouri General Assembly. The meeting will get under way Friday at the Coronado.

Non-members as well as members have been urged to attend.

Reade Starts Another

Walter Reade has broken ground on his second unit in American Community Theatres, he said yesterday. The site is at Broadway and Spring Sts., Saratoga Springs, N. Y. The first unit is to be erected at Toms River, N. J. Both houses will seat 1,050.

To Build on W. 72nd St.

Plans are under way for the construction of a theatre on West 72nd St. between Columbus Ave. and Broadway. The property was recently acquired by Fenden Realty Corp., headed by George W. Anger.

Lesser Will Build Own Coast Studio

(*Continued from page* 1)

Breen pictures for next season will be doubled, Lesser stated. The first on the current schedule, "Rainbow on the River," will open at the Music Hall on Dec. 17 and continue for 11 days. The second, tentatively titled "Boy Blue," will go into production next March.

Lesser will sail Dec. 26 on the *Normandie* for Vienna to confer with Oscar Strauss, the composer, to write a special score for "Boy Blue." He will return in February. While here he expects to sign an important deal for Breen's third film.

In addition to the Breen trio, Lesser plans to make four Richard Arlen westerns and two Tarzan films next season. Negotiations are under way to get Johnny Weissmuller.

Lesser has Breen for six more years after he completes his third picture this season. RKO will distribute for that period. Louise Beavers and Alan Mowbray also are under contract to Lesser.

Breen, according to Lesser, has $100,000 a year guaranteed him on commercial tieups. The singer also will make records for RCA-Victor.

Richey Heads Variety

DETROIT, Dec. 8.—H. M. Richey was elected president of Variety Club last night. Other officers named were: Vice-presidents, William Carlson and Alex Schreiber; secretary, David Newman; treasurer, Jack Saxe; directors, Carl Buermele, Charles Perry, Frank A. Wetsman, B. L. Kilbride, Frank Downey and Ray E. Moon.



The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 137 NEW YORK, THURSDAY, DECEMBER 10, 1936 TEN CENTS

RKO Group to Delay Pending Further Talks

Wishes Clarification of Points in Plan

Pending further discussions with the proponents of the RKO plan of reorganization on certain features of the fairness and equity of the plan's treatment of general creditors, the unsecured creditors' committee, of which William V. Hodges is chairman, withholds the making of any recommendation to creditors with respect to the plan, it is stated in a letter distributed by the committee yesterday.

The letter enumerates a number of features of the plan which the committee believes require clarification and asserts that the proponents of the plan, Atlas Corp. and Lehman Bros., have offered to discuss with the committee the points raised by it. The letter declares that the committee believes that the proponents of the plan "directly control or represent sufficient percentages of the secured claims and of the present common stock of

(*Continued on page 9*)

Elect Wanger Prod. Member of MPPDA

Walter Wanger Prod., Inc., was elected a member of the M.P.P.D.A. at yesterday's quarterly meeting of the board of directors of the Hays organization. Wanger will be the representative of his company within the organization.

Will H. Hays, who returned on Monday from brief visits in Rome, Paris and London, reported to the board on current situations of interest to the industry abroad, and particularly upon the agreement which was reached recently with Italian officials concerning the relaxing of quota regulations and the withdrawal of money from that country by American film companies.

Producers-Writers Meeting Called Off

HOLLYWOOD, Dec. 9.—The possibility of an early signing of the pact between Screen Playwrights, Inc., and the Producers faded today when the producers canceled tonight's scheduled meeting at which they were to have considered the proposed agreement.

It is understood here that the Academy is offering some opposition, although it has made no official move to obstruct progress of the negotiations.

French Plan To Ban Duals U.S. Threat

Houses Using American Film for Doubles

By PIERRE AUTRE

PARIS, Dec. 2.—A threat to the distribution of American films in France is seen in a proposed law which the French Government plans to bring to a vote in the Chamber of Deputies, providing that only one feature film may be shown on a theatre program. Almost all French houses with the exception of the Paris first runs use double features.

The threat to American films lies in the fact that in a great many places dubbed American films are used as supporting pictures on double bills, or two American films make up the dual program. The passage of such a measure is seen as curtailing American business in France by as much as 80 per cent, but it is not expected that the measure will be brought

(*Continued on page 9*)

20th-Fox to Reply Soon to the MPTOA

Action may be taken by 20th Century-Fox late next week on the M.P.T.O.A. request for reconsideration of the distributor's decision to continue the collection of a score charge and to grant cancellation only to exhibitors who take all of the company's product that is offered to them, company officials said yesterday.

At present both Sidney R. Kent, president, and John D. Clark, general

(*Continued on page 9*)

Woolf, Rank, Portal

London, Dec. 9.—C. M. Woolf, J. A. Rank and Lord Portal are reliably reported the factors behind the recently formed Cinema Ground Rent and Properties, Ltd., £5,000,000 company which will build or acquire theatres throughout the kingdom.

Schenck and Other Loew Men Reelected

All officers of Loew's were reelected yesterday at a board of directors' meeting held at the company's home office. The officers are:

Nicholas M. Schenck, president; David Bernstein, vice-president and treasurer; Arthur M. Loew, first vice-president; J. Robert Rubin, Al Lichtman, Edgar J. Mannix, Sam Katz, Edward A. Schiller, vice-presidents; Leopold Friedman, secretary; Charles K. Stern, Charles C. Moskowitz, Len Cohen, R. Lazarus, assistant treasurers; Jesse T. Mills, Hattie Helborn, Isidor Frey, assistant secretaries.

In reporting the stockholders' meeting held Tuesday, Rubin, as chairman, was inaccurately quoted answering a query in regard to a mark-off of

(*Continued on page 9*)

Criterion Switch Irks Loew's, RKO

The Criterion switched its advertised dual bill late Tuesday night and instead of opening yesterday with "Accused" and "Captain Calamity," the twin bill program comprised "The Life of King Edward" and "Love in Exile," two G. B. films. Several weeks ago the Westminster played "The Life of King Edward" under a

(*Continued on page 9*)

'Elementary,' Says Holmes; That Also Dubs New Play

The New York theatre season had the crank turned on last night after an eventless eight days of coasting with an indifferent piece which failed to help matters. Yclept "The Holmeses of Baker Street," it had an idea which got pretty badly mangled in the churnings.

After all these years, Sherlock Holmes, out of crime and a fancier of bees, has a daughter streaked with a good deal of the same power of deduction which made him a world known literary figure and Conan Doyle a wealthy man. The White X is the almost perfect criminal who brazenly announces where and whom he will rob, but never seems to get caught. This suggests an inside job and, if you suspect somebody around Scotland Yard is familiar with the lowdown, you will be bundling with the solution. The casus belli in this instance is a Medici pearl, one of only two and the other held by that good old reliable, an Indian maharajah who simply must have both and is not

(*Continued on page 11*)

Capital Film Meet Called Off by Berry

Man With Tidings Finds Only Small Handful

By BERTRAM F. LINZ

WASHINGTON, Dec. 9.—Faced with the practical assurance that less than a handful of picture men, and all of them "observers" who would refrain from taking any part in the proceedings, would attend the conference arranged for the film group prior to the meetings of the National Council for Industrial Progress, George L. Berry, President Roosevelt's Coordinator for Industrial Cooperation, today called off the gathering at the last minute.

Berry's office sent a representative to the meeting room in the Mayflower to advise those who might attend of the suspension. As far as could be learned, the information was imparted to only four persons, two of them unidentified. The other two were Sol A. Rosenblatt, former administrator of the NRA film code, who is in Washington and dropped in to "see what it was all about," and Nate Golden of the M. P. Section of the Dep't of Commerce, who also was curious.

At the Berry headquarters the face-saving explanation was made that "various men interested in the conference talked it over and decided to

(*Continued on page 9*)

Expect Para. to Pay Preferred Dividend

The Paramount board of directors is scheduled to take action at a special meeting today on a dividend declaration on the company's first preferred stock. There are in arrears accrued dividends of $12 per share on the 250,000 shares of first preferred outstanding and indications are that payment of

(*Continued on page 9*)

Adjourned G.B. Meet Is Set for Dec. 17

By BRUCE ALLAN

LONDON, Dec. 9.—The adjourned stockholders' meeting of G.B. will be resumed on Dec. 17 at the New Gallery, it was revealed here today with the publication of the consolidated statement of assets and liabilities of the company. The initial session was

(*Continued on page 9*)

Radio News—Page 4

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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Lefko Going to Coast

PITTSBURGH, Dec. 9.—George Lefko, RKO exchange manager here, will accompany his wife to the coast next week where she plans to spend the winter for her health. Lefko plans to remain there until after the first of the year, taking in the Rose Bowl game before he returns. They leave Chicago next Tuesday on the Super-Chief.

Ascap Dividend Up Today

The quarterly dividend meeting of the Ascap board of directors is scheduled for today. Indications are that the dividend to be voted will be slightly greater than that distributed for any of the three preceding quarters of 1936. In the first quarter $980,000 was distributed; $1,030,000 in the second, and $970,000 in the third.

Pettijohn in Chicago

CHICAGO, Dec. 9.—Charles C. Pettijohn arrived here today on a business trip. He said he would leave for New York tomorrow.

Dave Palfreyman stopped off here en route from Toronto to St. Louis to attend the M.P.T.O. sessions there.



"GOLD DIGGERS"—1937 MODEL! They're digging for a cause—and Denver charity is one of them. The other's exploiting the Yule release of "Gold Diggers of 1937", which they're doing as never before with Warners' Sky Tour. SALT LAKE CITY NEXT! (Advt.)

Skouras Uptown Film Suit Again Delayed

An action brought more than a year ago by Skouras Enterprises over the sale by Twentieth Century-Fox of its product to the RKO 81st Street, allegedly in violation of the Fox franchise held by competing Skouras theatres, was postponed yesterday to Dec. 17 "in order to avoid jeopardizing a possible settlement," attorneys identified with the case said. The action was to have been called for trial today in the N. Y. Supreme Court here.

Whether or not the case will be tried next week or settled in the meantime could not be ascertained yesterday. It was learned that the plaintiff is asking a permanent injunction to prevent a future breach of the franchise of the sort alleged as a condition of consenting to the dismissal of the suit, while RKO contends that outright dismissal of the case is warranted as it was based upon a one-year product deal which was never carried out and which expired last September.

"Tobacco Road" Sues Over Ads on "Banjo"

Tobacco Road, Inc., yesterday filed a suit in N. Y. Supreme Court against Twentieth Century-Fox for $1,000,000 damages, charging that advertising of the film "Banjo on My Knee" unfairly gives the impression that the picture is based on the play "Tobacco Road."

An order, returnable today before Justice McCook, was issued requiring the defendant to show cause why it should not be restrained from continuing the advertising. It was also alleged in the complaint that the locale of the picture is the same as in the play.

Perry Oshrin, attorney for the plaintiff, stated during the hearing that "the only deduction that the public can possibly get from the advertising is that 'Tobacco Road' has been produced as a film in 'Banjo on My Knee.'"

To Ask Games Report From Chicago Mayor

CHICAGO, Dec. 9.—Kenneth Barnard of the Better Business Bureau here said today he would ask the Mayor's office tomorrow for a report on the prize drawing action. He said he was unable to get any report today from Barney Hodes, Corporation Counsel, who is preparing an opinion on the games for the Mayor.

Police Commissioner Allman today asked the Mayor for a ruling on Bank Night and other games, which makes it apparent that he probably plans action of some sort soon. Barnard declared today he has had a deluge of letters from citizens since the news first was published, with the vast majority favoring the action of the Bureau in the giveaway situation.

Denver Fines Four for B. N.

DENVER, Dec. 9.—A fine of $50 has been assessed against each of four theatre managers here for violation of the city lottery ordinance by operating matinee registration for Bank Night. The police court judge held that because registration cards were given only to those purchasing tickets the practice constituted a lottery. The managers hope to work out a plan for matinee registration that will conform with city laws.

Managers in court today were: Dave Cockrill of the Denham, Harry Goodridge of the Ogen, Lou Williams of the Mayan and Roy Notheis of the Webber. The case may be appealed. It is also believed that the fine may be suspended if the City attorney agrees.

Today's decision is expected to end grocery night and similar games where only those who buy tickets have a chance at the prizes.

Test Game Again Tonight

Loew's, which owns Bull's Eye, a new game, will test out the game for a second time tonight at the Lincoln Square. If the audience reaction proves successful, the game will be extended to other houses in the circuit.

Columbia Sale Heads Off Today for N.O.

Abe Montague, Joe McConville, Rube Jackter, Leo Jaffe and Lou Weinberg will leave today for New Orleans to attend the third two-day Columbia mid-season regional which will get under way Saturday at the Jung Hotel. New product and liquidation of contracts will be discussed with the southern sales force. The New York session has not yet been set.

Weinberg will not return until Dec. 18. He will work on a number of circuit deals while in New Orleans. The other home office executives are due to return Monday.

Dinner for Grainger

MINNEAPOLIS, Dec. 9.—Allied of the Northwest will tender a dinner Friday to James R. Grainger, general sales manager of Universal who will spend that day here.

James R. Grainger left for Chicago yesterday. He will be in Minneapolis Friday and visit off at other exchange points, reaching Hollywood about Dec. 22.

Rites for David Freedman

Funeral services for David Freedman, radio writer, were held at 2:30 o'clock yesterday afternoon at the Universal Funeral Chapel, Lexington Ave. and 52nd St. Burial was at Mount Carmel Cemetery.

Freedman died suddenly early Tuesday morning following a hectic hearing in court on Monday of his suit against Eddie Cantor.

Dr. Oberholtzer Dead

PHILADELPHIA, Dec. 9.—Dr. Ellis Paxson Oberholtzer, 68, distinguished historian and author, and the man who is credited with having limited kissing on the screen to three feet of film as a member of the state censor board from 1915 to 1921, is dead of a heart attack here. He was known during his term as an exceedingly strict censor. Among his books was "The Morals of the Movies."

C. J. Latta's Mother Ill

PITTSBURGH, Dec. 9.—C. J. Latta, assistant to Harry Kalmine, zone manager for Warners here, has gone to Indianapolis to be at the bedside of his mother, who is seriously ill. His leave will be indefinite.

Ansel W. Brown Passes

WATERTOWN, N. Y., Dec. 9.—Ansel W. Brown, deputy commissioner of the first N. Y. censorship bureau, was found dead in his apartment here yesterday. He was 67.

Six Guests at Ampa

Guests at the regular Ampa luncheon at the Edison today will include George Hummel of Times-Wide World, who will demonstrate new portable picture sending apparatus; Friedrich Feher, composer and director of "The Robber Symphony," who will introduce two players, Magda Sonja and Hans Feher, and Cyril von Baumann, explorer.

Gertrude Michael, Radio player, who has been in the hospital for the past 10 weeks, will make her first public appearance since her recovery at the meeting.

This Is Positively NOT Another Rave for 'Gold Diggers'!

"It's a Grand Comedy-Musical that Should Set Exhibs Singing!"

—DAILY VARIETY



IT'S THE FIRST COAST FLASH FOR

SING ME A LOVE SONG

with

JAMES MELTON • PATRICIA ELLIS • HUGH HERBERT
ZASU PITTS • ALLEN JENKINS • NAT PENDLETON
ANN SHERIDAN • WALTER CATLETT • HOBART CAVANAUGH

Directed by Ray Enright • Music and Lyrics by Harry Warren & Al Dubin • A Cosmopolitan Production • A First National Picture

Your Happy New Year Show from *Warner Bros.*

National Biscuit to Coast; New Show Set

HOLLYWOOD, Dec. 9.—National Biscuit Company will switch its program from the east to Hollywood on January 1 when it will inaugurate an entirely new show.

The company today approved contracts with RKO for the use of Victor Moore and Helen Broderick to star as a comedy team on the new program. It is understood that Phil Ohman's orchestra will be with the new show at the opening and that Buddy Rogers will succeed him shortly thereafter. Broadcasting will extend from 6:30 to 7:00 P.M., over the NBC-Blue network every Friday.

FCC Renews Licenses

WASHINGTON, Dec. 9.—The Broadcast Division of the Federal Communications Commission has granted renewal of licenses for the regular period of these stations:

KAST, Astoria, Ore; KBPS, Portland, Ore.; KELD, El Dorado, Ark.; KERN, Bakersfield, Cal.; KNOW, Austin, Tex.; KONO, San Antonio, Tex.; KOTN, Pine Bluff, Ark.; KSLN, Midland, Tex.; KSLM, Salem, Ore.; KWBG, Hutchinson, Kans.; KXO, El Centro, Cal.; WACO, Waco, Tex.; WAGM, Presque Isle, Maine; WATL, Atlanta, Ga.; WBNY, Buffalo, N. Y.; WCNW, Brooklyn, N. Y.; WDNC, Durham, N. C.; WELL, Battle Creek, Mich.; WEOA, Evansville, Ind.; WGAL, Lancaster, Pa.; WGL, Fort Wayne, Ind.; WHBB, Edgewood, Selma, Ala.; WHBQ, Memphis, Tenn.; WHDF, Calumet, Mich.; WHDL, Olean, N. Y.; WHEF, Kosciusko, Miss.; WHFC, Cicero, Ill.; WKBZ, Muskegon, Mich.; WOPI, Bristol, Tenn.

Evans Recouping from Stroke

HOUSTON, Dec. 9.—"Smilin'" Al Evans, organist for Loew's State Theatre and master of ceremonies for a daily KPRC feature, suffered a stroke of paralysis while on a program at the theatre, and is slowly recuperating. Evans was in charge of the morning "Tune Finders" broadcast, and also presented a 15-minute organ program daily.

WFTC Goes on Air Soon

KINSTON, N. C., Dec. 9.—Station WFTC, a new enterprise, will begin broadcasting by Christmas, according to Jonas Weiland, who will be in charge. It will be a 1,200-kilocycle station and test programs will be started during the next days.

Seattle Station to Move

SEATTLE, Dec. 9.—KOL will have new quarters in 1937. The local CBS outlet is at present occupying studios in the basement of the Northern Life Tower. The station has purchased the former Town Hall Theatre.

Asks Falls City Permit

FALLS CITY, Neb. Dec. 9.—O. C. Johnson has a petition pending before the Federal Communications Commission seeking permission to build this town's first radio station.

Faith Broadcasting Formed

WICHITA FALLS, Tex., Dec. 9.—Faith Broadcasting Co., capitalized at $75,000 has been incorporated by Tarlton Morrow, O. T. Kimbrough and H. S. Ford.

Morton New Division Head At NBC Succeeding Hedges

Alfred H. Morton, manager of NBC's program department since 1934, has been appointed head of the NBC managed and operated stations division to succeed William S. Hedges, who resigned the post several days ago to become vice-president of the Crosley Corp. Morton's appointment becomes effective on Jan. 1.

Morton came to NBC from RCA. As manager of the Washington office of RCA in 1921, he supervised the building of WRC, now NBC's key station in the Capital, and the first station built and operated by RCA. Subsequently, Morton was sent to Europe as foreign head of the RCA enterprises. His successor as head of the program department has not been set.

Gen'l Foods Head to Talk

Clarence Francis, president of General Foods, Inc., one of radio's big four time buyers—the other three are Procter and Gamble — Standard Brands & Sterling Products—will broadcast a Christmas message to the nation, in general, and to General Foods employees, in particular, on his company's "Showboat" broadcast Dec. 17, from 9 to 10 P.M., E.S.T. over the NBC-Red.

While General Foods will not confirm, it is expected that Francis will announce a bonus grant to company employees during the broadcast.

General Foods sponsors seven important radio programs, including the "Log Cabin Dude Ranch," Maxwell House "Showboat," the Jello program starring Jack Benny, Helen Hayes in "Bambi" for Sanka Coffee, Stoopnagle & Budd for Minute Tapioca, Phil Lord's "We the People" for Calumet Baking Powder, and the "Adventures of Capt. Diamond" for Diamond Crystal Salt. All programs are carried over NBC.

Winchell Re-Signed

With the renewal of Walter Winchell's contract, the John H. Woodbury Co. will have three network programs going at one time, and all on the NBC chain. The other two include the Frank Parker-Shep Fields program, and the new dramatic series starring Nick Dawson and Elsie Hitz which begins Monday, Jan. 4. Lennen & Mitchell is the agency for the account.

Winchell, incidentally, transfers his broadcasting activities to Hollywood on Dec. 20.

Extending "Town Meetings"

NBC is planning an important extension of the "Town Meeting of the Air" program, the series which last year was nominated as being the best educational program on the air by the Women's National Radio Committee. In the near future listeners from various parts of the country will be able to participate in the open forum discussions, according to arrangements now nearing completion.

Groups for regular listening to the "Town Meetings" have been organized in various key cities, including Rochester, Detroit, Chicago and Los Angeles and as soon as broadcasting equipment has been installed the local groups will be linked to the New York point of broadcasts via remote control.

Allen Goes Pro

Having presented amateurs on his program for the past two years, Fred Allen last night turned a portion of his show over to unemployed professional artists. The result was that an always enjoyable program was made even more enjoyable than usual.

Those given an opportunity to perform again included The Sweet and Low Trio, Tommy Hyde and His Honey Boys, Jim Kelso, Marion Berman and Harold Brinkman. Tommy Hyde and His Honey Boys won the first prize of $100; the girl trio took second prize of $50.

All acts were far superior to the usual run of amateur offerings. Tommy Hyde and His Honey Boys without question were entitled to the first award. However, this reviewer thought that Jim Kelso's offering should not have placed worse than second. Kelso's version of "Gunga Din" as it might be recited by an inebriate suffering with a cold was tops in entertainment. At any rate, some years ago Kelso's act was considered good enough to rate a featured spot in a Ziegfeld Follies.

The prize winners are old-time minstrel men who started in the show business way back in Lou Dockstader's days. Not so long ago they were appearing in vaudeville with a fair-to-middling juggler named Fred Allen.

Allen's "Town Hall Tonight" is heard on the NBC-Red network each Wednesday at 9 P.M., E.S.T. Bristol-Myers sponsor.

BANNER

Refused Court Enjoiner

Municipal Court Justice Sweedler of Brooklyn, who has been seeking to restrain the sponsors of the "Good-Will Court" from broadcasting the program, yesterday was refused the enjoiner by Supreme Court Justice Conway, who ruled that no restriction would be granted until the case came to trial.

To Interview Deanna

Deanna Durbin will be Radie Harris' screen guest on Friday's "Radio Movie Club" broadcast over WHN at 8 P.M., E.S.T. The broadcast will mark Deanna's first screen interview and the first time she has ever been heard on any broadcast other than Eddie Cantor's.

Cancel Cantor Special

Plans for Eddie Cantor to make a personal appearance on WFAB on Dec. 19 and deliver a greeting in Yiddish in the dramatization of his life in the weekly series of "Great Jewish Artists" were canceled yesterday when Cantor, shocked by the sudden death of Dave Freedman, decided to return immediately to the coast. If arrangements can be made before his departure, a transcription will be cut in Cantor's hotel suite and played on the program.

Book Seeley and Fields

Blossom Seeley and her husband, Benny Fields, will guest-star on the Amos 'n' Andy minstrel program on Friday. Miss Seeley and Fields were signed hastily when negotiations to secure Eddie Cantor for the program collapsed due to the death of Dave Freedman.

Manners, Clark, Et Al

Short Shots: Lucille Manners has withdrawn from the cast of "Frederika," the Shubert operetta now in rehearsal . . . Sylvia Clark, NBC singer and comic monologist, starts her first starring series on Dec. 15 over the NBC-Red . . . Stars who will be heard on WHN this Sunday at 9 P.M., E.S.T. from the Actor's Synagogue benefit at the Alvin Theatre include Jay C. Flippen, Jerry Cooper, Milton Berle, Phil Baker, Block and Sully, Phil Regan, Harry Richman, and many others . . . WHN, incidentally, begins its day's broadcasts a quarter-hour earlier than the scheduled time, effective immediately. Hereafter the station will open at 6:45 A.M. each morning . . . Ken Murray embarks on a seven-week vaudeville tour after the demise of his current program . . . Despite the switch in agencies, Lyn Murray and his vocal chorus have been signed for an additional 13-week period on the Sealtest "Saturday Night Party" program . . . Walter Cassel this week was screen tested by Warners . . . Laurence Stallings will be heard on the Dec. 18 broadcast of the CBS "Magazine of the Air" program . . . Bill Conselman, newspaper cartoonist, will be interviewed by Cecil B. De Mille on the Lux Radio Theatre Monday night . . . The dance bands of Freddie Martin and Red Norvo have been renewed for Mutual dance broadcasts . . . Fannie Hurst will speak in behalf of the Cooperative Big Sisters League over WOR tomorrow at 5:45 P.M., E.S.T. . . . Gene Byron, of Mutual's "Mollie of the Movies" program, has been screen tested by Paramount . . . Lea Ray and Anthony Martin, who formerly appeared on the networks together, have been re-united again, this time in pictures. Both have been assigned principal roles in Jane Wither's new picture, "Holy Terror." . . . Morton Downey will act the role of comedian and Ed Wynn will sing on the latter's Spud cigarette program next Thursday.

And in Hollywood

Short Shots—George H. Field, New York representative for Transco, Hollywood recording firm, reported severely injured in a motor accident in Pennsylvania. . . . Harry O'Neill, manager of United Drug Products, home after several days visiting here. . . . Ed Rice of J. Walter Thompson agency in New York to work on Shell programs. . . . Bill Royale, Margaret MacDonald, Charles Frederick Lindsley and Thomas Freebairn-Smith doing another 26 transcriptions at Associated Cinema. . . . Salvatore Santaella's orchestra is also doing "Lucky Tigers" series of transcriptions for same sponsor who backs a live program of the same title weekly from KHJ.



THAT'S NEWS!

"AFTER THE THIN MAN"
IS EVEN GREATER
THAN "THE THIN MAN"

Give an  *to the critics! Next Page*

(ear)

"PRODIGIOUS BOX-OFFICE"
says Daily (Coast) Variety

"A worthy successor to 'The Thin Man'. Dashiell Hammett carries on and the screen playwrights, Frances Goodrich and Albert Hackett score again. The personnel is led by the same top names, including Director W. S. Van Dyke, and grosses may even exceed those on "The Thin Man'. Magnetic marquee names, fascinating story handling, all spell prodigious b. o. W. S. Van Dyke's direction is flawless in combining comedy and suspense on a never-flagging level of sophisticated entertainment. Relationship between Powell and Loy is sheer delight. Screen play is outstanding, sparkling in characterization, dialog and incident. Hunt Stromberg's production is distinguished showmanship."



"BIG AT ANY BOX-OFFICE"
says Film Daily

"Big at any box-office. This gay, rollicking comedy mystery should score heavily at the box-office and cast is headed by William Powell and Myrna Loy, who were an ideal team in the 'Thin Man'. They romp through their present roles and pile up the laughs. Comedy situations are fresh, with Director Van Dyke extracting the fullest measure of fun. Albert Hackett and Frances Goodrich, who wrote the 'Thin Man' screen play, did nobly with the script for the sequel. Hunt Stromberg rates much credit as the producer."

Myrna and Bill are trying to look modest but they're proud as H... How've you been! Me too!"



"A WORTHY SUCCESSOR" *says* Hollywood Reporter

"Sequel to the smash 'Thin Man'. A worthy successor. Swell performances from Powell, Loy. Equally as hilarious in its farcical elements and equally as tense and dramatic in the unfolding of its grim mystery."



"A REAL ATTRACTION FOR ALL AUDIENCES" *says* M. P. Daily

"A real attraction for all types of audiences. Dashiell Hammett story a yarn combining hilarious comedy and deep mystery, plus melodrama and crisp dialogue. Audiences will react in lively fashion."

"MIGHTY GOOD ENTERTAINMENT" *says* Showmen's Trade Review

"Just as good as the first one; plenty of comedy suspense and action. A worthy successor to the first 'Thin Man' and if they were produced vice-versa the current one would gather just as many raves as the original production. A mighty good audience entertainment. Cast is splendid."

"PREVIEW AUDIENCE TREMENDOUSLY ENTERTAINED" *says* Los Angeles Times

"As entertaining as its predecessor if not at times a bit more. Preview audience tremendously entertained."

"And what could be sweeter for the holidays!"

(next page says it!)





THEY'RE IN THE BAG!

RKO Group to Delay Pending Further Talks

(*Continued from page 1*)

RKO practically to assure the consents required of those classes under Section 77-B of the Bankruptcy Act" for the confirmation of the plan by the court.

There is, however, approximately $8,000,000 of unsecured general claims against RKO, exclusive of the Rockefeller Ceinter claim, which are not "controlled or represented" by the proponents of the plan, and the holders of one-third of such claims could prevent confirmation of the plan. The Hodges ' committee represents the Karl Hoblitzelle and U. S. National Bank of Denver claims, which together aggregate more than $1,500,000. The letter makes the admission that the committee does not now represent one-third of the general unsecured claims but makes an appeal for additional representation.

Features of the plan which the committee intimates it will discuss with the plan's proponents include the question of "whether or not the probable cash earnings available to RKO will adequately cover the proposed fixed charges; the proposed authorization of new debentures and preferred stock far in excess of the requirements of the plan and of warrants for common stock, all issuable by the board of directors at their discretion as to time and price and without stockholders' consent; the apparent intention to place Rockefeller Center and other claimants who may have special interests, in the same class, for voting purposes, as other general claims; the proposal to cut the face amount of creditors' claims while providing for participation by present stockholders."

Additional Objections Recounted

The latter also points out to general creditors that the plan does not provide for a sinking fund for retirement of preferred stock which will be issued to them, that the stock will be callable at par and accrued dividends at any time, that the convertibility rate for the preferred is less than that for the debentures, and that the plan recognizes or confirms the lien status of old RKO debenture holders, which, the letter asserts, "is a matter of controversy."

The letter was prepared by Carlos Israels of White & Case, attorneys for the committee.

20th-Fox to Reply Soon to the MPTOA

(*Continued from page 1*)

sales manager, are out of town and no reply will be made during their absence, it was said. Clark is scheduled to return here Monday and Kent may be back from the coast before the end of next week.

Paramount's reply to M.P.T.O.A.'s 10 trade practice proposals is expected either today or tomorrow after having been delayed for some time due to the illness of Austin Keough, Paramount general counsel. The company's statement was completed some time ago, but its release has been held up while awaiting Keough's scrutiny.

Drop Reels from Air

Fox Movietone News executives watched their own reels and decided that if the rebels could drop bombs on Madrid and the Russians could ease a regiment of soldiers into the atmosphere with parachutes they could do the same thing with newsreel prints.

That's how isolated towns in Australia got showings of this year's Melbourne Cup race almost as soon as Melbourne and Sydney.

Prints were dropped with parachutes from the Sydney-Melbourne mail plane at Junee and Wagga and at Newcastle and Grafton from the Sydney-Brisbane plane.

Criterion Switch Irks Loew's, RKO

(*Continued from page 1*)

different title, namely "The Life of the Prince of Wales."

In instances where the Criterion shows two first run pictures Loew's and RKO are objecting to dating these films in neighborhood houses, the contention being that they do not follow any Broadway theatre booking two first runs.

Although RKO has a contract for a number of G. B. films, the current Criterion attractions are not in the circuit's list of bookings. It was said at the circuit's headquarters yesterday that these films had not been bought.

With "Accused" and "Captain Calamity" scheduled to follow the present show at the Criterion, Loew's has both bought. It is reported the circuit may not pick them up since it is not in line with its policy to follow a twin bill first run showing.

RKO, however, will pick up "The King of Hockey," which was one of the two pictures that bowed out Tuesday night. "Tundra" was the second. This program garnered approximately $9,000.

"Winterset" at the Music Hall wound up a week's run last night at approximately $70,000.

Schenck and Other Loew Men Reelected

(*Continued from page 1*)

$2,396,172.30 on the consolidated statement. MOTION PICTURE DAILY said the money "was marked off as a result of money invested by Irving G. Thalberg in stories and scripts at the time of his death."

What Rubin said was that this sum was chalked off because of a series of accumulated scenarios and stories over a period of 10 years and which it was expected Thalberg would do.

Schencks, Kent Meet

HOLLYWOOD, Dec. 9.—Nicholas M. Schenck arrived here today. It is understood that he immediately joined Sidney R. Kent and Joseph M. Schenck for a meeting with Isidore and Maurice Ostrer at the Beverly Hills Hotel where the English executives are stopping.

Capital Film Meet Called Off by Berry

(*Continued from page 1*)

go into conference without any preconceived program and wait and see what the conference talked about." In informed quarters, however, it was said the meeting was called off for the simple reason that if it was held, there would have been so few present that it would be ridiculous. The only acceptance from the more than 20 invitations sent out, as far as could be learned, came from Allied States, which desired to have a representative present as an observer.

It was learned today that the suggestion for the film session did not come from the industry, as Berry's office has insisted, but from Lowell Mason, once counsel for the Darrow code-investigating board, and now a local attorney, who is a member of the Council's fair practices committee.

Labor Subjects Unpopular

The suggestion, it was said, was received favorably by industry independents, until it was made clear that the meeting would not discuss block booking, cancellation or other purely film problems, but would be confined to consideration of minimum wages and maximum hours. At that point interest began to wane.

Indications today were that the main meeting will be a failure, as it was last year. Council officials privately admitted that they expected tomorrow's attendance, with the exception of the labor group and a few small organizations, would be composed almost entirely of "observers."

Expect Para. to Pay Preferred Dividend

(*Continued from page 1*)

the entire two-year accrued dividend, amounting to $3,000,000, will be authorized.

Paramount will receive a dividend of approximately $1,000,000 on its stock holdings in B. & K., on which a $5 dividend was recently voted. This and other dividends from the company's theatre subsidiaries, authorized during the current quarter, are expected to boost earnings well above the $3,000,000 mark for the quarter and net for the year to more than $5,000,000.

No dividend action is anticipated at today's meeting on the second preferred which is in arrears $1.20 per share.

Vote Technicolor Bonus

The board of directors of Technicolor Corp. yesterday voted a bonus to all employes who have been with the company three months or longer, amounting to one or two weeks' salary, depending upon length of employment. Distribution will be made on Dec. 15. The action was taken on the recommendation of Dr. Herbert T. Kalmus, president.

Allen Gets G. N. Films

TORONTO, Dec. 9.—Harry Allen, Toronto film exchange man, has been appointed Canadian distributor of Grand National Pictures.

French Plan To Ban Duals U.S. Threat

(*Continued from page 1*)

before the Chamber for some time to come.

In view of the fact, especially, that such a decree would tend to contravene the recently enacted Franco-American trade treaty, strong opposition from American interests is certain to follow the attempt to enact such legislation.

It is understood that the Government's plan, which would spur the production and exhibition of short subjects, includes a requirement that Government-sponsored propaganda subjects be shown on each program.

Current political complications are seen as causing the delay in the introduction of the measure.

Adjourned G.B. Meet Is Set for Dec. 17

(*Continued from page 1*)

adjourned on Nov. 2 following a heated discussion featured by sharp criticism of the G. B. financial statement, described as inadequate and presenting no true picture of the company's financial position.

The publication of the statement was necessary before the date for the resumption of the meeting could be set. The statement lists the assets and liabilities of the company and 64 subsidiaries, but gives no details of individual companies.

The liabilities included £1,048,758 due to creditors; £1,301,339 in debentures and loans of subsidiary companies; £5,292,622 in "amounts attributed to shares of subsidiaries not held within the group," apparently referring to outside shareholders. The total was given at £21,724,357.

The credits included investments of £11,029; released and unreleased films and advance production costs, £1,378,908; investments in associated companies and money due from them, £1,353,436. Fixed assets, including studios and theatres were listed at £16,273,149. What was explained as the amount paid in excess of the sum at which subsidiary properties can be valued was listed at £1,638,341.

"Diggers" at Salt Lake

SALT LAKE CITY, Dec. 9.—Warners' "Gold Diggers" are due here tomorrow morning on the home stretch of their round-the-country flying trip. They will be met at the Municipal Airport by a delegation from the Chamber of Commerce and the Mayor's representatives.

Presentation of a key to the city, lunch at the Chamber of Commerce, a broadcast over KDYL and an appearance at the Orpheum are on the program.

Bell Has Sound Device

Flutter, the distortion caused by variations of film speed and density, can be measured with greater accuracy than before by equipment developed by the Bell Telephone Laboratories, V. Subrizi, special sound film researcher for Bell, told Erpi technicians at a demonstration.

"Smart Girls" Dual Top Draw On the Coast

Los Angeles, Dec. 9.—"Three Smart Girls," on a dual with "In His Steps," turned in excellent showings at the Pantages and Hillstreet. At the former the $11,700 take was over normal by $3,700 and at the latter the $10,500 gross was up by $2,500.

"Go West, Young Man" was in the money in a big way, with the help of a stage show at the Paramount. The $22,500 take was $4,500 over normal.

Elsewhere business was dull.

Total first run business was $100,827. Average is $107,950.

Estimated takings for the week ending Dec. 9:

"LLOYDS OF LONDON" (20th-Fox)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days. 2nd week. **Gross:** $9,000. (Average, $17,000)

"BORN TO DANCE" (M-G-M)
"15 MAIDEN LANE" (20th-Fox)
CHINESE—(2,500), 30c-55c, 7 days, 2nd week. **Gross:** $10,095. (Average, $12,500)

"AS YOU LIKE IT" (20th-Fox)
4 STAR—(900), 30c-55c, 7 days. **Gross:** $3,497. (Average, $3,250)

"WALPURGIS NIGHT"
GRAND INTERNAT'L—(750), 35c-40c, 7 days. **Gross:** $2,200. (Average, $1,200)

"THREE SMART GIRLS" (Univ.)
"IN HIS STEPS" (G.N.)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $10,500. (Average, $8,000)

"BORN TO DANCE" (M-G-M)
"15 MAIDEN LANE" (20th-Fox)
LOEW'S STATE—(2,500), 30c-55c, 7 days, 2nd week. **Gross:** $13,435. (Average, $14,000)

"THREE SMART GIRLS" (Univ.)
"IN HIS STEPS" (G.N.)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $11,700. (Average, $8,000)

"GO WEST YOUNG MAN" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: Eddie Rio, Jerry Coe, Irene Taylor, F. & M. revue. **Gross:** $22,500. (Average, $18,000)

"ANTHONY ADVERSE" (W.B.)
WARNER BROS. (HOLLYWOOD)—(3,000), 30c-65c, 7 days, 2nd week. **Gross:** $7,900. (Average, $14,000)

"ANTHONY ADVERSE" (W.B.)
WARNER BROS. (DOWNTOWN)—(3,400), 30c-65c, 7 days, 2nd week. **Gross:** $10,000. (Average, $12,000)

Delay "U" Short Seal

Universal has forwarded to the Ohio censor board at Columbus the dialogue sheets on "You Can't Get Away With It," short subject on the work of the Federal Bureau of Investigation and featuring J. Edgar Hoover, its head. The Ohio censor has held up approval of the subject pending a study of the dialogue, and it was said at Universal that the board has not rejected the subject, but merely delayed its decision.

Set Berlin's Next Film

Hollywood, Dec. 9.—Irving Berlin's second musical production for 20th Century-Fox will be "Alexander's Rag Time Band," the title of one of his popular songs. The film was described by Darryl F. Zanuck as a "cavalcade of American music," from 1910. Berlin will come to New York for the holidays.

May Close in St. Louis

St. Louis, Dec. 9.—Fanchon & Marco have threatened to close the Orpheum, it is understood, unless the I. A. T. S. E. makes some concession on the hiring of stage hands. Five are on the payroll at all times, but the house has no stage shows.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Beloved Enemy"

(Goldwyn-United Artists)

Hollywood, Dec. 9.—Against the tensely dramatic background of the Dublin uprising of 1921, this film tells a stirring love story. Supported by class production and high calibre acting and direction, the picture has a potent appeal for general audiences. Told in impressive fashion with qualities of human interest rather than artificial theatrics, the picture is a worthy addition to the list of Goldwyn productions.

Opening in a stirring tempo, Brian Aherne is the audacious leader of Irish rebels continuing their age-long fight for independence. To Dublin comes Henry Stephenson, English emissary, accompanied by Merle Oberon, his daughter. The first meeting between Aherne and Miss Oberon arouses mutual admiration which ripens into affection as the girl is sympathetic to Irish womanhood, the tragic sufferers of the horrors of war. Almost betraying Aherne into British hands, the girl later admits her treachery and, when Aherne's liberty is again jeopardized, pleads with him to accept the invitation of her father to a diplomatic discussion of their problems.

Overcoming the objections of the die-hards led by Donald Crisp, Aherne leads the Irish delegation into London. With the romantic relation between the leads ripening into love, Miss Oberon is the influencing factor which induces Aherne to cast the vote establishing the Irish Free State. Admitting that he is signing his own death warrant, Aherne returns to his homeland to plead with his people to accept the new status and live in peace. Iron-willed Crisp, dedicated to the cause of absolute separation, decrees that Aherne must die. Jerome Cowan is named as executioner. In spite of a heart-touching plea from Miss Oberon, Cowan carries out his orders and the girl's man dies in her arms.

With Aherne and Miss Oberon giving performances certain to win audience approval, Karen Morley, Stephenson, Cowan, David Niven and Crisp are effective as the principal supports. The remainder of the cast is also convincing. The original by John Balderson and the screen play on which he collaborated with Rose Franken and William Meloney powerfully combines understandable and believable romance and drama. The direction of H. C. Potter forcefully blends the elements of the story and the abilities of the players.

Production Code Seal No. 2,902. Running time, 85 minutes. "G."

"Sinner Take All"

(M-G-M)

Hollywood, Dec. 9.—Although lacking in sock name value, this mystery baffler is good average entertainment. With concentration on drama and melodrama, the meager romantic content does not lower the film's amusement and commercial value for those who enthuse over mystery and crime stories featuring plots with clever solutions. Moving at an attention-holding pace, the film keeps the identity of the killer hidden until a climax is reached.

Margaret Lindsay, a socialite; Charley Grapewin, her father, and George Lynn and Theodore Von Eltz, her brothers, receive death threats. Bruce Cabot, a reporter on Grapewin's paper, together with Edward Pawley, police captain, start an investigation. As a suggestion of romance involving Miss Lindsay and Cabot arises, Grapewin, Lynn and Von Eltz are slain. Joseph Calleia, gambler and gangster, is suspected. Cabot and Miss Lindsay make an alliance with him and take up the trail of the killer, which leads in the direction of Stanley Ridges, Cabot's boss, who confesses his guilt just prior to his suicide.

The work of Miss Lindsay and Cabot is good, as is that of Grapewin, Calleia, Ridges, Vivienne Osborne, Von Eltz, Lynn and Pawley. Eadie Adams, a newcomer, is introduced for one night club song number. The screenplay of Leonard Lee and Walter Wise is based on the popular crime novel of Whitman Chambers and points for thrills and chills, factors which are well taken care of by Errol Taggart's direction.

Previewed without Production Code Seal. Running time, 77 minutes. "G."

Portland Booth Burns

Portland, Dec. 9.—A third subsequent run theatre fire in a short time destroyed the projection room of the Bluebird last night. Manager Phil Narlin figures the damage at about $500.

Stapel Heads Press Unit

Kansas City, Dec. 9.—John C. Stapel, exhibitor at Rock Port, Mo., and president of the Kansas-Missouri Theatres Ass'n, was elected president of the Missouri Press Ass'n at its annual convention in St. Louis.

Short Subjects

"Utah Picture Book"

(DuWorld)

A photographic study in color of the almost inspiring natural architecture of the great canyons which are a scenic feature of the state, this subject, produced by Bruce Merman, is of pictorial interest. The color photography sometimes fails to bring out the full splendor of the rock formations, and the device of an old native describing a painter's reactions to the natural wonders might have been improved, but on the whole the subject is effective.

No production code seal. Running time, 10 mins. "G."

"Music, Music Everywhere"

(Paramount)

Cleverly built about the title, this features the music of Clyde Lucas' orchestra. There are fine interpretations and variations of "Dark Eyes," "Song of the Islands," a Mexican number and others which are splendidly recorded. The musical numbers are interspersed with scenic shots relating to the compositions. Production Code Seal No. 01,175. Running time, 10 mins. "G."

"Sus-Ti-Ka"

(DuWorld)

Produced by Bruce Merman and photographed by H. C. Gibbs, this short presents an interesting color picture of the area about Mount Shasta in the west, which is occasionally beautiful in its scenic effects. The rugged grandeur of Castle Crag Wilderness Park and Lassen Volcanic National Park, the snow-covered mountain peaks and the occasional animal life visible, make for a pleasing subject.

No production code seal. Running time, 10 mins. "G."

"Northern Lights"

(Vitaphone)

An E. M. Newman travelogue of compelling interest and beauty. Done in color and with many finely composed scenes, the film gives interesting glimpses into the life and activities of Sweden. Production Code Seal No. 01,264. Running time, 10 mins. "G."

"A Story of a Rose"

(DuWorld)

With a technique involving human characters, marionettes and cartoon effects, this is neither more nor less than a novelty, which is handicapped by the fact that the marionettes, as compared with the usual cartoon product, appear to move with such stiff artificiality. The Cinecolor effects are fair, as the short tells of a shepherd who wooed a princess with a rose, aided by gnomes and a fairy. For youngsters, perhaps.

No production code seal. Running time, 10 mins. "G."

Start Terminal Uptown

Construction has been started by the Leff-Meyers circuit on a new 600-seat theatre, to be called the Terminal, at 170th St. and Grand Concourse.

To Meet Committee On Union Agreement

Representatives of Local 306, the Allied Union and the I.T.O.A. will meet with the members of the survey board appointed by Mayor LaGuardia, probably next week, in an effort to arrive at a settlement of several points in dispute in the agreement being negotiated for the absorption of Allied by Local 306, it was learned yesterday.

Since the "agreement to agree" signed some time ago, the representatives of the three organizations involved have been formulating an agreement, with the Mayor's board remaining out of the picture. However, as was originally intended, the board will be consulted in view of the inability of the parties involved to arrive at complete agreement. A session with the board earlier this week resulted in failure to find a suitable date for the meeting. The original basic agreement to reach a settlement of the situation expires on Jan. 11.

Ship Strike Hitting Oregon Coast Houses

PORTLAND, Ore., Dec. 9.—The protracted maritime strike on the Pacific coast is proving disastrous to theatre box-offices in the suburban centers in this area.

The strike has now passed its first month, and is affecting not only shipping employes, who make up a large portion of the population of many of the coast towns, but also those engaged in lumbering operations, since shipments are so heavily curtailed as to seriously affect the industry.

Hance Back on Job

PENSACOLA, Fla., Dec. 9.—Monte Hance, manager of the Saenger theatres here, has returned to his duties after an illness of six weeks, with arthritis.

Wall Street

Paramount Declines on Board

	High	Low	Close	Net Change
Columbia	37½	37¼	37¼	— ¼
Consolidated	4⅞	4⅞	4⅞	.....
Eastman	177⅝	176	177⅝	+1⅛
Eastman, pfd.	163	163	163	—1
Gen. T. Equip.	27½	27	27	.....
Loew's, Inc.	64⅞	64	64⅝	+ ¼
Loew's, Inc., pfd.	106	106	106	.....
Paramount	23	22¼	22⅜	— ⅜
Paramount 1 pfd.	170	167	167	—2
Paramount 2 pfd.	21	20¼	20¾	— ¼
Pathe Film	10¼	9⅞	10	+ ½
RKO	8¼	8⅛	8⅛	.....
20th Century-Fox.	37½	37⅛	37½	+ ⅛
20th Century, pfd.	46¾	46¼	46¾	+ ¼
Warner Bros.	17⅜	16⅞	17⅛	— ⅛

Technicolor Gain Continues

	High	Low	Close	Net Change
Grand National	3½	3¼	3⅜	.....
Sentry Safety	¾	¾	¾	— ⅛
Sonotone	2	1⅞	2	+ ⅛
Technicolor	23¾	22	23⅜	+1⅜
Trans-Lux	4⅜	4⅜	4⅜	— ⅛

Bond Trading Uneven

	High	Low	Close	Net Change
Keith B. F. 6s '46	98⅝	98⅛	98¼	— ¾
Loew's 6s '41 ww deb rights	101¼	100¾	100¾	— ⅜
Paramount B'way 3s '55	71½	71½	71½	.....
Paramount Pict. 6s '55	100¼	100⅛	100¼	+ ⅛
RKO 6s '41 pp	116¾	116½	116½	— ¼
Warner Bros. 6s '39 wd	98½	98⅛	98½	+ ½

(Quotations at close of Dec. 9)

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Mind Your Own Business"

(Major-Paramount)

HOLLYWOOD, Dec. 9.—How editors on mature subjects might act if suddenly made gossip columnists forms the basis for this amusing farce. Charles Ruggles, conductor of a column on birds and bees, finds himself suddenly famous when Alice Brady, his wife, writes his column, a la Winchell. Ruggles finds himself catapulted upward from obscurity and becomes involved in entanglements with gangsters which are depicted hilariously. He is finally rescued from his difficulties by a Boy Scout troop of which he is an honorary member after calling upon his full knowledge of scout lore.

The wholesome nature of the theme gives the picture both adult and youthful appeal while the use of the local scout troop, the members of which, incidentally, give good support, suggests exploitation possibilities which exhibitors should play to the hilt. The direction of Norman McLeod is brisk and the screenplay, which Dore Schary wrote from the story by John Francis Larkin, is kept moving constantly.

The supporting players include Lyle Talbot, managing editor of the paper; Benny Baker, Frankie Darro, office boy and scout, and Jack LaRue, Paul Harvey, Gene Lockhart and Bill Demarest as assorted gangsters and politicians. The Emanuel Cohen production is well geared for the commercial market and is neither extravagant nor pinched. Exhibitors backing this with average effort may expect better than average returns.

Production Code Seal No. 2,911. Running time, 75 minutes. "G."

'Elementary,' Says Holmes; That Also Dubs New Play

(*Continued from page* 1)

above turning the London underworld out after it when the lawful owner refuses to sell and is murdered for his obstinacy.

The daughter, played by Helen Chandler who is always charming even when given woefully little worthwhile to do, as prevailed last evening, tries her hand at the Holmes technique and comes off with a couple of colors flying while the chief detecting honors continue to go to her father.

There is Watson, snowy-haired now, and Mrs. Watson, played with humor and fun by Cecelia Loftus and a love palpitation furnished by Don Dillaway, falsely accused of the banditry. There is also a vague charm about the age-old relationship between Holmes and his Boswell and a clever idea in introducing the daughter. But, whether in the original by Basil Mitchell or in the adaptation for this stage by William Jourdan Rapp and Leonardo Bercovici, the possibilities were far from drained. More expertly written, acted and produced, this "Holmeses of Baker Street" might have been something.

"Elementary, my dear daddy," the dialogue causes Miss Holmes to remark to her pater. She was quite right.

Plans Membership Drive

PITTSBURGH, Dec. 9.—Under their new president, Morris Rosenberg, the M.P.T.O. of Western Pennsylvania is planning a drive for new members to get under way shortly after the first of the year. Every independent exhibitor in this territory will be contacted. Bennett Amdur, manager of the Garden on the Northside, will be chairman.

Trees Get Her

Hollywood, Dec. 9.—Maureen O'Sullivan takes this "Tarzan" business seriously. The actress has just ordered a sun deck built above the play room in her Beverly Hills home. The only means of entrance will be from the tree tops, or a ladder.

Loew Expands Field For Its Moviegoer

With 36 Greater New York theatres now distributing the magazine, Loew's will add 10 theatres to the list of *Loew's Moviegoer* with the January issue and thereby increase the circulation to 425,000. Arrangements have been completed for placing the February issue in the circuit's theatres in Washington, Baltimore, New Haven, Springfield, Mass., Worcester, and five other New England spots. Oscar Doob is editor.

To Seek Denver Charter

DENVER, Dec. 9.—Incorporation and opening of clubrooms are among the future plans of the local Yellow Dog Chapter, as decided at the last business meeting. Officers for 1937 were elected as follows: Harry Golub, chief mongrel; Bill Williams, worthy mongrel; Ross Bluck, keeper of the bones; J. J. Morgan, keeper of the fleas, and Eddie Loy, Joe Dekker and Ross Bluck, trustees.

The membership decided to restrict active members to those in the amusement and affiliated industries.

Variety Club

Cincinnati

CINCINNATI, Dec. 9.—Barkers and their guests were royally entertained recently by HARRY HOWARD'S "Hollywood Revue," appearing at the RKO Shubert. The affair was arranged through the efforts of ARTHUR M. FRUDENFELD, sideshow main guy. He will have LUM and ABNER at the club next Saturday night.

The New Year's Eve party this year promises to eclipse all similar events. RALPH KINSLER is in charge of reservations.

JOE GOETZ has been named chairman of schedules for screenings of pictures at the various local institutions, for which the club recently has provided portable projection equipment.

Kansas City

KANSAS CITY, Dec. 9.—Listing of prizes for the Variety Club-*Kansas City Star's* annual bowling tournament Dec. 19 and 20, funds of which are used to supply underprivileged school children of Kansas City with milk, has been started off in the *Star*. The first five prizes are six months' passes to each of the first-run theatres.

RUBE FINKLESTEIN of the Belmont contributed a fan defroster; HAROLD LUX of the Screenland Cafe, two boxes of cigars; FRANK LAMBADER, four sport watches, and NORRIS CRESSWELL, 15 $5 portraits.

Chief Barker FRANK HENSLER of M-G-M and ERNIE MEHL of the *Star* are handling the job.

Milwaukee

MILWAUKEE, Dec. 9. — Variet-Club's midnight première of "Camille," already twice postponed, has been set back from Dec. 5 to some time early in January, the definite date to be announced later. Ticket sales have been reported as being brisk with proceeds to go to the club's Heart of Variety fund. H. J. Fitzgerald, general manager, Wisconsin Amusement Enterprises, is chairman of arrangements for the showing, which will be held at the circuit's Wisconsin here.

Philadelphia

PHILADELPHIA, Dec. 9.—Tent No. 13, Variety Club, has elected BEN AMSTERDAM as chief barker. Other officers named are: First assistant chief barker, LEWEN PIZOR; second assistant, SAM SCHWARTZ; property man, MILTON ROGASNER; dough guy, CHARLES SEGALL; delegate to national convention, EARLE SWEIGERT; alternate, LEONARD SCHLESINGER.

Raise St. Louis Wages

ST. LOUIS, Dec. 9.—Wage increases have been given all all along the line to employes of the Ambassador, Fox and Missouri by F. & M. The totals will run to $15,000 a year. Cashiers and doormen start at $16.50 per week, with increases every six months. Ushers and cleaners start at $15. They also get the six-month boosts.

Plan New Warsaw Studio

WARSAW, Nov. 27.—A new studio, to be financed by Polish, American and English interests, will be built here in the near future. At present there are three studios in the city.

Purely Personal

C. C. MOSKOWITZ, Marvin Schenck, Carl Levi, Eugene and Leonard Picker, Lou Weinberg, Truman Talley, Lew Lehr, George Weeks, Monte Proser, Herman Gluckman, Henry Brown, Mitchell Klupt, Sam Rinzler, Louis Frisch, Max A. Cohen, Harry Ross, Jack Barnstyn, Jacob Glucksman, Charles D. Paine, Edward Golden, Norton Ritchey, Jr., Tom Waller, Harry H. Thomas, Al Friedlander, Jules Chapman, J. R. MacFarland, Alan Friedman, Emil Jensen and Arnold Van Leer were among those congregating at the Tavern yesterday for their mid-day repast.

•

Milt Kusell returned yesterday from Buffalo and Albany where he introduced Marsha Hunt to the Paramount sales forces. Miss Hunt spoke to the local exchange sales staff and today she will leave with Kusell for Washington and Philadelphia for similar talks. They will return Saturday when Kusell will see his mother and sister off for the coast where they will spend the winter.

•

Joseph Bernhard, S. Charles Einfeld, Clayton Bond, Stewart McDonald, Robert Mochrie, Harry Goldberg, Mort Blumenstock, Abel Vigard, Frank Phelps, Edward Hinchy, Harry Rosenquest and Jim Brennan will comprise the Warner delegation to the Philadelphia Variety Club dinner Sunday night.

•

Abraham Bernstein, New York editor of *The Hollywood Reporter*, yesterday became a father for the second time. The new-born is a boy. Weight, eight pounds. Arrival place: The Jewish Hospital. The first born is a girl, now four years old.

•

George Weeks, general sales manager for G. B., will leave for Cleveland today to attend a Variety Club affair tomorrow night. On Sunday, he will meet Arthur Lee in Philadelphia for the Variety Club party in that city.

•

Luli Deste—in private life Baroness Godfried Hohenburg of Austria—will arrive from London on Saturday en route to Hollywood, where she is under contract to B. P. Schulberg.

•

Howard S. Cullman, trustee for the Roxy, yesterday became the father of a nine-pound girl. Mrs. Cullman is reported doing nicely at the Lenox Hill Hospital.

•

R. C. Sherriff sailed yesterday on the *Berengaria* for England. He recently finished adapting "The Road Back" for Universal.

•

Roy Simmonds, head of Twentieth Century-Fox publicity in England, sailed yesterday for home on the *Normandie*.

•

Sidney M. Biddell, story editor for Grand National, has put back his departure for the coast until Saturday.

•

Johnny Dowd, head of publicity for RKO Theatres, takes the leap when he marries Muriel Gerson.

•

Abe Lastfogel, general manager of the William Morris Agency, in from Hollywood.

•

Joe Manciewicz of M-G-M arrived via American Airlines from the coast yesterday.

•

H. B. Warner and Brian Aherne are due on the *Bremen* today.

•

Joan Woodbury is here from the coast preparatory to joining Francis Lederer in a personal appearance tour starting at the Metropolitan in Boston.

•

J. Walter Ruben arrived in New York yesterday by plane.

•

Fred Meyers will leave tonight for Rochester and Syracuse.

•

Dave Loew is due in town after the first of the year.

•

Arthur Lee is back from a trip to the midwest.

•

Max Fellerman left yesterday for Minneapolis.

•

M. A. Schlesinger is back from the coast.

Out Hollywood Way

Hollywood, Dec. 9.—Murray Garson, investigator for the Sabath Committee, off for New York today by plane. RKO reorganization hearings his destination.

Production of "A Star Is Born," held up recently by the illness of William A. Wellman, director, has been resumed by Selznick-International with Jack Conway substituting as director.

Warners to star Claudette Colbert in "Tovarich." . . . Charles Ruggles gets lead in "Tightwad," Paramount. . . . Gloria Stuart recovering from hand injury sustained when carbonated water bottle exploded. . . . Lloyd Crane, under contract to Major, joining Santa Barbara stock company for stage experience. . . . Mary Livingston and Bob Burns to Phoenix for a Christmas benefit. . . . M-G-M dickering with Robert Ripley on a series of "Believe It or Not" shorts.

Newly formed Victor Schertzinger-Zion Myers unit to start shooting about Jan. 1. . . . Will pick studio soon. . . . Fenn Kimball, president of General Pictures, and Bob Walsh, production chief, moving their organization to larger quarters in the Culver City Hotel. . . . "Dangerous Number," starring Ann Sothern and Robert Young, starts at M-G-M.

✚

Casting—Harlan Briggs, Harry Davenport and Robert C. Fisher in "Maytime," M-G-M, . . . Thelma Leeds in "Robber Barons," and Loüis Hayward on loan from Universal in the top role of "Escadrille," Radio.

✚

Story Buys—Two originals, "Disciples," by Leon Gordon and Charles Vidor, and "Headquarters," by Arthur Arthur, acquired by Twentieth Century-Fox.

Exhibitors Who Pioneered "Elizabeth" to Get Medals

More than 200 exhibitors or their families who showed "Queen Elizabeth," the first feature length film brought to this country by Adolph Zukor, are to be given silver medallions by Paramount. It will be one of the features of the Zukor Silver Jubilee, according to Neil F. Agnew, vice-president and general sales manager.

The list contains exactly 204 names. Of these, 104 are in the eastern division, 68 in the western division and 30 in Canada. By cities they split up as follows: New York, 16; Brooklyn, six; Philadelphia, two; New Haven, three; Columbus, six; Pittsburgh, 10; Jacksonville, 14; Oklahoma City, six; Cincinnati, 14; Atlanta, four; Dallas, 12; San Antonio, five; New Orleans, eight; Seattle, 11; Sioux Falls, three; Salt Lake City, two; Milwaukee, four; St. Louis, two; Chicago, 10; Kansas City, three; Portland, 10; San Francisco, 23.

A complete list of exhibitors and the exchanges which serve them follows:

Atlanta: Tony Sudekum, Nashville; Albert Settile, Charleston, S. C.; Adolph Cortatowsky, Albany, Ga.; Oscar Morgan, Paramount Exchange.

Brooklyn: Rudy Sanders, J. Motta, Morris Kutinsky, Max Leventhal, Joseph Finger, and Morris Goodman.

Chicago: N. Wolf, A. Roth, Aaron Jones, Barney Balaban, Herman Schoenstadt, Claude Sigler, Julius Goodman, J. Lerner, Argo, Ill.; William Pearl, Highland Park; Ezra Rhodes, South Bend, Ind.

Cincinnati: Jerome Jackson, Charles Weigle, Ike Libson, Herman Bley, F. W. Huss, Jr., Peter L. Smith, Bellevue, Ky.; A. J. Holt, Carthage, O.; A. B. Hyman, Huntington, W. Va.; H. Bank, Williamson, W. Va.; H. L. Binder, Xania, O.; R. E. and E. J. Myers, Chillicothe, O.; H. C. Willet, Morehead, Ky.; Hartley Battson, Morehead.

Columbus: George Zeppos, the Rex, Wheeling, W. Va.; T. K. Kearse, the Kearse, Charleston, W. Va.; Max Stearn, the Southern, Columbus; M. E. Hynes, Opera House, Buckhannon, W. Va.; Joe Adorno, the Savoia, Columbus; and Al Taylor, the Dixie, Columbus.

Dallas: Oscar Korn, L. G. Bissinger, J. D. Jones, San Angelo, Tex.; D. C. Caraway, Clifton, Tex.; Roy W. and B. C. Howell, Coleman, Tex.; John W. Howell, Coleman, Tex.; T. Miller Davidge, Durant, Okla.; Harry Gould, Fort Worth; M. Kindel and M. Sadler, Weatherford, Tex.; J. W. Courtney, Mineral Wells, Tex.

Jacksonville: Mayor John T. Alsop, Jr., Frank Montgomery, Judge A. T. Titus, Daytona Beach; L. B. Kalbfield, Palatka; S. Beacham, Orlando; C. D. Cooley, Tampa; Carle Kettler, West Palm Beach; Fred L. Williamson, Winter Haven; N. W. Remond, Lake Wales; M. Bennett, Ocala; B. B. Garner, Lakeland; S. A. Lynch, Miami; E. J. Sparks, Miami; and Earle M. Fain, Lossburg.

Kansas City: A. F. Baker, M. W. Reinke, E. Van Hyning, Iola. Kan.

Milwaukee: George Fischer, Otto Meister, John Adler, Marshfield, Wis.; Otto Andres, Cudahy, Wis.

New Haven: I. J. Hoffman, Peter Perokas, Palace, New Britain; C. H. Wilkinson, the Wilkinson, Wallingford, Conn.

New Orleans: E. V. Richards, M. H. Jacobs, Victor Howard, F. H. Heiderich, Bertrand Kiern, Julius Scharff, New Iberia, La.; J. C. Keller, Eunice, La.; E. C. Breaux, Houma, La.

New York: William Brandt, Leo Brecher, Morris Fleishman, Charles Steiner, A. H. Schwartz, Lawrence Bolognino, Walter Reade, A. Fonchi, Grant W. Anson, Michael Mindlin, Lou Blumenthal, Charles Goldreyer, Elias Meyer, Louis Schneider, Benjamin Moss and W. A. Landow.

Oklahoma City: Frank Deal, Wynnewood; D. A. White, Collinsville; Harry Lowenstein, Ardmore; J. J. Jones, Checotah; J. H. Griffin, Miami, Okla.; and A. A. Moulder, Sapulpa.

Philadelphia: Jay Emanuel and A. S. Goldsmith.

Pittsburgh: John H. Harris, A. Moore, William Finkel, M. Manos, Greensburg, Pa.; R. S. Coyle, Charleroi, Pa.; Ed Beedle, Cannonsburg, Pa.; A. E. Andrew, Emporium, Pa.; William Wheat, Sewickley, Pa.; George Wilson, Tyrone, Pa.; and A. P. Way, DuBois, Pa.

Portland, Ore.: W. A. Graeper, J. A. Bradt, W. E. Tebbetts, W. G. Ripley, Longview, Wash.; Oscar Phelps, Hillsboro, Ore.; Robert Marsden, Jr., Marshfield, Ore.; W. A. Long, Oregon City, Ore.; F. A. Watrous, Forest Grove, Ore.; George Whiteside, Corvallis, Ore.; Sam Whiteside, Corvallis, Ore .

Salt Lake City: Horace Burkinshaw, Sandy, Utah; Mrs. W. G. Hyde, Miles City, Mont.

San Antonio: W. J. Lytle, Sam Schwartz, Eagle Pass; Paul J. Poag, Del Rio; Bruce Collins, Corpus Christie; A. Martini, Galveston.

San Francisco: Sam Levin, R. A. McNeil, Ralph Marks, Hyman Levin, Otto Roeder, Aaron Goldberg, Charles Michaels, Fred Williams, L. Kaliski, Oakland; E. W. Stokes, Oakland; John Peters, Oakland; Allen King, Oakland; F. W. Rodgers, Corning; M. Stanley, Fairfield; M. Maln, Fairfield; J. J. Mohy, Sonoma; Frank Panero, Delano; William Tamblyn, Nevada City; M. Enean, Pittsburgh, Calif.; Paul Sprague, Quincy; John Distasio, Sacramento; H. C. Castler, Winnemucca, Nevada; F. Stamm, Antioch, Calif.

Seattle: J. Von Herberg, James Clemmer, Frank Newman, Sr., John Hamrick, Ed Halberg, Port Angeles, Wash.; W. D. Gross, Juneau, Alaska; E. W. Groesbeck, Enumclaw, Wash.; H. T. Moore, Tacoma; E. A. Zabel, Olympia; Fred Mercy, Sr., Yakima; E. G. Abbott, Sedro Wooley, Wash.

Sioux Falls: E. L., J. M. and P. J. O'Leary, the Grand, Dell Rapids, S. D.

St. Louis: Joe Hewitt, Robinson, Ill.; Oscar Turner, Harrisburg, Ill.

Canadian Division: F. Kerr, New Westminster, B. C.; J. R. Muir, Vancouver; A. Lipson, Prince Rupert, B. C.; John Hazza, Calgary; Alex Entwistle, Edmonton, Alta.; Pete Egan, Calgary; S. R. Tyler, High River, Alta.; Joseph Dorry, Kenora, Ont.; A. E. Mellon, Portage La Prairie, Man.; P. W. Mahon, Prince Albert, Sask; H. A. Morton, Winnipeg; J. Miles, Winnipeg; R. Besler, Winnipeg; H. N. Jernberg, Winnipeg, S. Weiner, Winnipeg; R. McClelland, Toronto; Jule and J. J. Allen, Toronto; C. A. Welsman, Toronto; Jane Eimonds, Lindsay, Ont.; B. Whitham, Cornwall, Ont.; S. Delaney, Gananoque, Ont.; W. L. Stewart, Toronto; George Ganetakos, Montreal; Joseph M. Franklin, St. John, N. B.

Pittsburgh Opening Set

Pittsburgh, Dec. 9.—Pittsburgh's newest neighborhood theatre, the Regent Square in Edgewood, will open next Monday night. The house was to have opened the middle of this week, but last-minute interior decorating delays forced the postponement. Mike Shapiro and Archie Fineman, who have a house in Braddock, will be the owners and operators.

Lenauer Gets RA Film

Lenauer International Films has acquired the Resettlement Administration film, "The Plow That Broke the Plains," for world distribution outside of the United States.

Schaufele Appointed

Alatoon, Pa., Dec. 9.—Cliff A. Schaufele has been named publicity man for the Strand here.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 138 NEW YORK, FRIDAY, DECEMBER 11, 1936 TEN CENTS

RKO Moves to End the Claim Of Orpheum

Seeks Court Sanction for Offer by Stadium

The possibility of a settlement of the complex claim of Orpheum Circuit against RKO and subsidiary companies was disclosed yesterday with the filing in U. S. District Court here of a petition to authorize Stadium Theatres Corp., an RKO subsidiary, to offer to the Orpheum trustee $700,000 in cash for abandonment of all causes of action against RKO.

The offer, if accepted by the trustee and creditors of Orpheum, would result in delivering to Stadium the entire and uncontested equity in all of the principal going assets of Orpheum and would make possible the liquidation of Orpheum's affairs with estimated benefit to creditors of about 30 cents on the dollar.

The complex Orpheum situation originated with the transfer in 1933 to Stadium of promissory notes and other obligations of Orpheum which were held by RKO and Keith-Albee-Orpheum, amounting to $2,880,686. Thereafter, Stadium under the terms of the indenture covering the notes,

(*Continued on page* 14)

Skouras-20th-Fox, RKO to Settle Suit

An agreement to withdraw the action brought by Skouras Enterprises in Sept., 1935, which charges that the purchase of 20th Century-Fox product for the RKO 81st Street in that year was in violation of a Fox franchise held by Skouras, was reached by parties to the litigation yesterday but awaits the signatures of the principals.

The action was called for trial in N. Y. Supreme Court yesterday and a postponement of one week, asked by Louis Frohlich, attorney for Skouras, was denied. The court ruled that the

(*Continued on page* 14)

Too Busy

E. C. Mills, general manager of Ascap, queried late yesterday on the action taken by the organization's board of directors at its special dividend meeting said:

"I'm too busy to tell what the board did."

Quietly Name Lichtman and Katz Loew Vice-Presidents

Al Lichtman and Sam Katz, both hitherto without official appearance in the roster of company executives, are now vice-presidents of Loew's, Inc. They were named to their posts some weeks ago when plans progressed for the elimination of various Loew-controlled subsidiaries and the concentration of various phases of the company's business under the parent and holding corporation.



Al Lichtman



Sam Katz

It was not until the Loew financial statement for the year ending Aug. 31, 1936, was made public a few days ago that their appointments became known publicly. Their presence in the roster of officers, furthermore, was generally overlooked and first attracted attention when they and others of the Loew officers were re-elected in New York on Wednesday.

Whereas Loew's, Inc., had four vice-presidents last year, the company now lists seven. Arthur M. Loew, first vice-president; David Bernstein, who is

(*Continued on page* 6)

Berry Starts With Plea for Industry Help

By BERTRAM F. LINZ

WASHINGTON, Dec. 10.—A fervent plea for industrial support of a "non-political, non-partisan" movement was today made by George L. Berry, co-ordinator for industrial cooperation, and his principal supporters in opening the third conference of the National Council for Industrial Progress.

With about 800 persons present, Berry, John G. Paine, chairman of the management group, and William Green, president of the A. F. of L., and chairman of the group, urged that business forget its selfish interests and join in the program for minimum wages and maximum hours.

Although a number of large organi-

(*Continued on page* 16)

Balcon Takes MGM British Post Jan. 1

LONDON, Dec. 10.—Michael ("Mickey") Balcon has been released by G.B. and on Jan. 1 joins M-G-M British Studios, Ltd., as producer with Ben Goetz in general charge of the new enterprise.

Four pictures already have been

(*Continued on page* 10)

Paramount, Hoblitzelle In New Pact

A new partnership operating agreement between Karl Hoblitzelle and Paramount was approved by the Paramount board of directors yesterday which effects a permanent consolidation of the interests of the two in Interstate Circuit, Inc., and Texas Consolidated Theatres, Inc.

The principal feature of the new agreement, according to Barney Balaban, Paramount president, is that the provision for the repurchase by Paramount of Hoblitzelle's 50 per cent

(*Continued on page* 14)

London Films Loss $1,654,210 in Year

LONDON, Dec. 10.—London Films showed a loss of £330,842 ($1,654,210) for the year ended May 2, acording to the financial statement issued today. The issued share capital was revealed at £428,549; £500,000 in first debenture stock; £453,562 in a loan secured by other debentures, and £549,291 in other secured loans.

The amount due to creditors was listed at £288,892. Assets were valued

(*Continued on page* 14)

Yesterday in radio. Page 5.

Para. to Pay $3,400,000 In Dividends

Ends Arrears on First Preferred Stock

Dividends amounting to approximately $3,400,000 were authorized for holders of Paramount first and second preferred stock by the company's board of directors at a special meeting yesterday.

The board declared initial dividends of $12 per share on the first preferred, payable Dec. 26 to stockholders of record on Dec. 15, and 60 cents per share on the second preferred, payable on Dec. 26 to holders of record on Dec. 17. The payment on the first preferred represents the full two years' dividend to date on which the stock was in arrears. The payment on the second preferred is equivalent to the 1935 dividend which was in arrears and leaves that issue still in arrears for the 1936 dividend of 60 cents a share.

The payment of the full two years' dividend on the first preferred had been anticipated, but the payment on the junior issue was unexpected despite the fact that recent dividends by Paramount theatre subsidiaries are known to have placed the parent company in a position to show a net in excess of $5,000,000 for the year.

G. B. Deal Factions Meet with Ostrers

HOLLYWOOD, Dec. 10.—A conference which extended throughout the day was held here by Isidore and Maurice Ostrer and principals of Twentieth Century-Fox and M-G-M, all factions involved in the current G. B. deal. The meeting was held at the Fox studio.

Sidney R. Kent stated that no official statement could be made at the present time. The Ostrers, who planned to leave for New York tomorrow, will probably remain for further discussions.

1st Run Deal Up

Minneapolis, Dec. 10.—James R. Grainger and E. T. Gomersall today will confer with John J. Friedl of Minnesota Amusement and Max Fellerman, representing RKO Theatres of New York, to discuss Universal's first run situation here under the Paramount-RKO citywide pool.

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Lottie Pickford Is Dead in Hollywood

HOLLYWOOD, Dec. 10.—Lottie Pickford, 41, younger sister of Mary Pickford, died at her home in Brentwood Heights last night of a heart attack. The former star of the silent films was Mrs. John Locke in private life. Besides her sister and husband, she is survived by a daughter, Gwynne. Funeral services will be held Saturday morning from Wee Kirk o' Heather. Burial will be in Forest Lawn Park.

Lottie Pickford's last major role was in "The Diamond in the Sky." She played in numerous films in the early 1920's. Her death may delay her sister's trip east.

Demonstrate New Game

Broadway Handicap, a new game, was demonstrated yesterday for the press by representatives of Meridian Pictures at a luncheon at the Astor.

Technicolor Dividend

Technicolor's board of directors yesterday declared a dividend of 50 cents a share, payable Dec. 26 to stockholders of record Dec. 18.

Insiders' Outlook

By RED KANN

TIME, writing in its know-all vein, turns attention in the current issue to the financial state of RKO in the light of its experiences since 1930. "RKO Primer," it is called:

"Fabulous are the stories," the article begins, "of investors who got in on the ground floor of a new company, were lofted to riches by stock splits, stock dividends. Not related so loudly are accounts of the stockholder who got in on the ground floor, soon found himself in the basement, then the sub-basement. Such a story could be written around Radio-Keith-Orpheum Corp. in seven chapters."

Time then proceeds to write the story, observing in Chapter 7, after tracing RKO fortunes through depression years:

"Thus, an investor who purchased 100 shares of RKO common stock in 1929 found his holdings reduced to 25 shares by the four-for-one reverse split in 1931. If the present reorganization plan goes through those 25 shares will become 12½ shares."

▼

The impression, obviously, that *Time* labors to get across throughout its "seven chapters" is that anyone who got in on RKO's "ground floor" in 1930 found himself in the basement in 1932 and, if the company's plan is approved, will find himself in the sub-basement. Let's see. Luce, Martin & Co. are correct when they say that a holder of 100 shares of Class A received 25 shares of common for it under the company's 1931 recapitalization plan. But what the publication omits is that such stockholder also received the right to subscribe to a $500 debenture and 75 shares of the new common for $500, in addition to the 25 shares which automatically became his on the exchange basis. That $500 debenture at today's market prices is worth $585 and the 100 shares of common, which such a stockholder would have for exercising his subscription right, are worth $812.50 today, or a total market value of $1,397.50 for the new securities for which he exchanged his old and paid $500 additional. . . .

▼

Under the reorganization plan, he will get 50 shares of new common for his 100 shares of old and new debentures of the same face amount for his old debentures, plus 10 shares of new stock for the unpaid interest on his old debentures. The indicated market price of the new RKO common today is about $16 a share. Therefore, such a stockholder as *Time* takes time out to weep for, will receive new securities under the reorganization plan with an indicated market value now of $1,460. Again, bewailing the RKO investor's plight, *Time's* essayist overlooks, or else he is unaware, that his employer, Time, Inc., purchased from Pathe Film Corp. about two years ago a face amount of $1,448,549.81 of RKO gold notes at the modest price of 20 cents on the dollar, or for an actual cash outlay of about $290,000. Let's see how *Time* itself will fare as an RKO investor. . . .

▼

The reorganization plan proposes to give to *Time* and the other RKO creditors similarly situated three-quarters of a share of preferred and one and one-half shares of common for each $100 of their claims. Thus, *Time* will receive for its $1,448,549.81 of RKO notes, 10,875 shares of new preferred and 21,750 shares of new common. The preferred will be $100 par, or an equivalent value of $1,087,500 and the common with its presently indicated value of $16 a share, may be worth $348,000, or an indicated market value for the lot of $1,435,500. As *Time* invested the handsome sum of $290,000 for what it now stands to receive $1,435,500, its indicated profit on the RKO investment would seem to be $1,145,500. Getting in on the sub-basement level is even better than entering via the "ground floor," apparently. . . .

▼

Again, whether *Time's* editorial department believed RKO a good investment or not, its business department, which bought RKO notes at 20 cents on the dollar and then selected RKO as the distributor for The March of Time apparently had no doubts. Both the notes and the reel would appear to be doing pretty well. And as for RKO, still in reorganization, its indicated profit for 1936 is in excess of $2,500,000. Who's doing the marching now? . . .

Dividend Is Declared

TORONTO, Dec. 10.—Famous Players Canadian Corp. directors have voted a dividend of 60 cents per share on the common stock, payable Dec. 22. It will be the first payment since April, 1935, when the dividend was 50 cents.

Ohio Passes "U" Short

COLUMBUS, O., Dec. 10.—The Ohio censor board has passed "You Can't Get Away With It," Universal short subject featuring J. Edgar Hoover, chief, and the work of the Federal Bureau of Investigation, with one sequence cut.

Ask Wisconsin Data For U. S. Quiz Basis

MILWAUKEE, Dec. 10.—Following a conference with the United States attorney here, R. A. Tesch, business manager of the I.T.P.A. of Wisconsin, is requesting exhibitors to furnish his office with definite data concerning alleged "freeze-outs" of independents by circuits for the purpose of starting a Federal grand jury investigation of the circuits in Wisconsin.

Tesch has been assured by the Fedtral official that action will be started if specific data is collected. It is believed that a sufficient number of situations exist that will command an investigation by a Federal grand jury, Tesch stated. His office is now engaged in collecting information to serve as a basis for such a study.

Aldermen to Study Midtown House Ban

Following a discussion on an ordinance introduced by Aldermen Thomas J. Curran and Newbold Morris to prohibit new theatres in the midtown area of 5th, Park and Madison Aves., as well as on 34th and 57th Sts., a report on the bill is expected at the next meeting of the Board of Aldermen on Tuesday.

Among those supporting the ordinance were a group of executives affiliated with important stores on 5th and Madison Aves. The concensus was that the valuation of the property on these thoroughfares would drop appreciably if theatres were permitted.

Ferguson to Conduct Cleveland Gathering

William R. Ferguson, head of exploitation for M-G-M, will hold a one-day meeting with 25 of his field men in Cleveland next Tuesday. He will leave by plane the same day and return on Wednesday.

By the time the session is called, Ferguson will have completed plans for an exploiteer in practically every exchange center. The new field men will be introduced to the gathering. Handling of new product and a general discussion of exploitation will highlight the session, to be held at the Statler.

Union Meeting Tuesday

Representatives of Local 306, the Allied Union and the I.T.O.A. will meet on Tuesday with the survey board named by Mayor LaGuardia in an attempt to settle points in dispute in the agreement to end the New York multiple union situation, it was learned yesterday. The sub-committee of the labor committee of the I.T.O.A. reported on the present status of the situation to the whole committee at a meeting at the Astor yesterday.

Marx to Join Goldwyn

HOLLYWOOD, Dec. 10.—Sam Marx today resigned his post as associate producer at M-G-M and will join Samuel Goldwyn, effective Jan. 21, as editorial assistant to the producer.

Krumgold an Associate Producer

HOLLYWOOD, Dec. 10.—Republic today elevated Joseph Krumgold, a writer, to the post of associate producer. His first assignment will be a Guy Kibbee vehicle as yet untitled.

這幅秀蘭鄧波兒的畫
片，與琴常不同，

Which means...

DIFFERENT

in locale . . . exotic,
picturesque, China!

DIFFERENT

in cast . . . the best
Shirley's *ever* had!

•

...and even Shirley is

DIFFERENT!

She talks and sings
Chinese!



FOR CHRISTMAS RELEASE!

more entertainment

THAN THERE'S TEA IN CHINA!



FAR-OFF Shanghai's war-lord bandits, danger, thrills, excitement . . . its music, laughter, mystery, glamour, romance! Everything to make it the Shirley Temple picture you've been hoping for!

Shirley TEMPLE *in* STOWAWAY

with

Robert YOUNG · *Alice* FAYE

and

EUGENE PALLETTE

HELEN WESTLEY • ARTHUR TREACHER

J. EDWARD BROMBERG • ASTRID ALLWYN

Directed by William A. Seiter

Associate Producers B. G. De Sylva, Earl Carroll, and Harold Wilson. Screen play by William Conselman, Arthur Sheekman, Nat Perrin. Story by Sam Engel.

Darryl F. Zanuck in Charge of Production

•

Shirley and Alice sing THESE SWELL NEW SONGS BY GORDON & REVEL: "Good Night, My Love", "I Wanna Go to the Zoo", "A Dreamland Choo-Choo to Lullaby Town", "You Gotta S-m-i-l-e to be H-a-Double-p-y", "One Never Knows, Does One?"—**and** "That's What I Want for Christmas" **by Caesar and Marks.**





Flash:

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

"LLOYDS" COMPLETE SELL-OUT 1st 2 WEEKS ASTOR & CARTHAY CIRCLE!

Spelling Bee Stunt Now a K. C. Feature

KANSAS CITY, Dec. 10.—The radio drift toward spelling bees, as the latest gadget on the air, is exemplified here in such a program a half hour each Sunday afternoon over KCMO, sponsored by the Advance Baking Co.

About 20 children are enrolled for each program. One Sunday they come from the fourth and fifth grades of the city's schools the next from the sixth and seventh grades. Every six weeks those who place first and second in the weekly "bees" take part in an elimination program. At the end of the 26-week contract—when school closes in the spring—there will be a grand finale, when all weekly and six-weekly winners participate.

Losers in the weekly contests may re-enter after each six-week period. Weekly prizes are $2.50 and $1; six-weekly, $7.50 and $5. The program was instituted Dec. 6, and there is already a waiting list. Each youngster who enrolls gets a loaf of bread.

Children's voices are clear over the radio, but apparently indistinct in the studio. On the first program a child spelled a word, the teacher in charge put her down; within 15 minutes the station had over 50 telephone calls from persons saying the word had been spelled correctly.

"Question Bee" Extended

"Uncle Jim's Question Bee," the program which may set a national radio trend, was renewed for an additional 39-week period yesterday. The program is now heard over a split NBC network Saturdays at 7:30 P.M., E.S.T., and the long-term renewal indicates that additional station additions will be added gradually. George Washington Coffee is sponsor and Cecil, Warwick and Cecil, the agency.

Salter Rejects Ayer Offer

Harry Salter, offered the post as musical consultant for all N. W. Ayer agency programs, has turned down the bid because of previous commitments with other agencies. At the moment, Salter is broadcasting for Lord & Thomas and the American Tobacco Co. on the "Hit Parade" and for Neff-Rogow and Personal Finance on the CBS "Your Unseen Friend" series.

Another Hollywood Show

A new Hollywood program takes to the airways on Jan. 1, with Victor Moore, Helen Broderick, and Buddy Rogers' orchestra. The program will be sponsored by National Biscuit Co. and will replace the present series now on the air for this sponsor, Fridays at 9:30 P.M., E.S.T., over the NBC-Blue network.

Two CBS Dividends

The board of directors of CBS yesterday declared a cash quarterly dividend of 50 cents per share and a special cash dividend of $1.30 per share, both payable Dec. 21. Yesterday's vote came as a surprise. It was thought in radio circles that CBS would pass up the dividend because of heavy station and equipment purchases this year.

Fire Damages KMAC

SAN ANTONIO, Tex., Dec. 10.—Fire did $2,000 damage at KMAC in the penthouse atop the Blue Bonnet Hotel.

NBC After South American Trades; to Broadcast Daily

NBC opens a new field regardless of vast potential revenue with a new daily series for reception in South and Central America beginning Dec. 14.

For the past four weeks, NBC has been broadcasting programs to South America four days a week and previously three times a week since July. The increase in the daily schedule is directly in keeping with NBC's previously announced policy of competing with European broadcasters for listeners' attention in South and Central America. It is expected that sponsors will be secured for the foreign series within a year at the outside.

The programs will be broadcast over W3XAL, NBC's short-wave station at Bound Brook, N. J. By Jan. 1 a new directional beam antenna now under construction will be in full use, assuring potential sponsors of a clear reception of programs in the South and Central Americas.

The new schedule will consist of press comments in Spanish and feature programs especially built and arranged for foreign reception. Dan Russell, announcer, and Charles Carajal, production man, have been placed in charge of the news and other programs.

Those already definitely assigned broadcasting schedules for the new programs are Vaughn De Leath, Joseph Littau's orchestra and the Three Silhouettes, girl vocal trio. Other artists and programs will be named shortly.

On Mondays, *Cine Mundial*, Spanish film publication, will present film guest artists and comments and news of the industry by Franceso Ariza, editor of the magazine. Those scheduled for an early appearance on the program are Margo, a lead in "Winterset," and Carmen Castello, wife of Xavier Cugat, popular Spanish orchestra leader.

Many industries and manufacturers now selling extensively in South and Central America will be invited to buy time on the foreign programs after they have been sufficiently built up by NBC.

CBS Wins on Abdication

CBS scooped NBC and all other stations in reporting the first definite news of the abdication of King Edward yesterday. The CBS flash was carried over the network at exactly 10:33 A.M., E.S.T. yesterday. NBC's flash was not broadcast until 10:47 A.M.

At 10:30 A.M., Sir Frederick White began a scheduled talk from London. Three minutes later he interrupted his prepared speech to utter: "The King has abdicated. Long live the king." The news was immediately picked up by Press Radio and broadcast simultaneously over both networks at 10:48 A.M. At 10:40 A.M. Premier Baldwin officially confirmed Sir Frederick White's flash in his broadcast message from Parliament.

Cantor, Grim Cycle, Et Al

Short Shots: Eddie Cantor and his entire radio company will entrain for Hollywood immediately after Sunday's broadcast. . . . John McCormack will be presented as Floyd Gibbons' guest on the "Speedshow" Saturday, Dec. 19. . . . Don Shaw of the McCann-Erickson radio division is back at his post after a flying trip to Detroit and Chicago for company clients. . . . Sally Jo Nelson of Chicago's WGN, now enroute to New York for a Warner screen test. . . . KYW, Philadelphia, has established an artists' bureau with Ken Hoffman in charge. . . . Tom Casey, ex-page boy at WBBM-CBS, Chicago, is now a full time announcer. . . . Earle Ferris, crack local publicist, now hiring additional staff men preparatory to hopping off to Cleveland to spend the Christmas holidays at home. . . . Johnny Hamp, Rainbow Grill maestro, will play host to Jean Harlow when the star arrives in New York for a vacation next month. . . . Josef Cherniavsky, currently on the NBC "Musical Camera" series, auditions for an additional program this week. . . . Add grim cycle: Fannie Brice lost by death her mother-in-law, aunt, and her closest friend, Dave Freedman, within a span of 20 hours. . . . Irene Rich may return to Hollywood for picture work shortly. . . . Song pluggers have been threatened with eviction from the CBS and NBC premises unless they cease ganging up on band leaders before and after rehearsals. . . . Mr. and Mrs. Al Boyd (he's production man on the "Barn Dance" network series) are the parents of a boy. . . . The three Lane sisters may all be in films shortly. Lola is already signed, and now that Fred Waring is a free-agent he may release Rosemary and Priscilla to the films for a temporary period. . . . Frank Parker abed with influenza. . . . Ethel Barrymore has been renewed by her sponsor for an additional 13-week period. Herman Bernie is her agent.

CBS Stands Pat

The fact that the proposed new CBS studios in Hollywood will have an experimental television laboratory does not mean that the company has changed its quiescent attitude in regard to television. This is made clear by a CBS spokesman in New York, who declares that the television studio has been included in the coast plans as a matter of policy.

"University of Air" Suggested by Ickes

WASHINGTON, Dec. 10.—A "University of the Air" was today set up by Secretary of the Interior Harold L. Ickes as the goal to be sought by educators who, however, were warned against standardization and regimentation through mass education.

Speaking before the opening session of the first national conference of educational broadcasting, the Secretary urged that in developing educational programs the work be done by informed persons who know their subjects and "have the knack of being able to transmit their information to their audiences."

Possibilities of Government entry into the field of broadcasting was seen in Ickes' announcement that the new Dept. of the Interior Bldg., now nearing completion, will contain a complete modern radio studio, the first to be constructed in any Federal building. While no arrangements have yet been made for its use, he said, "it was our purpose that production facilities might be available for Government broadcasts which would meet the requirements for good radio programs and while leaving the dissemination of the programs to the broadcasting companies."

However, it was pointed out in departmental circles, the Government has the radio station at Arlington which can be used for transmission, as it has in the past.

The conference will meet through tomorrow to discuss "problems of edutional broadcasting."

Goldstein to Remain As Scout for Agency

Bob Goldstein, who operates Superior Radio Artists, Inc., will continue as one of the chief talent agents for Blackett-Semple and Hummert, Inc., according to Frank Hummert. The advertising agency spends about $30,000 a week on radio shows on behalf of its clients.

Air Features, Inc., recently formed by James Sauter, who is president, will act as a clearing house handling billing and collections not only for Goldstein but for World Broadcasting as well, added Hummert.

Safety Campaign Series Over Texas Chain Gains Attention

Houston, Dec. 10.—Appealing directly to the youngsters but interesting parents as well, the Dairyland Ice Cream Safety Feature over KPRC is attracting state-wide attention.

Youngsters are asked to write a safety article, sometimes a news story, sometimes five original rules for safety, and send to John Paul Goodwin, station announcer. Certain grading gives a child the rank of lieutenant, a higher grade wins the rank of captain, and still higher that of major. Then he must retain the rank by continued excellence in safety suggestions. Salaries from five cents per week to 50 cents are paid members, depending on their rank.

The program is broadcast 15 minutes twice weekly over the Texas Quality network, including KPRC here; WFAA, Dallas; WBAP, Ft. Worth, and WOAI, San Antonio. The sponsor is a Houston firm.

Press Is Critical Of G.B. Statement

By BRUCE ALLAN

LONDON, Dec. 10.—The London press today was sharply critical of the G. B. consolidated statement of assets and liabilities, made public yesterday after a long delay.

The *Daily Mail* declared the statement will come as a shock to the company's stockholders. It said that G. B. is carrying its film stocks at a huge valuation, and "the question is how far it may differ from the actual realizable value and how far it should be written down."

The paper declared that the £1,638-341 figure given as the excess cost of the property of subsidiaries represents a deficiency. "The net result appears to be that the real value of the subsidiary group is small in comparison with the Gaumont ordinary share capital" the *Daily News* said, and continued, "The figures are a revelation of how the inherent weakness of holding company finance can tend to obscure the company's position from the shareholders."

Other comment stressed the absence of a profit and loss account and suggested that the details given do not answer the questions raised at the adjourned stockholders' meeting of Nov. 2, which will be resumed on Dec. 17.

Hagen Product Through G. B.

LONDON, Dec. 10.—Julius Hagen is closing down Twickenham Film Distributors, and will release his future product through G. B. His current product will go through Wardour Films, presumably until the close of the current season.

Canada Drops King Flash With Anthem

TORONTO, Dec. 10.—Immediately on the receipt here of the news of the abdication of the King, instructions were wired to circuit theatre managers to continue playing the British national anthem at the conclusion of each performance, but to blank out the picture of King Edward VIII on the screen in conjunction with the playing of "God Save the King."

No action has been taken as yet by the Ontario censor to delete any news shots of Mrs. Simpson as there is no official ban in Canada on news or pictures of her. The current release of Fox Movietone News shows King Edward visiting the unemployed in South Wales, but this has not been ordered taken off as it already has passed the censor.

Lichtman and Katz Elected by Loew's

(*Continued from page* 1)

also treasurer, and E. A. Schiller are re-elections. David M. Loew, of course, resigned some months ago. In addition to Lichtman and Katz, however, new vice-presidents include E. J. Mannix, former general manager of the M-G-M studio and now an associate producer; and J. Robert Rubin, long a vice-president of M-G-M. Bernstein and Mannix, likewise, had been directors of the producing company. It is interesting to note, moreover, that Lous B. Mayer is neither an officer of Loew's nor a director.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Crackup"

(20th Century-Fox)

HOLLYWOOD, Dec. 10.—Good character performances by Peter Lorre, Brian Donlevy and Thomas Beck account for the entertainment value in this picture. Although Ralph Morgan, Kay Linaker and Gloria Roy figure in the plot of this spy story, the adventures of the first three form the basis of the action.

Lorre, acting the simpleton, plans to steal the secret of a new American aviation invention developed by Morgan. At the same time Donlevy, stunt flyer, has the same idea. The story is complicated when Morgan, experiencing domestic difficulties plans a trans-Atlantic flight. As Beck, who idolizes Donlevy, is brought into the picture, romance develops between him and Helen Wood, and Donlevy tricks her into stealing the formula. Suspicious, she attempts to prevent Beck from joining Morgan, Donlevy and Lorre on the ocean test flight, but in this she fails.

The pace increases as the four take off, Lorre and Donlevy try to outwit each other, and when storms force the plane down, Beck is given the only life belt and the other three drown.

Although the performances are fine, it is doubtful that the film will attract widespread attention. Based on a story by John Goodrich, and Charles Kenyon. Sam Mintz did the screen play and Malcolm St. Clair directed.

Production Code Seal No. 2,831. Running time, 65 minutes. "G."

Overseas Previews

"La Porte du Large"
"Door to the Open Sea"

(Sedif)

PARIS, Dec. 2.—This film, directed by one of the most experienced French directors, Marcel Lherbier, gives an insight into the life of cadets of the French Naval College at Brest, the French Annapolis.

All the outdoor scenes and many of the interiors were made at this new school, which was opened last June by the President of France. The sequences, sometimes amusing, sometimes exciting, of the everyday life of the cadets, are excellent. It is the first time that a French production has taken the life of cadets as a background.

The story by Charles Spaak lacks consistency and appears to have been written mainly with the intention of picturing life at the new school.

The commander of the college, a widower, plans to marry a young and beautiful American woman. His son, Pierre, a cadet, meets the woman at a dance and, unaware that she is engaged to his father, falls in love with her. One evening he forces his way in and declares his love. She sends him away, but his father notices a cadet leaving her home.

In order to be able to visit the woman, Pierre arranges that a friend take his place in a night flight. The plane gets into difficulties and Pierre goes out and into a lifeboat and, thanks to him, his friends affect a rescue. The father forgives him, and Pierre leaves for a year's cruise on the training ship.

The excellent cast includes Victor Francen as the father, Jean-Pierre Aumont as Pierre, Marcelle Chantel as the American woman. But Roland Toutain as a midshipman steals the picture. The direction is very good, the photography is excellent and there are good lines and pleasing songs.

Running time, 85 minutes. "A."

AUTRE

"Banjo on My Knee," last night's preview at the Roxy, was reviewed by wire from Hollywood Nov. 30.

"More Than a Secretary," which opened yesterday morning at the Radio City Music Hall, was previewed from the coast Dec. 2.

"Pennies from Heaven," now current at the Paramount, was reviewed Nov. 13.

"Love in Exile," reviewed by cable from London, is being shown at the Criterion.

"Born to Dance," at the Capitol, "Rembrandt" at the Rivoli and "Three Men on a Horse" at the Strand are holdovers.

It's Home Again For "Diggers" After Tour

SALT LAKE CITY, Dec. 10.—The "Gold Diggers," flying, feminine exploiteers, en route to the coast, spent a lively day here today on their arrival from yesterday's active appearance in Denver. Cooperating with the *Denver Post,* the girls undertook a collection for the paper's annual Christmas party.

The girls end their 10,000-mile jaunt tomorrow when they arrive in San Francisco. They hopped off from Alameda, Cal., on Nov. 14, and hit 24 cities in the course of their trip. Mayor Angelo Rossi of San Francisco and a committe of city officials will welcome them there, prior to the usual round of personal appearances and food. On Saturday they will reach Los Angeles—and maybe go back to work.

Interstate Acquires 8 Theatres in N. E.

BOSTON, Dec. 10.—Interstate Theatres Corp., with headquarters here, has acquired the eight Graves houses in New Hampshire and Vermont, the acquisition giving the circuit a total of 32 houses in New England. The circuit is headed by Edward Ansin, president, and E. Harold Stoneman, treasurer.

The firm's houses are located in Massachusetts, Connecticut, Vermont and New Hampshire. The newly acquired theatres are in Plymouth, Bristol, Lancaster and North Woodstock, N. H., and White River Junction, Vt.

Unfinished House Burns

GRAND ISLAND, Neb., Dec. 10.—Fire caused by heating pots being used to dry plaster virtually destroyed the new $85,000, 850-seat Grand being built here by Harry Schiller. A Christmas opening had been planned, so all equipment, except seats and final decorations, had been installed.

The loss was covered by insurance and rebuilding operations, which are being directed by Western Theatre Supply Co. of Omaha, are expected to start immediately.

Expect 200 at Dance

COLUMBIA, S. C., Dec. 10.—About 200 theatre members and their wives are expected here Tuesday for the annual banquet and dance of the Palmetto Amusement Co., Warren Irwin, district manager, said today.

There will be a dinner with a floor show, followed by a dance with music by a local orchestra.

More Syracuse Duals

SYRACUSE, Dec. 10.—The RKO-Schine Eckel which reopened on a single feature basis in August has gone to duals, but will pencil in a Major Bowes unit Christmas week.

Loew's has added an organist to the regular program. Lester Huff of New York is at the console.

Para. King Reel Set

Paramount News lost no time when news of the abdication of King Edward VIII reached here yesterday. A. J. Richard, editor, immediately telephoned Paramount exchanges in 31 cities instructing them to release the prints of the abdication sequence prepared in advance by the reel.

PRINTS NOW IN YOUR UNIVERSAL EXCHANGE!



The WISEST THEATRE CIRCUITS
THE GREATEST MONEY ATTRACTION
MOST VALUABLE PLAYING TIME OF

Grand Theatre, Atlanta

Loew's Theatre, Rochester

Ohio Theatre, Columbus

Loew's Theatre, Dayton

State Theatre, Louisville

Warner Theatre, Worcester

State Theatre, New Orleans

Regent Theatre, Harrisburg

Strand Theatre, Hartford

Colonial Theatre, Reading

Loew's Theatre, Wilmington

Century Theatre, Baltimore

Queen Theatre, Galveston

State Theatre, Norfolk

Loew's Theatre, Richmond

Waco Theatre, Waco

Great Lakes Theatre, Buffalo

Madison Theatre, Detroit

State and Orpheum Theatres, Boston

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And the dates still pour in!



FEATURE
FOR THE
HE YEAR!

heatre, Denver

Theatre, Milwaukee

Theatre, San Antonio

Theatre, El Paso

eatre, Chattanooga

heatre, Fort Worth

heatre, Jacksonville

heatre, Springfield

erman, New Haven



SELZNICK INTERNATIONAL *presents*

Marlene **DIETRICH**

CHARLES BOYER

in

The Garden of Allah

IN TECHNICOLOR

Produced by DAVID O. SELZNICK

FROM THE BOOK BY ROBERT HICHENS • DIRECTED BY RICHARD BOLESLAWSKI

Released thru **UNITED ARTISTS**

"Libeled" Is Washington's Hit Once More

WASHINGTON, Dec. 10.—"Libeled Lady," playing a return engagement at Loew's Columbia, was the big noise of the week with a take of $7,000, over par by $3,400.

This was in spite of the presence of two first run hits. "Theodora Goes Wild," with a vaudeville program, went over above par by $3,000 on a gross of $21,400 at the Earle, and "Love on the Run" was $1,600 to the good at $17,500 at Loew's Palace. "The Charge of the Light Brigade," a return engagement, pulled a big $7,000 at the Metropolitan.

Week Ending Dec. 1:
"WINTERSET" (Radio)
RKO-KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $7,200. (Average, $10,600)

Week Ending Dec. 2:
"BROKEN BLOSSOMS" (Imperial)
BELASCO — (1,140), 25c-75c, 7 days. **Gross:** $2,600. (Average, $3,000)
"LOVE ON THE RUN" (M-G-M)
LOEW'S PALACE—(2,370), 35c-55c, 7 days. **Gross:** $17,500. (Average, $15,900)

Week Ending Dec. 3:
"THEODORA GOES WILD" (Col.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Eddie Garr, Virginia Bacon & Co., Seven Danwillis, Roy Smeck. **Gross:** $21,400. (Average, $18,400)
"WHITE HUNTER" (20th-Fox)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Johnny Perkins, m.c., Art Brown (both second week), Sylvia Froos, Don Cummings; Don, Dick & Dinah; Jack Gilford, Johnny O'Moore, Elida Ballet. **Gross:** $15,000. (Average, $20,900)

Eight Days Ending Dec. 3:
"LIBELED LADY" (M-G-M)
LOEW'S COLUMBIA—(1,243), 25c-40c, 8 days (return engagement). **Gross:** $7,000. (Average, first run, 7 days, $3,600)
"CHARGE OF THE LIGHT BRIGADE" (W. B.)
METROPOLITAN — (1,591), 25c-40c, 8 days (return engagement). **Gross:** $7,000. (Average, first run, 7 days, $4,300)

Wall Street

Loew's Best Board Gain

	High	Low	Close	Net Change
Columbia	37⅛	37	37	— ¼
Columbia, pfd.	42½	42½	42½	— ½
Consolidated	5	4⅝	4⅝	— ¼
Consolidated, pfd.	16⅜	16¼	16¼	— ⅛
Gen. T. Equip.	27½	27	27¼	+ ¼
Loew's, Inc.	64⅜	63⅛	64¼	+1⅛
Loew's, pfd.	106	106	106	.....
Paramount	22⅞	22⅜	22½	+ ⅛
Paramount 1 pfd.	168¾	166	167	.....
Paramount 2 pfd.	21	20⅝	20⅞	+ ⅛
Pathe Film	10⅜	10	10	.....
RKO	8⅜	8⅛	8⅛	.....
20th Century-Fox.	37½	37¼	37¼	— ¼
20th Century, pfd.	46½	46½	46½	— ¼
Universal, pfd.	102½	102½	102½	+ ¼
Warner Bros.	17¼	17	17	— ⅛

Irregular Curb Movement

	High	Low	Close	Net Change
Grand National	3⅞	3½	3½	.....
Sonotone	2⅛	2⅛	2⅛	+ ⅛
Technicolor	23¾	22¼	22⅝	— ¾
Trans-Lux	4⅜	4⅜	4⅜	+1/16
Universal Pict.	13¼	13¼	13¼	— ⅝

Bonds Rise Slightly

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	100¾	100⅝	100¾	.....
Paramount B'way 3s '55	72	72	72	+ ½
Paramount Pict. 6s '55	100⅜	100¼	100¼	+ ⅛
RKO 6s '41 pp	117	117	117	+ ½
Warner Bros. 6s '39 wd	99	98¼	98⅞	+ ⅜

(Quotations at close of Dec. 10)

Feher Tells Ampa Of Music and Sound

The importance of music and sound effects in pictures was emphasized yesterday at the Ampa meeting by Friedrich Feher, composer and director of "The Robber Symphony," which is being handled in this country by Fortune Films, of which Al Friedlander is president.

"In the days of the silent film titles were no good; in sound films, it's the dialogue that's bad. The problem then resolves itself down to expressing practically everything with sound and music, as I have done with this picture, using only from 500 to 600 words for the players to speak.

"You can't use sound on the stage this way," he added. "It was simple for me to produce this picture and I don't think another one like it has been made." Feher said he spent nine months in the cutting and he is now at work on the adaptation of "The Robber Symphony" for opera, which he is finding a "great task." He said he hoped his type of picture will pave the way for the future of a new standard in film production.

A Hand for Mrs. Feher

Magda Sonja, Feher's wife and star of the picture, took a bow. Their son, Hans, after finishing lunch, took his dog for a walk before he was called upon. He was among the missing guests when the session adjourned.

Gertrude Michael, RKO player, thanked the newspaper men for their cooperation during her illness. She said yesterday was her first day out of the hospital.

Cobyna Wright limited her talk to a few words because of laryngitis.

George Hummel of *Times Wide World* Wire Photos gave a demonstation on the delivery and transmission of photographs from one point to another by conversion of light impulse to electrical impulse for sending and vice versa for receiving. A photograph was taken of the guests, sent over the telephone wire. Five prints were delivered 52 minutes later. The portable machine weighed 45 pounds.

File Reorganization For Fox in Brooklyn

A plan of reorganization under Section 77 B of the Bankruptcy Act was filed yesterday in U. S. District Court by a group of bondholders of the Fox Theatre and Office Building Corp., Brooklyn.

The proposed new company would issue $2,825,000 in new bonds at no more than six per cent interest, to be offered bondholders on a 50 per cent basis together with a share of voting stock in addition for each $100 face value of their holdings. Under the plan the property will be offered for sale if $5,650,000 can be realized. Back taxes on the property last Oct. 31 amounted to $786,421.32.

Para. Reply Nears

Austin Keough, Paramount secretary and general counsel, returned to his office yesterday after an illness of several days. Due to a special meeting of the company's board of directors he was unable to give his attention to Paramount's reply to the M.P.T.O.A. trade practice program, which has been completed and is awaiting his scrutiny before being released.

"Dance" Tops Bway; $55,000 at Capitol

"Born to Dance" took the top box-office gross on Broadway, ending its first week last night at the Capitol with approximately $55,000. "Rembrandt" ran a close second, getting approximately $30,000 for the first seven days at the Rivoli.

The Paramount wound up a third week of "Go West, Young Man" and a stage show with $20,000. "Pennies from Heaven" opened at the theatre with $7,000 on the first day. On Dec. 23 the Paramount will celebrate its first year of the stage band policy. Casa Loma, who inaugurated this type of entertainment there will also start off the second year. "College Holiday" is the screen attraction for Christmas Week. On Jan. 7 the theatre will start showing "The Plainsman," with Ray Noble on the stage.

"Three Men on a Horse" in its second week at the Strand tallied about $25,000. The two-a-day showing of "Lloyds of London" at the Astor ended its second week with $12,000. "The Luckiest Girl in the World" took in nearly $30,000 at the Roxy. "Rose Bowl" at the Rialto got about $7,000.

"Beloved Enemy" will replace "Rembrandt" at the Rivoli on Christmas Eve. "Sing Me a Love Song" is slated to open at the Criterion for Christmas Week, following which "Great Guy" will begin an indefinite run.

Missouri Sale Tax Faces Court Fight

SPRINGFIELD, Ill., Dec. 10.—Court action is threatened to test the extension of the state's three per cent sales tax. Two members of the House have raised a formal protest to the recording of three absentee votes in favor of the measure. The record shows 105 for and 23 against.

The bill is now pending in the Senate and quick action is looked for. The Supreme Court has never passed on the question of absentee votes in either the House or the Senate.

Balcon Takes MGM British Post Jan. 1

(*Continued from page* 1)

lined up for international release. Studio arrangements are not set.

The impression has been prevalent for weeks that, in the event the deal of 20th Century-Fox and Loew's with G.B. goes through, with the latter assuming quota production for the two American companies under the former's general aegis, that Balcon will be returned to his original company.

Name Academy Group

HOLLYWOOD, Dec. 10.—Bernard Herzbrun, chairman of the Academy art directors' section, has named a committee to consider the rules under which nominations for the art direction awards were made last year and to recommend any improvements for this year.

Sol Krim Back on Job

DETROIT, Dec. 10.—Sol Krim of the Krim circuit, who has been in Harper Hospital for two weeks with a rheumatic ailment, has recovered and is back at his office again.

"Tarzan" Dual $16,000 Lead In St. Louis

ST. LOUIS, Dec. 10.—"Tarzan Escapes" and "Old Hutch" proved the outstanding attraction of the pre-Thanksgiving Week, drawing $16,000 at Loew's, $6,000 above average.

"The White Hunter" and a stage show drew $14,250 to the Ambassador, $5,250 above average. "Theodora Goes Wild" and "Give Her a Ring" in their subsequent first run engagement at the Orpheum also got into the profit class, drawing $6,800. All other attractions were below par.

A stage show at the American, a couple of concerts, a free commercially supported minstrel show at the Municipal Auditorium and ice hockey at the Arena were the competition.

Total first run business was $63,750. Average is $58,500.

Estimated takings for the week ending Nov. 25:

"THE WHITE HUNTER" (20th-Fox)
AMBASSADOR — (3,018), 25c-40c-55c, 7 days. Stage: Specialty acts. **Gross:** $14,250. Average, $9,000
"LADY FROM NOWHERE" (Col.)
"COME CLOSER FOLKS" (Col.)
FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $9,400. (Average, $14,000)
"TARZAN ESCAPES" (M-G-M)
"OLD HUTCH" (M-G-M)
LOEW'S — (3,162), 25c-35c-55c, 7 days. **Gross:** $16,000. (Average, $10,000)
"THE MAN I MARRY" (Univ.)
"ROSE BOWL" (Para.)
MISSOURI — (3,514), 25c-40c, 7 days. **Gross:** $8,800. (Average, $9,000)
"THEODORA GOES WILD" (Col.)
"GIVE HER A RING" (Judell)
ORPHEUM—(1,950), 25c-35c-55c, 7 days. **Gross:** $6,800. (Average, $6,000)
"WILD BRIAN KENT" (20th-Fox)
"LADY LUCK" (Chesterfield)
SHUBERT-RIALTO — (1,725), 20c-25c, 7 days. **Gross:** $2,500. (Average, $3,500)
"PIGSKIN PARADE" (20th-Fox)
ST. LOUIS — (4,000), 25c-40c, 7 days. Stage: Vaudeville. **Gross:** $6,000. (Average, $7,000)

Exhibitors Reject Argentine Proposal

By N. BRUSKI

BUENOS AIRES, Dec. 8. (*Via Air Mail*)—The Exhibitors' Ass'n, here, in a reply to a note accompanying a modification of the existing exhibition system, as proposed by the Argentine Film Distributors' Ass'n, virtually has rejected the proposals. It is claimed the distributors have failed to take into account the public attitude toward the film houses, which was the basis of the exhibitors' original request for the modification.

At the same time, it was pointed out in the exhibitor reply, innovations are suggested which would be highly dangerous in view of the economic situation and its effect on the theatre business.

U. K. Societies Merging

LONDON, Dec. 1. — The British Kinematograph Society, originally a breakaway from the S. M. P. E., is expected to become a section of the Royal Photographic Society as part of a general extension of activities by the latter. The R. P. S. may also assume duties previously in the hands of the British Film Institute, semi-official body concerned with the development of the non-entertainment film, and subsidized by the Government from the levy on Sunday receipts.

Purely Personal

DAVID BUTLER, who will direct "Saratoga Chips," EDDIE CANTOR'S first for 20th Century-Fox, is due in New York in a few days to confer with the comedian.

•

RICHARD ALDRICH and RICHARD MYERS have purchased "Tide Rising," play by GEORGE BREWER, JR., for production this season.

•

JIMMY SILEO has a number of prints at the Press Photographers' Exhibit now current in the RCA Bldg. at Radio City.

•

SAM E. MORRIS, who is recuperating at home from a nose operation, is due back at his office next week.

•

MORTON NATHANSON, formerly with KATHARINE CORNELL, has joined the Blackstone agency.

•

GEORGE CARRINGTON, operating manager for Erpi, is on a 10-day business trip through the south.

•

ROY DEL RUTH, director, will sail for England during the holiday season for a vacation.

•

FRANKLIN ALLEN of *American Weekly* will leave by plane for Los Angeles tonight.

•

SAM ENGEL, 20th Century-Fox producer, and his bride left yesterday for the coast.

•

W. RAY JOHNSTON, president of Sterling, is due from the coast on Monday.

•

ALLEN E. NORMAN has been named general manager of Fawcett Publications.

•

HERBERT MARSHALL has postponed his departure for the coast another week.

•

BELLE GOLDSTEIN of Paramount celebrates a birthday today.

•

GLORIA SWANSON is stopping at the Lombardy.

•

TOM MOORE left for the coast last night via American Airlines.

•

GEORGE BATCHELLER is due from Hollywood on Dec. 16.

•

ARTHUR M. LOEW is due from England on Dec. 28.

•

WILLIAM WYLER will arrive Monday on the *Queen Mary*.

•

. . . Pittsburgh

IRA COHN and family are going on another 18-day cruise aboard the *Kungsholm* late in December.

HAROLD WEINBERGER, M-G-M office manger in Washington, has returned to his job after spending several days here with friends and relatives.

JOE MINSKY, a nephew of HARRY KALMINE, is now working out of the Grand National exchange as a salesman.

MRS. JOE FELDMAN is out of the hospital after a month's stay following a major operation.

"Smartest," Cantor Crack Boston Mark

BOSTON, Dec. 10.—"Smartest Girl in Town" and Eddie Cantor in person cracked an RKO Boston record with $43,500, or $32,500 over par. The price policy of 65 cents was adhered to throughout the week excluding Sunday when Cantor did not appear, but was replaced by "Mummy's Boys."

"Love on the Run" was second high at the Orpheum with $16,000, $4,000 above average, and at the State the film grossed $15,000, also $4,000 above average.

"Winterset" drew $18,000 at the RKO Memorial and was held over. Average is $12,000.

The Winter Sport Show at the Boston Garden offered real competition to some houses.

Total first run business was $114,500. Average is $79,500.

Estimated takings for the week ending Dec. 3:

"PIGSKIN PARADE" (20th-Fox)
"VALIANT IS THE WORD FOR CARRIE" (Para.)
FENWAY — (1,382), 30c-50c, 7 days. **Gross:** $5,500. (Average, $4,500)

"WINTERSET" (Radio)
RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days. **Gross:** $18,000. (Average, $12,000)

"LOVE ON THE RUN" (M-G-M)
LOEW'S ORPHEUM—(2,970), 35c-45c-65c, 7 days. **Gross:** $16,000. (Average, $12,000)

"LOVE ON THE RUN" (M-G-M)
LOEW'S STATE—(3,537), 35c-45c-65c, 7 days. **Gross:** $15,000. (Average, $11,000)

"REUNION" (20th-Fox)
METROPOLITAN—(4,332), 35c-50c-65c, 7 days. Stage: Horace Heidt and his orchestra. **Gross:** $22,000. (Average, $22,000)

"PIGSKIN PARADE" (20th-Fox)
"VALIANT IS THE WORD FOR CARRIE" (Para.)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $9,000. (Average, $7,000)

"SMARTEST GIRL IN TOWN" (Radio)
"MUMMY'S BOYS" (1 Day) (Radio)
RKO BOSTON—(3,246), 65c, 6 days. Stage: Eddie Cantor. **Gross:** $43,500. (Average, 7 days, $11,000)

"Theodora" $10,000 Indianapolis Draw

INDIANAPOLIS, Dec. 10.—"Theodora Goes Wild" took an excellent $10,000 at Loew's, $4,000 above normal in a week of mild weather and good business. A legit show, "End of Summer," at English's, cut into the first runs a bit.

"Three Men on a Horse" went $2,800 over the line at the Apollo for $6,800, while "Country Gentleman" and a stage show went $2,200 into the black at the Lyric with $9,200.

Total first run business was $30,400. Average is $21,000.

Estimated takings for the week ending Dec. 4:

"THREE MEN ON A HORSE" (F. N.)
APOLLO—(1,100), 25c-40c, 8 days. **Gross:** $6,800. (Average, $4,000)

"THE GAY DESPERADO" (U. A.)
"HIDEAWAY GIRL" (Para.)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $4,400. (Average, $4,000)

"THEODORA GOES WILD" (Col.)
"MAD HOLIDAY" (M-G-M)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $10,000. (Average, $6,000)

"COUNTRY GENTLEMEN" (Republic)
LYRIC—(2,000), 25c-40c, 7 days. Stage: "Cuban Follies." **Gross:** $9,200. (Average, $7,000)

Guide a Busy Place

New Haven, Dec. 10.—*Theatre News*, local film guide, will have to put in an extra phone, the report goes. Clubs call up for advise on the best-balanced program in town to see; high school papers call to consult whether thus and so is the right sort of picture to accept advertising on; mamas call to discuss the moral angle of a current film for six-year-old Junior; even college boys want to know which is the best show in town for the money.

"Pennies" Dual Is Providence Winner

PROVIDENCE, Dec. 10.—All of the first runs went to town over the holiday. The Strand had one of its best weeks in a long while with "Pennies From Heaven" on a dual with "Bulldog Edition," catching $11,500, up by $5,000.

The Majestic climbed over its $7,000 average by $1,500 with "The Charge of the Light Brigade" and "Winterset" jacked up the Albee gross to $9,000, over par by $2,000.

Chief competition came from a week of opera and boxers and wrestlers. The weather was warm and rainy.

Total first run business was $45,000. Average is $39,500.

Estimated takings for the week ending Dec. 3:

"PENNIES FROM HEAVEN" (Col.)
"BULLDOG EDITION" (Republic)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $11,500. (Average, $6,500)

"CHARGE OF THE LIGHT BRIGADE" (W.B.)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $8,500. (Average, $7,000)

"CAN THIS BE DIXIE" (20th-Fox)
FAY'S—(1,600), 15c-40c, 7 days. Stage: Dorothy Martin Revue. **Gross:** $7,500. (Average, $7,000)

"LOVE ON THE RUN" (M-G-M)
LOEW'S STATE—(3,800), 15c-40c, 7 days. **Gross:** $8,500. (Average, $12,000)

"WINTERSET" (Radio)
"DANIEL BOONE" (Radio)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $9,000. (Average, $7,000)

"Three Men" Dual Big in New Haven

NEW HAVEN, Dec. 10.—"Three Men on a Horse," on a dual with "Flying Hostess" at the Roger Sherman, took the big money here for the week. The $7,200 gross was $2,500 over par.

Business was good all along the line, with all first runs except the Roger Sherman opening Thanksgiving Day. "Go West, Young Man" and "Along Came Love" pushed the Paramount gross to $7,000.

Total first run business was $26,600. Average is $19,300.

Estimated takings for the week ending Dec. 4:

"REUNION" (20th-Fox)
"MISTER CINDERELLA" (M-G-M)
COLLEGE — (1,499), 25c-35c. 8 days. **Gross:** $3,000. (Average, $2,800)

"GO WEST, YOUNG MAN" (Para.)
"ALONG CAME LOVE" (Para.)
PARAMOUNT—(2,348), 35c-50c, 8 days. **Gross:** $7,000. (Average, $4,800)

"LOVE ON THE RUN" (M-G-M)
"WITHOUT ORDERS" (Radio)
POLI—(3,040), 35c-50c. 8 days. **Gross:** $9,400. (Average, $7,000)

"THREE MEN ON A HORSE" (F.N.)
"FLYING HOSTESS" (Univ.)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $7,200. (Average, $4,700)

"Theodora" on Dual $15,000, San Francisco

SAN FRANCISCO, Dec. 10.—"Theodora Goes Wild," on a dual with "Flying Hostess," was the big money-maker of the week, going to $15,000 at the Orpheum. Average is $9,000.

"Winterset" was the only other outstanding draw of the week. It was $4,500 to the good on a take of $20,500 at the Golden Gate, with a Major Bowes unit to help. "Come and Get It" held up to $6,200 in its third week at the United Artists. All other houses were off.

Total first run business was $88,320. Average is $85,000.

Estimated takings:

Week Ending Dec. 1:
"GAMBLING WITH SOULS"
(Ind. Roadshows)
EMBASSY — (1,400), 10c-30c-35c-40c, 7 days, 4th week. **Gross:** $2,750. (Average, $4,000)

"WINTERSET" (Radio)
GOLDEN GATE—(2,850), 10c-35c-40c-55c, 7 days. Stage, Major Bowes' Amateurs. **Gross:** $20,500. (Average, $16,000)

"COME AND GET IT" (U. A.)
UNITED ARTISTS—(1,200), 15c-30c-35c-40c-55c, 7 days, 3rd week. **Gross:** $6,200. (Average, $7,000)

Week Ending Dec. 2:
"WHITE HUNTER" (20th-Fox)
"MR. CINDERELLA" (M-G-M)
FOX — (5,000), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $13,500. (Average, $16,000)

"THEODORA GOES WILD" (Col.)
"FLYING HOSTESS" (Univ.)
ORPHEUM — (2,440), 15c-30c-35c-40c, 7 days. **Gross:** $15,000. (Average, $9,000)

"BORN TO DANCE" (M-G-M)
"LONGEST NIGHT" (M-G-M)
PARAMOUNT — (2,740), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $11,700. (Average, $13,000)

Week Ending Dec. 3:
"GO WEST, YOUNG MAN" (Para.)
"ALL AMERICAN CHUMP" (M-G-M)
ST. FRANCIS—(1,400), 15c-30c-35c-40c, 7 days. **Gross:** $5,800. (Average, $6,000)

"POLO JOE" (W. B.)
"CAN THIS BE DIXIE" (20th-Fox)
WARFIELD—(2,680), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $12,000. (Average, $13,000)

Week Ending Dec. 4:
"CLOISTERED" (Best)
CLAY—(400), 15c-35c, 9 days, 4th week. **Gross:** $870. (Average, $1,000)

Japanese May Start Newsreels in Subway

WASHINGTON, Dec. 10.—Japanese film interests are making arrangements to show newsreel pictures in subway stations of Tokyo, according to a report from Consul A. F. Tower to the U. S. Dep't of Commerce.

It is reported that theatres seating 200 persons may be opened in every subway station in the metropolis and that admission will be 10 sen (approximately three cents), the consul stated.

Abandons Dual Plan

PITTSBURGH, Dec. 10.—Subsequent run contracts have forced Mort Shea's Fulton to abandon plans to double feature two of the biggest hits it has had this season, "My Man Godfrey" and "Pigskin Parade," on a revival program the week before Christmas.

To Resume Operation

NEW HAVEN, Dec. 10.—Sam Meadow, owner of the State, will resume active operation Dec. 16, when the Hadelmans go out.

RADIO CITY MUSIC HALL BOOKS THE BIG XMAS SHOW FOR THE WORLD'S LARGEST THEATRE . . ELEVEN GALA DAYS BEGINNING DEC. 17TH!

Bobby **BREEN** *in*

RAINBOW ON THE RIVER *with*

MAY ROBSON

CHARLES BUTTERWORTH

RKO RADIO PICTURES

Directed by Kurt Neumann

Adapted from Mrs. C. V. Jamison's novel "Toinette's Philip"

BENITA HUME ★ ALAN MOWBRAY ★ LOUISE BEAVERS
HENRY O'NEILL ★ MARILYN KNOWLDEN... and the
FAMOUS HALL JOHNSON CHOIR... Produced by
SOL LESSER PRINCIPAL PRODUCTIONS



HIGHLIGHTS FROM THE COAST PREVIEW RAVES:

"BOUND TO CLICK FOR A SHOWMAN'S HARVEST" —Variety Daily

"SWELL . . . BOBBY BREEN TOPS IN STRONG BOX OFFICE PICTURE."—Hollywood Reporter

"DESTINED TO STAND WELL IN THE LIST OF THE SEASON'S MORE POPULAR ATTRACTIONS" —Motion Picture Daily

"THIS IS A GRAND LOAD OF ENTERTAINMENT" —Film Daily

"THE PROVERBIAL POT OF GOLD AT THE END OF THE RAINBOW WILL BE FOUND BY SHOWMEN WHO ARE FORTUNATE ENOUGH TO PLAY IT." —Showmen's Trade Review

RKO Moves to End the Claim Of Orpheum

(*Continued from page* 1)

declared the obligations to be in default and assumed the management and operation of the Orpheum collateral securing the notes. The collateral included the principal working assets of Orpheum, such as the Champaign (Ill.) Orpheum, Chicago Orpheum, Des Moines Consolidated Theatres, St. Paul Theatres Co., Junior Orpheum, Los Angeles; Junior Orpheum, San Francisco; Kansas City Junior Orpheum, Orpheum Circuit Booking Corp., RKO Western Vaudeville Exchange and other companies.

Marcus Heiman, trustee in bankruptcy of Orpheum, subsequently denied the validity of the indenture under which the default was declared and denied the validity of the Orpheum notes as well. Last March Heiman was authorized by Referee Oscar W. Ehrhorn to begin an action to recover from Stadium all of Orpheum's collateral, to institute an action for damages and an accounting with respect to the original pledging of the collateral and to sue for damages and an accounting as a result of the management of Orpheum prior to its bankruptcy.

Litigation Efforts Futile

Inasmuch as neither the trustee nor the Orpheum estate had the funds with which to bring the actions authorized, no suits were ever filed. Recently, the preferred stockholders of Orpheum subscribed $40,000 to finance such litigation and retained Isidor J. Kresel as their attorney, but insisted upon retaining control of the litigation themselves. As they have been unable to obtain such control from the trustee, no suits have resulted from this source either.

The petition for authorization to offer the $700,000 cash settlement points out that Stadium has been advised that the validity of its liens on the Orpheum collateral is uncertain, but that any claims for damages based on mismanagement of Orpheum's affairs prior to its bankruptcy are "without merit." The petition states, however, that defense of the possible litigation would be expensive to RKO and that the settlement, if accepted, would give Stadium any valid equity in the collateral which might belong to the Orpheum trustee.

So far as could be learned, no indication has been given RKO as to whether or not the proposed offer is satisfactory to the Orpheum trustee and creditors. Exclusive of the RKO claims against Orpheum, represented by the $2,880,686 of promissory notes, there are additional creditors' claims of $2,100,000 against Orpheum. Apart from the collateral held by Stadium there is practically nothing of any liquidation value in Orpheum assets.

A hearing on the petition which was prepared by Irving Trust Co., trustee in reorganization for RKO, was set for Dec. 21 by Federal Judge William Bondy.

Ask Permission for Audit

A petition for leave to employ Price, Waterhouse & Co. to make a consolidated audit of RKO for the year 1936 at a fee not to exceed $3,500 was filed in U. S. District Court here yesterday by Irving Trust Co., trustee in reorganization for RKO. A hearing on the petition was set for Dec. 21 before Federal Judge William Bondy.

Committee Studies RKO Books

An RKO independent stockholders' committee has begun an extensive study of the company's books and records with a view to opposing provisions of the company's reorganization plan for treatment of common stockholders at the hearing on the plan before Federal Judge William Bondy on Dec. 23, it was learned yesterday.

Not Cameraman, but the New King



Albert I, England's new ruler, operating a Movietone News camera at a recent Boy Scout jamboree in England. This, from the private collection of Truman H. Talley, general manager of the newsreel, is a shot of the King, but as the Duke of York, of course.

Talley makes no secret of his pride in the manner in which newspapers individually and the news services went for the clips in the current issue of the reel, of former King Edward and Mrs. Simpson enjoying themselves near Cannes, on the Riviera. The American used a full page, the Daily News that and more, the Mirror plenty of space, the World-Telegram a page-wide layout, and, says Talley, nearly "every paper in the country used the shots."

Talley was anything but upset by the fact that every reproduction carried the Movietone News credit line.

Sunday Films Approved

GREENVILLE, N. C., Dec. 10.—The Board of Aldermen, acting on petition of Ty Walker, manager of two theatres here, has sanctioned Sunday films.

Skouras-20th-Fox, RKO to Settle Suit

(*Continued from page* 1)

case would be called on Monday and admonished the litigants either to be agreed upon a settlement of the case or be prepared to go to trial at that time. The agreement to dismiss the case was worked out subsequently.

Under the terms of the agreement, it is understood, parties to the action will enter into a stipulation to discontinue the case leaving a temporary injunction in effect restraining 20th Century-Fox from selling to the RKO 81st Street while Skouras theatres are competing with that house during the life of the Skouras franchise. In addition, a $25,000 bond posted by Skouras is to be eliminated.

The product deal with the RKO theatre was for one year and has expired. The house was enjoined from using any of the product contracted for.

Hoblitzelle-Para. In New Agreement

(*Continued from page* 1)

stock interest in the theatre properties, which has been included in his operating agreement heretofore, is now eliminated.

Although details of the new agreement were not furnished by the company, it was reported that the two Texas circuits, which operate approximately 110 houses in the southwest, would be merged into a single operating company in the future if obstacles in the way of the consolidation can be removed.

Paramount and Hoblitzelle retain their respective 50 per cent interests in the properties, with Hoblitzelle's ownership now placed on a permanent basis.

London Films Loss $1,654,210 in Year

(*Continued from page* 1)

in the aggregate at £2,229,973, including £751,845 for films completed or in progress and £561,149 for property and equipment. The debtor account listed £41,408 and cash of £5,403. Including £26,967 from the previous year, the total debit balance is £368,973.

London Films is a public company but has made no issue, since the shares have been acquired privately, chiefly by the Prudential Assurance Co.

Sam Smith has completed a deal with Alexander Korda of London Films for a Korda subsidiary which will produce inexpensive pictures at Denham to be released through Smith's British Lion. The object of the deal is to employ unoccupied space at the Denham plant without cheapening the London trade mark.

Grainger Presides At Chicago Meeting

CHICAGO, Dec. 10.—James R. Grainger, general sales manager, presided at the Universal regional meeting of exchange managers at the Blackstone here today. Grainger was the only home office executive attending the one-day session.

In an address Grainger pointed out that sales at the present time are 30 per cent ahead of last year and that 80 per cent of all availabilities have been closed.

Present at the meeting were E. T. Gomersall, western sales manager, and the following branch managers: Henry Herbel, Chicago; Paul Krieger, Cincinnati; J. J. Spandan, Des Moines; L. J. Miller, Omaha; William Benjamin, Kansas City; J. F. Camp, Milwaukee; Floyd Brown, Indianapolis; Manny Gottlieb, Detroit, and Frank Mantzke, Minneapolis.

Grainger left tonight for Minneapolis following the screening of "Three Smart Girls."

Jubilee Manual Issued

A Zukor Silver Jubilee promotion manual for the guidance of theatre managers has been released by Paramount. Printed in silver, maroon and black, and consisting of 24 pages, it contains information on exploitation methods as well as a comprehensive story of the business life of Adolph Zukor.

Smart Showmen

READ IT!

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

Telegraphed reviews of new product, shown in Hollywood last night, published in Motion Picture Daily today. Accurate appraisal of coming attractions usually weeks and often months ahead of release date.

"Hollywood Preview" is a regular feature of Motion Picture Daily.

No exhibitor should be without it

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ROCKEFELLER CENTER NEW YORK

Berry Starts With Plea for Industry Help

(*Continued from page* 1)

zations and business concerns sent "observers" to the meeting, they rapidly lost interest in the proceedings when it became evident that the council was not going to discuss conditions in any individual industry. If there were any film representatives present, they were merged in the crowd and took no active part in the speech making to which today's session was confined.

One of the featured speakers, Assistant Attorney General John Dickinson effectively spiked one of the major guns of those interested which sought to use the organization for an attack on "big business" when he flatly declared the anti-trust laws "do not make mere bigness unlawful, nor do they in general place upon the large business concern, because it is large, any special limitations in the competitive struggle which are not placed upon the smaller concerns also."

Defends Business Methods

It is not unlawful, he declared, "for large concerns in the ordinary course of business, and as participants in the competitive struggle, to engage in competitive practices on the same terms as their smaller rivals so long as their conduct is simply directed toward the pursuit of their legitimate business advantage and not directly aimed at the suppression of competition in an illegitimate manner."

Dickinson suggested, however, that the statutes might be simplified, since "there are not available in the Government today adequate facilities for conducting such investigations and making such preparations over a wide enough field to warrant the belief that the anti-trust laws can be enforced in anything like all instances of actual violation or even in a sufficient number of instances to give them a fully effective deterrent force." To do so, he added, would cost several million dollars annually "and even that amount might prove insufficient."

Pleads for Constitutionality

There is no thought of making the council another NRA, nor an instrumentality dominated by labor, Paine declared in speaking for the management group. Such reforms as it seeks must be accomplished within the limitations of the constitution and meet the requirements of the Supreme Court. No change should be made in the court, he asserted.

The council, he explained, recommends the discontinuance of national spending of capital as well as income; enlarging the field of service activities to increase employment; enlarging the scope of opportunity for industry, and for improvement of the status of labor.

Bills carrying into effect the demands of the council will be prepared for submission to Congress, Berry said, in speaking later.

Tomorrow the council will get down to actual business, with its various committees meeting behind closed doors to consider the recommendations which they will submit to the coordinator.

Generally, it is not expected that the committee recommendations will go further than those submitted a year ago and that they will deal with the various phases of industrial recovery in general rather than specific terms.

While Berry today read a letter of encouragement from President Roosevelt as the latter's approval of this organization, informed observers in Washington considered it merely a "pat on the back" and not Administration sponsorship of the council.

Out Hollywood Way

HOLLYWOOD, Dec. 10. — SAMUEL GOLDWYN has signed KING VIDOR to direct the remake of "Stella Dallas."

M-G-M signs HELEN TROY to long term contract. . . . Her last assignment was "Born to Dance." . . . DAVID O. SELZNICK signs MARSHALL NEILAN to term writing contract. Will work on "World's Our Oyster." . . . Republic starts "Hit the Saddle." . . . KENNY BAKER of the JACK BENNY show to sing two songs in "King and the Chorus Girl," Warners. . . . T. KEITH GLENNAN, Paramount studio manager, father of a seven-pound girl. . . . CHRISTOPHER CRAIG, writer, signed by Republic to do "Ever Since Adam." . . . EDMUND MILLS and GEORGE MARDEN join the talent council, same studio.

GERTRUDE ORR signed by General to do the screen play of "Hold That Tiger." . . . MRS. WALLACE REID to supervise production. . . . ROSALIND MARQUIS back from "Gold Diggers" flying trip to start work in "Marked Woman," with BETTE DAVIS, Warners. . . . COLBERT CLARK, Republic associate producer, off to Washington to talk with War Dept. on picture to be called "Army Girl."

✚

Casting—THEODORE VON ELTZ in "Clarence," Paramount. . . . EDDIE ACUFF in "Go Getter," Republic. . . . GRADY SUTTON, WILBUR MACK and EDDIE KANE added to "Pick a Star," HAL ROACH. . . . CHIC CHANDLER and WILLIAM GRIFFITH in "Time Out for Romance," 20th Century-Fox. . . . CHARLES IRWIN in "Parnell," WALTER KINGSFORD in "Maytime," JOSEPH CALLEIA in "To the Victor," all M-G-M.

✚

Writers—J. P. MCEVOY, DAVID DIAMOND and JACK MINTZ complete assignments at Paramount.

✚

Title Changes — "Trial Horse" changed to "Don't Pull Your Punches," Warners. . . . "Borderland" set as release title of Paramount's latest Hopalong Cassidy picture. . . . "When's Your Birthday?" definitely set for title of JOE BROWN's picture for DAVID LOEW. . . . Title cleared as a result of the acquisition of AURANIA ROUVERAL's play written in 1927."

✚

Story Buy — BUCK JONES gets "Smoke Tree Range," novel by ARTHUR HENRY GOSDEN.

Authorities to Aid Film

Exploitation of "Great Guy," latest James Cagney vehicle, will have the cooperation of the municipal weights and measures departments in many of the large cities where it is to be shown. The film treats of the efforts being made to fight food law violators and short weights.

$500 Per at 16

Chicago, Dec. 10. — Betty Jane Schultz, 16-year-old singer who made a sensational opera debut here Sunday, has been signed by M-G-M to a long term contract which starts at $500 per week and advances to $2,500 for the final period. Al Altman and Fred Bartow handled the deal for M-G-M, Altman flying here. Known as Betty Janes, she will leave for the coast shortly. Her first assignment is scheduled for April.

Will Name Bright's Successor Next Week

The successor to Willis C. Bright, who resigned some time ago as treasurer of Grand National, will be named next week, Edward L. Alperson, president, stated yesterday. At the same time, an eastern story head will be named to replace Sidney M. Biddell, who leaves tomorrow via American Airlines to make his permanent headquarters in Hollywood.

Alperson and Edward Finney, publicity and advertising head as well as producer of eight westerns, will head for the coast again in about two weeks.

B & K Is Sued for Chicago Bank Night

CHICAGO, Dec. 10.—Thomas J. McCormick filed suit in Superior Court here today asking an injunction to restrain B. & K. from conducting prize nights at their Will Rogers Theatre. The suit alleges that the games are a violation of the state and city lottery laws. The attorney further charges that they are dangerous to the morals of his four children.

Executives of B. & K. stated that they had no information regarding the suit.

The moves of the Better Business Bureau to eliminate prize games from Chicago's theatres are temporarily at a standstill as the organization awaits a reply from Mayor Kelly to its demand for action in the matter.

Sign New 20-Year Lease

ATLANTA, Dec. 10.—Lucas & Jenkins, operators of the Fox here, have signed a 20-year lease on the theatre at an aggregate rental of $600,000. Effective from Dec. 1, the lease will run through Nov. 30, 1956, replacing the current lease, which would have expired Sept. 1, 1940. The terms, similar to the current agreement, call for an annual rental of $30,000, payable monthly. Mosque, Inc., owns the property.

Chic Sale's Will Filed

LOS ANGELES, Dec. 10.—Charles P. (Chic) Sale's will, just filed for probate, leaves his entire fortune to his widow, Mrs. Marie B. Sale.



The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 139 NEW YORK, SATURDAY, DECEMBER 12, 1936 TEN CENTS

Legislation Seen Outcome Of Conference

Wage, Unfair Practice Reports Adopted

By BERTRAM F. LINZ

WASHINGTON, Dec. 11.—Reports favoring minimum wage standards, urging the curbing of unfair competitive practices and opposing production control were adopted today by the Council for Industrial Progress and these recommendations will be embodied in legislation to be submitted to Congress next month.

In an effort to obtain permanence for the organization, a report was adopted suggesting the formation of a permanent advisory economic council, with equal representation of industry, labor and the public, to be named by the President with the advice and consent of the Senate. Such a group, it was intimated, already is available in the council.

Studies to determine the deterrent effect of present taxes upon enterprise and employment, and changes in the law to produce maximum revenue with a minimum burden on industry and the public were recommended by a special tax committee.

Attendance at the final meetings of the council today was limited to members and was not greatly larger

(*Continued on page 4*)

Wilcox Sees Third Of Cost from U. S.

LONDON, Dec. 3.—Herbert Wilcox anticipates recovering one-third of the negative cost from the United States market on the five pictures he will distribute in America through G. B. there, he said on his return from a visit to the United States. He decided to release the five through G. B. after considering the offers of several major companies, he indicated.

"The United States is as wide open to British films as England itself," Wilcox said. Exhibitor resistance to English product has broken down since his last visit, the producer declared.

New Haven Opposes Bingo Games Spread

NEW HAVEN, Dec. 8.—Spread of Bingo games, now prevalent here among fraternal and social organizations, to commercial establishments, has been barred by Chief of Police Philip T. Smith. There has been talk of extending the ban, but action, it is

(*Continued on page 4*)

World Halts for 8 Minutes To Hear Edward's Farewell

By JACK BANNER

The greatest special event job in radio history officially came to a close last night at 5:08 P.M., E.S.T., when the abdicating monarch of the British Empire, ex-King Edward VIII, ceased speaking in a message proclaiming his abdication which was actually, not figuratively, heard 'round the world.

It is believed that every radio station on earth that could be linked up in the globe-girdling circuit carried the ex-ruler's address. At the moment the exact number of stations which broadcast the address cannot even be guessed at, but in America alone it is safe to presume that at least 50 per cent of the nation's approximate 500 stations fed the talk to their listeners.

Stations failing to carry the talk were affected either by the difficulty of obtaining telephone lines or by the expense entailed.

The three major networks, NBC, CBS and Mutual fed the address to all their affiliated stations—101 NBC, 97 CBS, and approximately 15 Mutual.

Locally CBS fed independent stations WNEW, WINS and WHN. NBC fed WNYC.

A recent survey of the number of American families possessing radio

(*Continued on page 3*)

Further radio news on page 3

Para. Extends Deal With Blank 3 Mos.

A three-month extension of the partnership operating agreement for the Tri-States Circuit between Paramount and A. H. Blank was approved yesterday by Paramount officials. Blank's current pact expires Jan. 2 and the extension will continue the agreement up to March 6.

Approximately 40 theatres in Iowa, Nebraska and Illinois are included in the agreement. Blank and Paramount each hold a 50 per cent stock interest in the operations, but the agreement includes an option under which Paramount may repurchase from Blank his half interest. At present, indications are that Paramount will attempt to place the circuit on a permanent operating basis after March 6, as the company is known to prefer that type of operating arrangement to the uncertainty and repeated negotiations involved in the temporary agreements carrying repurchase clauses.

Paramount's operating agreement with Karl Hoblitzelle for the Interstate Circuit and Texas Consolidated

(*Continued on page 4*)

Roxy 2-Month Loss Reported to Court

Howard Cullman, trustee of the Roxy, yesterday filed his report in Federal Court for the period from Oct. 30 to Nov. 26. Cash receipts were $150,916.25 and disbursements were $198,144.68, or $47,228.43 over receipts. Cullman said he had to pay

(*Continued on page 4*)

Studios Hold Pace As Holidays Near

HOLLYWOOD, Dec. 11.—Despite the approaching holiday season studios continued to hum last week with no signs of an immediate letup. Production dropped slightly during the week from 40 to 38 features in work. Twenty-one were scheduled to come out of the scenario departments and on to the sound stages within the next two weeks. The number of pictures in the cutting rooms totaled 61. Only one short subject was shooting.

Since the checkup a week ago, eight new films have gone before the cameras. They were: "Raiding Guns," Columbia; "The Trusted Outlaw" and "Hit the Saddle," Republic; "Seventh Heaven" and "Step Lively, Jeeves," 20th Century-Fox, and "Marked Woman," "Prince and the Pauper" and "The Stuttering Bishop" at Warners.

Warners headed the list with seven in work.

In the feature division Columbia had three shooting, three preparing and seven editing. Samuel Goldwyn had zero, zero and one; M-G-M, five, one

(*Continued on page 4*)

Will Renew Pledges On Legion Tomorrow

Renewals of the Legion of Decency pledge not to patronize undesirable films will be made tomorrow in all Catholic churches in the United States. The date was set by Archbishop John T. McNicholas, in Cincinnati, head of the Episcopal Committee on Motion Pictures.

Refused Sale Of GB Stock, Mayer States

Coast Confab Seen Ended As Ostrers Leave

HOLLYWOOD, Dec. 11.—Louis B. Mayer, vice-president of M-G-M, speaking for himself and Nicholas M. Schenck, president, with regard to the negotiations in progress here during the past few days between Loew's, Twentieth Century-Fox and G. B. on the proposed acquisition of controlling interest in the British organization, stated tonight:

"Isidore and Maurice Ostrer had wanted to purchase our stock interest in G. B. We refused to sell."

The Ostrers left by train tonight for New York. They made no statement, having evaded interviewers throughout their short stay here. Today's meeting ended at about 5 P. M.

Joseph M. Schenck, chairman of the board of Twentieth Century-Fox, and Sidney R. Kent, president, could not be reached for statements regarding the stand of their organization in the negotiations.

Philadelphia Houses Complete Scale Rise

PHILADELPHIA, Dec. 11.—Elimination of matinee scales and increases in Sunday admission prices adopted recently by all South Philadelphia theatres completes an increased admission move throughout this city. Similar action was taken earlier in other sections of the city.

With evening prices going into effect at 2 P. M. now, prevailing admissions are 20 and 25 cents instead of the former 15 cents in the afternoon. Sunday admissions are 25 and 30 cents, instead of the former 20 and 25 cents.

Fred Wehrenberg Reelected by MPTO

ST. LOUIS, Dec. 11.—The M.P.T.O. of St. Louis, Eastern Missouri and Southern Illinois, meeting at the Coronado Hotel here today, relected Fred Wehrenberg and all other officers of the organization.

The convention was addressed by Ed Kuykendall, president of the M.P.T.O.A., and by C. C. Pettijohn, general counsel of the M.P.P.D.A. Kuykendall's 10-point program received the official endorsement of the local organization. It was also voted to appoint a local conciliation board

(*Continued on page 4*)

MOTION PICTURE DAILY
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Columbia Meets in New Orleans Today

NEW ORLEANS, Dec. 11.—Columbia will hold the third of its regional sales meetings here at the Jung Hotel tomorrow and Sunday, with Abe Montague, general sales manager, presiding. Two previous sessions were held in Chicago and San Francisco, and a fourth is scheduled for New York.

From the home office, in addition to Montague, are Joe McConville, Lou Weinberg, Rube Jackter, Leo Jaffe and Nat Shiren.

The staffs of the six exchanges, headed by Sam Moscow, southern division manager, include: Atlanta, Walter Anderson, manager; S. T. Wilson, B. A. Wallace, U. T. Koch, E. B. Foster and J. S. Laird; Charlotte, R. J. Ingram, manager; George Roscow, R. D. Williamson; Dallas, J. B. Underwood, manager; W. C. Williamson, W. L. Penn, J. L. McKinney, W. S. Hurst and A. M. Whitcher; Memphis, J. J. Rogers, manager, Herbert Kohn and T. B. Haynes; Oklahoma City, C. A. Gibbs, manager; J. A. Smith, Sidney Gibbs; New Orleans, Houston Duvall, manager; John Winberry, J. J. Fabacher.

Phila. Awaiting Big Variety Party Crown

PHILADELPHIA, Dec. 11.—With a complete sellout two weeks ago, 1,000 film men, friends, guests will attend the second annual stag dinner of Variety Club, Tent No. 13, at the Bellevue Stratford, Dec. 13.

George Jessel will be toastmaster; J. C. Flippen, ringmaster.

Among those on the dais will be Gov. George H. Earle; Gov. Harold Hoffman of New Jersey, Mayor S. Davis Wilson, and a number of industry figures.

A large group from the New York home offices will attend, with some expected in town the night before. Delegations from Baltimore, Washington, New York, Scranton and other spots are scheduled to attend, as well.

Proceeds will go to charity.

Coast Actor Benefit Has $6,019 Deficit

HOLLYWOOD, Dec. 11.—The Actors' Fund benefit show, staged July 1, which reported receipts of $42,525, actually had a deficit of $6,019.

"It appears the expenditures were way out of proportion and the trouble was just bad management," read a statement by Ferris R. Miller, investigator for the City Commission. He reported that the actual deficit was reduced to approximately $2,000 through a return to the fund by Alexander Leftwich, who staged the benefit, of most of his $3,453 salary and by other private donations.

Sears Going to Coast

HOLLYWOOD, Dec. 11.—Gradwell L. Sears, general sales manager for Warners, is due from San Antonio, where he is spending a short vacation with his family.

James Beck Due Monday

James M. Beck, Jr., London representative of the M.P.P.D.A., is en route here on the *Queen Mary* for conferences. He will arrive Monday.

"Pagliacci"

London, Dec. 11.—Trade shown today by Trafalgar-United Artists at the Hippodrome, this film is first class entertainment as screen drama, opera and spectacle. The story values of the operatic masterpiece are cleverly transcribed into screen terms without detracting from the original or losing any of the musical appeal. Richard Tauber sings magnificently, particularly in the "On With the Motley" aria which is sung in the clown's dressing room.

British Chemicolour sequences comprise about a third of the footage and include the whole last act of the offering on the stage. The color compares well with the best American work and is much better than anything previously done in England.

Karl Grune directed. Steffi Duna, Arthur Margetson and Esmond Knight are all good in supporting parts. The picture looks like real box office. It runs 90 minutes.

ALLAN

Ascap Delays Dividend

Action on a dividend for the fourth quarter is scheduled to be taken by the board of directors of Ascap at an adjourned special meeting Dec. 17. While the quarterly dividend of approximately $1,000,000 is expected to be declared at that time the board was unable to take dividend action at its meeting this week because of incomplete financial reports available now, the organization stated yesterday.

Leo Spitz Sails Today

Leo Spitz, president of RKO, will sail today for the coast on the *Santa Elena*. He is due to arrive on Christmas Day and spend several weeks in Hollywood.

Out Hollywood Way

HOLLYWOOD, Dec. 11.—FLORENCE RICE'S pa, GRANTLAND, will appear in a trailer with her for "Under Cover at Night," M-G-M. . . . It all happened when he visited her on a set at the studio.

BRIAN DONLEVY in "Midnight Taxi," Twentieth Century-Fox, scheduled to start Dec. 21. . . . This may delay his marriage to MARJORIE LANE, scheduled for Jan. 1. . . . RICARDO CORTEZ, most of whose recent work has been done abroad, will be in "The Love Trap" for B. P. SCHULBERG. . . . Columbia borrows IDA LUPINO from Paramount for lead in "Weather or No," opposite HERBERT MARSHALL.

Striking maritime workers have served notice on all film companies union men must be used on waterfront locations. . . FRANK KOWALSKI, former script clerk, has been made a dialogue director at Warners and assigned to "Cherokee Strip." . . . JOHNNY DOWNS, PAUL STONE and RUPERT HUGHES to appear at benefit for MARY BLACKFORD Dec. 19.

Warners to open new administration building Dec. 14. . . . ARTHUR LUBIN back from New York. . . . SAM BEHRMAN off to New York by train.

+

Casting—JAMES BURKE in "Three Legionnaires," General Pictures. . . . SAM ALEXANDER in "Red Lights Ahead," Chesterfield. . . . HOPE MANNING in "Old Lady Ironsides," Republic. . . . JOAN DAVIS in "Time Out for Romance," and ALAN DINEHART in "Midnight Taxi," both at Twentieth Century-Fox. . . . CORA WITHERSPOON, REGINALD OWEN, and BARNETT PARKER in "Dangerous Corner," M-G-M. . . . FRANK DAWSON and MAX LUCKIE in "Day at the Races," M-G-M.

+

Writers—At Radio, BERT GRANET adapting his own story, "An Apple a Day," and JOHN TWIST doing screenplay with BRET HARTE'S "Outcasts of Poker Flat."

+

Story Buy—Twentieth Century-Fox buys unpublished original, "Meet the Girls," by ALBERT TREYNOR and JEFF MOFFITT. . . . Both given short term contracts.

Stipulation Brings Product Suit to End

A stipulation discontinuing without prejudice the suit brought by Skouras Enterprises over the 1935 purchase of 20th Century-Fox product for the RKO 81st Street, allegedly in violation of Skouras's Fox franchise, was signed yesterday by the three parties to the litigation, thus formally bringing the action to an end.

The stipulation will be delivered to the N. Y. Supreme Court here Monday when the case is scheduled to be called.

Under the agreement ending the litigation a $20,000 bond posted by Skouras is cancelled and, in return, RKO and 20th Century-Fox release any rights which they might have to bring an action for damages against Skouras as a result of the temporary injunction which prevented the consummation of the 1935 product deal. Because of the injunction the RKO 81st St. was unable to play the product contracted for and in the event it was shown later that the injunction was not warranted the defendants might have had a cause of action against Skouras.

The stipulation was signed by Felix Jenkins for 20th Century-Fox, Louis Frohlich for Skouras and James B. Field for RKO.

Rites for C. F. Hanson

BISMARK, N. D., Dec. 11.—Funeral services were held here today for Claude F. Hanson, 46, manager of the Paramount, who died Tuesday on a train which was en route to Minneapolis.

Hanson was a partner in Celebrated Film Exchange, Minneapolis, and lived there for two years while in charge of the exchange. He also was connected with the Lyric, Redfield, S. D.

Hammond Left $121,711

RIVERHEAD, L. I., Dec. 11.—Percy Hammond's estate has been appraised for tax transfer purposes at $121,711.-83. The net estate after various taxes is $117,265.80. It goes to Hammond's son, John T. Hammond of 41 West 12th St., New York.

W. C. Gutlohm Dead

Walter O. Gutlohm, 48, who has been active in the 16mm field for the past few years, died yesterday at his home in the Hotel Navarre. Funeral services will be held today at West Side Chapel.

Grainger Denies

E. C. Grainger, general manager of the Shea circuit, yesterday denied Pittsburgh despatches indicating the Fulton had been compelled to abandon plans to dual "My Man Godfrey" and "Pigskin Parade" the week before Christmas. "There never has been any discussion about re-dates on either of these films, both of which already have been played, whether on a single or a dual bill basis," he said.

Loew Unit Has Big Gain

Marcus Loew's Theatres, Ltd., Canadian subsidiary of Loew's, earned $81,795 for the year ended Aug. 27, which is equal to $4.80 a share on the common. These figures compare with $52,862, or 95 cents a share for the preceding year.

Air Audience Data Cost Set At $500,000

By CLARENCE LINZ

WASHINGTON, Dec. 11.—More than $500,000 a year is spent by business firms in measuring radio audiences, Henry L. Link of the Psychological Corp. of New York told the National Conference on Educational Broadcasting here today. Link was speaking of the methods used to determine the number of listeners who follow a particular program on the air.

Alternately attacked and defended, the diction of the American radio announcer was discussed, with W. Cabell Greet, professor of English at Barnard College, criticizing their "flunky" speech, which, he said brought them into the class of gold-braided doormen and "Radio Center Music Hall ushers."

Greet asserted that the meticulous diction of the announcers has had little or no influence on the speech of the public, but H. L. Ewbank of the University of Wisconsin held that radio is changing the styles in public speaking, even if it is not improving the diction of the average listener, by "deflating the bombast of the agitator who wrought mightily upon the emotions of his hearers with exaggerated vocal effects and the devices of mob psychology."

Radio has not yet become aware of labor as a movement, the conference was told by Chester Wright of the Workers' Education Bureau, discussing labor's experience in broadcasting.

Colgate Buys Time Of Sears-Roebuck

Colgate - Palmolive - Peet yesterday purchased the CBS 10 to 10:30 P. M. period vacated last Thursday by the Sears-Roebuck "Then and Now" program. The acquisition of this time will probably effect the schedule set for the forthcoming Colgate series starring Jessica Dragonette and may save another Colgate program, Homer Rodeheaver's "Come On, Let's Sing," which had been slated for removal to make way for the Dragonette program.

According to Benton & Bowles, agency handling the Colgate account, the Dragonette show may now be placed in the newly acquired Thursday night spot, which would automatically save the "Sing" fiestas. Colgate had always been satisfied with the results achieved by this program and had only slated it for cancellation because no other time was available for the Dragonette series. A definite decision will be forthcoming shortly.

CBS Not After Theatre

The reported CBS negotiations to purchase an additional theatre as a broadcast studio were branded as a myth by a network spokesman yesterday.

McCrea, Davis Signed

Joel McCrea and Bette Davis will be featured in a radio version of the stage play "There's Always Juliet" on the Camel Caravan program Dec. 15.

World Halts for 8 Minutes To Hear Edward's Farewell

(*Continued from page* 1)

sets placed the total at 22,000,000 families. Estimating three to a family, the number of Americans who heard the broadcast can be set at approximately 66,000,000. No previous single broadcast has ever even approached that listening figure.

Indicative of the feverish interest aroused hereabouts by the broadcast, NBC informs that not a single telephone call was received at the Radio City switchboard from the moment Edward began to speak at 5 P. M. until 5:08, when he brought his address to a close. Immediately preceding the address and again after its conclusion, the switchboard was swamped. CBS states that not more than 10 telephone calls were received there during the course of the address.

Further proof of the amazing drawing power of the broadcast was the estimate late yesterday afternoon that Broadway theatre attendance dropped off approximately 50 per cent between the hours of 4 and 6 P. M.

The same authorities expressed the opinion that similar decreases in attendance probably were experienced by theatres throughout the country.

Edward's address was broadcast by the British Broadcasting Co. in London, from which point it was short-waved over the Atlantic to the RCA transmitter at Riverhead, L. I., thence to the RCA headquarters at 66 Broad St., New York, and out over the three networks and the temporarily linked independent stations. NBC and CBS fed it back to Europe and South America via short wave.

A conservative world-wide estimate of the number of listeners who heard Edward bid farewell to his Empire can be placed at 212,000,000.

For the benefit of those who were unable to hear Edward's broadcast, NBC repeated the historic valedictory over both networks—6.05 P.M. on the Blue and 7.15 P.M. on the Red. The repeats broke all NBC precedent. Not since the network was formed 10 years ago has an address been considered sufficiently important to repeat.

WMCA and its affiliated Inter-state network stations broadcast electrical transcriptions of the King's farewell at 7.30 P.M. last night. The procedure will be repeated at 12.30 P.M. today.

Many of the transcription companies will reap a rich harvest as a result of Edward's farewell message. Platters at so much per disk are now being rushed to stations which were unable to hook in on the actual broadcast.

Television Sales Enjoined

Sales of stock of Television Corp. of America in New York state have been enjoined by Justice Salvatore A. Cotillo in N. Y. Supreme Court pending a hearing Dec 18. Individuals named in the stay are Oliver C. Harriman, president; Jack N. Oppenheim, secretary; Hamilton Hoge and Robert F. Collins, salesman; William H. Milne, security dealer, Albany, and Fred Knapp and Lewis G. Duell, salesman.

Tom Terriss on New Series

Tom Terriss, motion picture travelogue director, will provide the adventure episode on the WOR "Moments You Never Forget" program, tonight at 7:30 P.M., E.S.T. Terriss will discuss his adventures while searching for material for his travelogues.

Adopt-a-Child Gag

Probably the most unique Christmas appeal of the year, with publicity value, is now being broadcast over New York's WBNX by Don Rich. Rich is asking eligible parents among his listeners to adopt a child for Christmas.

WBNX, incidentally, has appointed the Roesler and Howard agency as national representatives for foreign-language programs. Also, the Conover-Serviss Co., Chicago, has been appointed to represent the station in English programs for the territories of Chicago, Milwaukee and Detroit.

A. T. and T. Goes Xmas

American Telephone and Telegraph will sponsor a Christmas Eve salute over the entire CBS network from 10 to 10:30 P.M., E.S.T. The program will originate from many pick-up points throughout the nation.

From Hollywood, Leopold Stokowski will conduct a symphony orchestra in a program of Christmas music. From New York, Edwin C. Hill, acting as commentator and narrator, will introduce and interview a number of well-known personalities, who are now being lined up for the program.

Ratner West for CBS

Victor Ratner, CBS advertising and sales promotion director, has left New York for California to arrange for an extensive west coast newspaper and promotional campaign to announce official acquisition of KFSO and KNX to the CBS chain. KNX, Hollywood was purchased outright at a reported price of $1,500,000 by CBS last April. KFSO, San Francisco, was leased by CBS at the same time.

The stations will begin carrying the CBS network features on Dec. 29.

Scher Joining WKY

Hal Scher, brother of George Scher, head of the publicity division of the Lennen and Mitchell agency, leaves New York this week to join the announcing and production staff at WKY, Oklahoma City.

Scher arrived here last week from Valparaiso, Chile, where for the past four years he has conducted a Spanish-English program at Station CB68, Valparaiso's largest radio station. South and Central Americans, he reports, are eager to receive programs from the U. S.

Chevrolet Drops Films

The showing of motion pictures in connection with the Chevrolet-sponsored broadcasts starring Dave Rubinoff's band will be abolished this Sunday. Campbell-Ewald, the agency which arranged for the films, in cooperation with Jam Handy Prod., states the picture attractions were booked for but a temporary period now expired. It was originally stated, however, that the pictures would be shown weekly into the summer months.

The policy was in vogue five weeks. The pictures were institutional in nature, all subjects dealing with Chevrolet product.

Bartholomew to Read

Short Shots: Freddie Bartholomew will read a Christmas poem on the eve of the holiday at 4:30 P.M., E.S.T. over the NBC-Blue network . . . John Drew Colt has signed a picture contract with 20th Century-Fox . . . Oscar Bradley's orchestra replaces Hal Kemp's musical aggregation on the Phil Baker program beginning Dec. 27 . . . Charles Martin has been placed in charge of the radio division of the Biow ad agency . . . Arlene Jackson will become a permanent member of the CBS "Your Unseen Friend" series . . . East and Dumpke begin a series of Educational shorts next week . . . Alex Cores, concert violinist, begins a new series, "Favorites from the Album of a Concert Violinist," on Dec. 15 over the CBS web . . . Phil Regan departs for Hollywood on Dec. 18 . . . Harry Sosnick has been assigned a guest spot on the WOR "Morning Matinee" series . . . Bob Brown takes the helm of the NBC-Chicago "Breakfast Club" broadcasts formerly handled by Don McNeill . . . Jack Von Volkenberg, assistant to H. Leslie Atlass, vice-president in charge of the CBS Chicago office, is back at his post after an extended business trip to the East and Canada . . . Homer Rodeheaver's "Come On Let's Sing" guest on Monday will be Hilda Jordan . . . The Edward Johnstons (he's former WIP-Phila. technical supervisor) announce the birth of a son . . . And Mrs. Elizabeth Baten of the same station has just been named to head the continuity department.

Radio Listeners Organize

SACRAMENTO, Dec. 11.—Broadcast Listeners' Ass'n of American has been incorporated to fight radio glorification of crime and criminals.

The organization, articles stated, will oppose "obnoxious" advertising and misleading copy with the hope of maintaining the radio for the welfare of listeners.

Directors are Anthony Poonessa, Jack Parker and Oliver M. Hickey of Los Angeles.

Burns, Allen for Grapenuts

HOLLYWOOD, Dec. 11.—George Burns and Gracie Allen will be featured on a program sponsored by Grapenuts over NBC starting April. 1. The deal was consummated prior to the termination of the Campbell program over CBS. F. Wallis Armstrong Agency negotiated.

Station Gathering Toys

BRIDGEPORT, Dec. 11.—WICC has inaugurated a program designed to collect Christmas toys for needy children. According to Joseph Lopez, station manager, each listener who wants a number played or sung over the station will donate a toy. The station has set aside a portion of its studios as a clearing house for the toys.

Station to Distribute Toys

COLUMBUS, O., Dec. 11.—WBNS will distribute more than 1,000 toys to needy children at the RKO Palace the day before Christmas. A portion of the expense will be made up from proceeds of a stage show to be given at the theatre Dec. 19, at which local radio talent will be used, in addition to other performers.

Purely Personal

BOB GILLHAM, NEIL AGNEW and BILL PINE are packing their chilblain salve for a trip to Toronto early next week. GILLHAM goes from there to Detroit where he is scheduled to meet CHARLES REGAN before returning here.

•

ERROL FLYNN, who has been vacationing here with his wife, LILI DAMITA, left yesterday for a few days of fishing off the west coast of Florida.

•

JACK COHN dashing into the vaults of the Irving Trust at 49th and 7th with HARRY TAKIFF acting as a sort of one-man bodyguard.

•

SPYROS SKOURAS spent part of his business day yesterday with LEO SPITZ.

•

PATRICIA WILDER left for the coast last night by plane.

•

ABE WAXMAN'S cold simply won't get better.

•

LOU GOLDER leaves for the coast today.

Seek Law Allowing Children on Screen

LONDON, Dec. 3.—Capt. Richard Norton, as spokesman for the Film Group of the F. B. I., in the House of Commons urged support for a clause in the new Factories Bill permitting children to appear in films, under suitable safeguards.

The law as it stands prevents British producers from developing the juvenile talent in the country. The suggested clause is favored in principle by the Home Office, and also by the Trades Union Congress. Deputations are to be sent to the Home Office and the Board of Education.

Wall Street

Paramount Declines on Board

	High	Low	Close	Net Change
Columbia	36¾	36¾	36¾	— ¼
Columbia, pfd.	42½	42½	42½	.....
Consolidated	5½	4⅞	5¼	+ ⅛
Consolidated, pfd..	17⅞	17	17⅝	+1⅜
Eastman	176½	176	176	—1⅝
Gen. T. Equip.	27⅜	26⅝	26⅝	— ⅝
Loew's, Inc.	64¼	63¼	63¼	—1
Loew's, pfd.	106	106	106	.....
Paramount	22½	21½	21⅝	— ⅞
Paramount 1 pfd.	167	163	164	—3
Paramount 2 pfd..	20¾	20	20	— ⅞
Pathe Film	11⅛	10⅛	11	+1
RKO	8½	8⅛	8⅜	+ ¼
20th Century-Fox.	37	36½	36⅞	— ⅜
Universal, pfd.	103½	102½	103½	+1
Warner Bros.	17¼	16⅝	16⅝	— ⅜

Fractional Curb Losses

	High	Low	Close	Net Change
Grand National	3¼	3⅝	3⅝	.....
Sonotone	2	1⅞	2	— ⅛
Technicolor	23⅝	22⅜	22⅞	— ⅝
Trans-Lux	4¼	4¼	4¼	— ⅛

Bonds Up; RKO 1½ Points

	High	Low	Close	Net Change
Paramount B'way 3s '55	72½	71¼	72½	+ ½
Paramount Pict. 6s '55	100½	100¼	100½	+ ¼
RKO 6s '41 pp	118½	117	118½	+1½
Warner Bros. 6s '39 wd	99	98⅞	99	+ ¼

(Quotations at close of Dec. 11)

Studios Hold Pace As Holidays Near

(Continued from page 1)

and 12; Paramount, six, three and nine; Republic, two, three and four; Radio, three, two and five; Roach, one, zero and two; Selznick-International one, zero and zero; 20th Century-Fox, six, two and five; Universal, two, two and three; Walter Wanger, one, zero and one; Warners, seven, three and eight; independents, one, two and four.

Hal Roach had the only short in work with one preparing and one cutting. Columbia had two preparing and three cutting; M-G-M, two and five; Radio, two and one; Warners, one and one.

Fred Wehrenberg Reelected by MPTO

(Continued from page 1)

of distributors and exhibitors for the purpose of adjusting trade disputes within the territory.

Harry C. Arthur, Jr., and Clarence Kaimann, both of St. Louis, were named to the board of directors. They replace J. C. Hewitt of Robinson, Ill., who retains his post of vice-president, and Oscar C. Lehr, who has retired from the industry.

Legislation Is Seen Conference Outcome

(Continued from page 1)

than a year ago, when "big business" withdrew its participation.

Yesterday's warnings by Assistant Attorney General Dickinson that the anti-trust laws could not be used as a weapon against big companies merely because of their size and the statement by George L. Berry, Coordinator for Industrial Cooperation, that the problems of individual industries would not be discussed also were seen as lessening the interest of small independents in the movement.

Para. Extends Deal With Blank 3 Mos.

(Continued from page 1)

Theatres was renewed on a permanent partnership basis this week with the stock repurchase provision eliminated. No other Paramount theatre operating agreements are due to expire in the near future.

Flash Previews

"Le Prince Jean"—Twentieth Century-Fox offers this French importation telling the story of the marriage of a prince with a commoner.

"Sabotage"—From Britain comes this story of an East End shop keeper, secretly an agent of anarchist terrorism.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

GB Sets Australia Unit

LONDON, Dec. 3.—David Ostrer, chief of foreign sales of Gaumont British, has revealed the formation of Gaumont British Dominions Films Distributors, Ltd., to handle Australian business. Plans were shaped during the summer visits of Alan Williamson, G. B. chief in Australia. The unit will work with the Turnbull organization there.

"Camille"

Hollywood, Dec. 11.—Previewed here tonight by M-G-M, this film is definitely quality entertainment based not only on its appeal as a dramatic love story modern in treatment but also upon the intelligence of the direction and the sincerity of the acting.

Greta Garbo as the Marguerite Gautier of the Dumas classic gives a performance worthy of a Bernhard or a Duse. Robert Taylor as Armand, Henry Daniell as De Varville and Lionel Barrymore as the father of Armand give portrayals that rank with their best. Laura Hope Crews, Leonore Ulric and Jessie Ralph are strong in supporting roles.

George Cukor directed the film which runs 105 minutes.

McCARTHY

Roxy 2-Month Loss Reported to Court

(Continued from page 1)

$47,250 for real estate taxes for the second half of 1936 and $7,500 for legal expenses allowed by the court.

Authorizes RKO Audit

Federal Judge William Bondy yesterday authorized the Irving Trust Co., as trustees of RKO in reorganization, to employ Price Waterhouse & Co., accountants, to make a consolidated audit of RKO Pictures for the year ending Dec. 31, 1936, for fees not to exceed $3,500.

The reason for this, the Irving Trust Co. states, is the anticipation of numerous requests by creditors and other parties interested in the plan of reorganization for a consolidated statement of assets, liabilities, profits and losses of RKO for the year.

Hichens Wins Judgment

Charles Weiser, clerk of the U. S. District Court, yesterday entered a default judgment for $3,312.30 in favor of Robert S. Hichens, British author, and against the American Play Co. Hichens alleged he had engaged the American Play Co. to collect $20,000 from M-G-M for the sale of certain film rights. The default judgment is alleged to be the unpaid balance.

New Haven Opposes Bingo Games Spread

(Continued from page 1)

believed, is hanging on the fate of bills pending before the Legislature.

Bridgeport authorities have ordered the end of the games by the first of the year, and those operating in taverns must stop immediately by order of Prosecuting Attorney D. Harold Cotter.

Bilson Yarn to Warners

HOLLYWOOD, Dec. 11.—Warners has purchased an original by George Bilson titled "Talent Scout." The story was suggested as a result of the air stunt on "Gold Diggers of 1936." Fred Lawrence, Marquis Madden and some of the girls who made the trip to New York and back will appear in the film.

Short Subjects

"Screen Snapshots No. 3"

(*Columbia*)

In the usual style of these shorts, this number in candid motion picture camera fashion takes in a series of matches at the Los Angeles Tennis Club, and the many film players and celebrities in attendance. It is interesting and should make pleasant diversion. Production Code Seal No. 2,542. Running time, 10 mins. "G."

"Mixed Magic"

(*Educational*)

Buster Keaton, broke and hungry, gets involved with a magician and his act due to his infatuation with Marlyn Stuart. When the act is put on all the comic possibilities of the story are used and the resulting situations make a hilarious few minutes. Of course the comedy is not entirely unexpected but there are good, substantial laughs. Production Code Seal No. 01,256. Running time, 17 mins. "G."

"Annie Laurie"

(*M-G-M*)

Based on the legendary creation of the famous Scotch air, the well produced effort, has an atmosphere of tender romance and sorrow which is given fine dramatic treatment by Ann Rutherford, Stanley Morner and David Torrence. With well turned and tasteful sentimentality to aid, it should go over. Production Code Seal No. 2,575. Running time, 10 mins. "G."

Erpi to Leave Coast

HOLLYWOOD, Dec. 11.—Erpi will shift its local auditing department and other financial divisions of its business to New York. The personnel here will be disbanded but the offices will be retained.

W. E. in Radio Deal

LONDON, Dec. 3.—Western Electric here has made a deal with the Relay Services Ass'n whereby radio broadcasts put out by members of the latter will be available for theatre reproduction through W. E. equipment.

Bobby Breen to Appear

Bobby Breen, star of "Rainbow on the River," will make a personal appearance during the 11-day run of the picture at the Music Hall, starting Dec. 17. Mayor LaGuardia yesterday approved the stage appearance of the minor. Executives of the Music Hall are now working out details on the songs to be sung.

Glucksman Taking Trip

Jacobo Glucksman will sail Dec. 19 on the *Pan American* for Buenos Aires and then visit Europe. He plans to be gone three months. Jack Barnstyn, foreign head for Grand National, plans to sail for London on Jan. 13. He will meet Glucksman in London.

Security Film Gets Play

Approximately 4,000 theatres are showing films explaining the Social Security Act, according to Walter J. Price, in charge of distribution of the film. The four-minute short, Price said, has been furnished to 235 theatres of the I.T.O.A. It is planned to reduce the subject to 16mm. film.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 140 NEW YORK, MONDAY, DECEMBER 14, 1936 TEN CENTS

Radio Parade Of Film Stars Marching On

Programs' Ranks Filled With Screen Names

The Hollywood parade before the radio microphones marches on.

Sonja Henie, Adolphe Menjou, Arlene Judge, the Ritz Brothers, Tony Martin and Borrah Minnevitch will reenact several highlights from their forthcoming picture, "One in a Million" on the "Hollywood Hotel" program Dec. 18. The broadcast will originate in the sound studio on the 20th Century-Fox lot in Hollywood.

More on Radio—Page 4

Rosalind Russell, star of "Craig's Wife," will be interviewed the same evening at 10:45 P.M., E.S.T. on Elza Schallert's NBC-Blue network.

On Dec. 20 Nelson Eddy and Jeanette MacDonald will make their first air appearance together during the latter's guest star appearance on "Vick's Open House," broadcast at 8 P.M.,

(*Continued on page 4*)

French Organization Gaining in Strength

PARIS, Dec. 4.—Despite the formation recently of the General Confederation of the French Cinema, all important factors in the industry have not yet subscribed to the organization. By degrees, however, agreements are being concluded between the Confederation group and the few remaining members of Charles Delac's former Syndical Chamber, which some months ago became the Federation of the French Cinema, supposedly including none but French companies, and

(*Continued on page 11*)

Book "Stowaway" to Beat Holiday Slump

PITTSBURGH, Dec. 13.—The management of Mort Shea's Fulton has decided to take the pre-Christmas bull by the horns this year and will open Shirley Temple's latest, "Stowaway," the week before the holiday. It has been booked in for two weeks and will play through the Yuletide week as well.

The move was made both to counteract the customary lull and to forestall the necessity of playing the picture through Christmas and New Year's week.

Industry Plans To Await Move By President

President's Views Not Clear Before Message

By BERTRAM F. LINZ

WASHINGTON, Dec. 13.—The attitude of the Administration toward the plans of George L. Berry's Council for Industrial Progress to obtain legislation paralleling the NRA will not be revealed until President Roosevelt sends his annual message to Congress Jan. 6, it was indicated here yesterday.

The Council adjourned Friday night after recommending the enactment of a law to prohibit unfair competition, either through unfair practices, by the maintenance of unjust or unreasonable wage or hour standards or through monopoly. It also recommended modification of the anti-trust laws and the adoption of voluntary codes by industry.

Little importance is attributed to the offer made by Berry in a radio address Friday night to resign as Coordinator for Industrial Cooperation if by so doing he could insure the participation of big business in his organization. Nor is much importance

(*Continued on page 6*)

Film Men's Income Gains Are Reported

WASHINGTON, Dec. 13.—Profits amounting to $6,145,519 were shown for 1934 by 773 individuals in the amusement industry from their businesses, aside from any income from salaries, wages, commissions, etc., while 170 others showed losses aggregating $1,004,676, it is disclosed by the Bureau of Internal Revenue.

Making public its analysis of income statistics for 1934, the bureau showed that one individual topped the

(*Continued on page 11*)

Charge Games Hurt School Attendance

BELOIT, Wis., Dec. 13.—Bank Night and Proxy Afternoon are seriously affecting the work of the public schools here on Fridays, according to a report by Supt. D. F. R. Rice to the city Board of Education.

Rice charged that parents are sending their children down to the theatres to register for them and that as a result the schools have had great numbers of absences every Friday afternoon. District Attorney John H. Matheson has warned Rock County exhibitors to discontinue all games.

Unchanged

Hollywood, Dec. 13.—Sidney R. Kent, president of 20th-Century-Fox, yesterday stated: "The status of the G. B. deal remains precisely as it was before the arrival of the Ostrers. Our discussions were friendly and they departed without any decision being reached. We shall hold our stock in G. B. It is not for sale. Further than that we have absolutely nothing to state."

RKO Executives Will Confer on the Coast

HOLLYWOOD, Dec. 13.—Home office sales and theatre executives of RKO will hold a week's conference here with Samuel J. Briskin, Pan Berman and other producers on forthcoming product starting about Jan. 15.

Among those planning to attend are Leo Spitz, who is en route from New York by boat and due Dec. 25, Ned E. Depinet, Jules Levy and Nate Blumberg.

Jules Levy, general sales manager for RKO, and Cresson E. Smith, southern and western division sales head, are due to return today from Dallas. They have been away a few weeks touring the south.

Warner Stockholders To Name 3 Directors

Samuel Carlisle, Stanleigh P. Friedman, Charles S. Guggenheimer, Sam E. Morris and Morris Wolf are scheduled to be reelected directors of Warners for another three-year term at today's stockholders' meeting in Wilmington. Sufficient proxies are on hand to assure their reelection.

There is a possibility that stockholders will be given a report on the first quarter business for the new fiscal year. The net, according to preliminary reports, will figure around

(*Continued on page 6*)

FWC House Managers In General Shakeup

LOS ANGELES, Dec. 13.—A number of F. W. C. managers have been shifted.

William R. Roberts goes to the Carlton, replacing Robert C. Rothafel, transferred to the Western to fill the vacancy caused by the resignation of R. W. P. Lecher, resigned. Maurice S. Amsell is temporary manager of the Embassy, replacing Roberts.

F. J. Menneiley has been made manager of the Paramount, Hollywood, succeeding Fred Rapport, who goes to the United Artists, Long Beach, to

(*Continued on page 11*)

Local Boards To Start Soon Where Desired

St. Louis to Get First; Petitions Awaited

Local conciliation boards for the adjustment of trade practice complaints are to be established immediately in all exchange centers petitioning them and moves preliminary to their organization are already under way in several cities, it was learned on Saturday. The present objective is to have the boards actually functioning as soon after the first of the year as possible.

The conciliation boards are an integral part of the M.P.T.O.A.'s 10-point trade practice program and that organization, as reported in MOTION PICTURE DAILY of Nov. 12, has been prepared to proceed with the establishment of the boards as soon as they had been approved by a minimum of four national distributors. The M. P. T. O. A.'s belief is that the cooperation of that number of distributors would be sufficient to begin the establishment of the boards. Universal, 20th Century-Fox and United Artists have formally offered their cooperation in setting up the boards and it is known that Paramount's reply to the M.P.T.O.A. trade practice program has been completed and will include an approval of the boards when it is made public within the next few days, thus assuring the minimum amount of distributor cooperation to

(*Continued on page 6*)

Davidson Resigns as Alperson Assistant

James Davidson, assistant to Edward L. Alperson, president, and a director of Grand National, has resigned, effective this weekend. He has been ill the last few weeks and has been anxious to take a rest, following which he will try something he has been axious to do for some time.

Davidson, before joining Grand National, was chief statistician for

(*Continued on page 11*)

National Theatres Votes 2nd Dividend

National Theatres, which operates more than 400 theatres, has declared another dividend of 75 cents a share, the amount of disbursement totaling $567,000. This is the second 75-cent dividend this year, the first having

(*Continued on page 11*)

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Balaban Firm Formed

DOVER, Del., Dec. 13.—Balaban Theatres, Inc., has been incorporated here to operate theatres and other places of amusement, listing capital stock of 10,000 shares, no par value, by Vincent Candice, Edna Goldman and Agnes Lay of Chicago.

Southern Film Exchanges was formed to deal in films, listing no capital. Incorporators are Walter Lenz, B. R. Jones and J. P. Murray of Wilmington.

Col. Group in Tomorrow

The Columbia home office group which had been attending the regional sales meeting in New Orleans over the weekend, will arrive tomorrow. The only exception is Abe Montague, general sales manager, who will stop off at Atlanta, Jacksonville and Miami, en route here.

Silver Jubilee Next

CHARLOTTE, Dec. 13.—The Theatre Owners of North and South Carolina, Inc., will observe their Silver Jubilee at the next convention for which no date has been set. The organization says it is the oldest in the country.

Insiders' Outlook

By RED KANN

THAT traveling vice-president, Arthur W. Kelly, continues to be "amazed" at the progress production is making in England. He told off at some length on this point before he sailed on his present and extended sales trip. He did it again for the benefit of a reporter of the *Buenos Aires Herald*, published in English in the leading city of the Argentine. By scissors and paste, this:

"The studios [British] are far and away bigger than anything in Hollywood. They cover more acreage; they will shortly turn out pictures vying with the best in the United States due to the interchange of stars. . . .

"It's incredible. The strides made in London are simply unbelievable. [Then detail about floor space at a studio, obviously Denham.] And furthermore, the technical qualities are the highest in the world today. Nothing that money can buy has been missed in these studios, all centered around London, and London may eventually capture the title of the center of filmdom.

"Look to London for many of the major productions of the future. British pictures of which you'll see many this coming season will compete for first place among the movie patrons over the entire globe." . . .

▼

Elsewhere in his bubbling enthusiasm, Kelly declared his company next season would have fifty or sixty pictures. Of interest, as well, is this, attributed to him: "You might like to know that the famous Walt Disney shorts will again be distributed by us," naturally referring to United Artists when we thought it was to RKO that Disney had pledged his future love lyrics. However, and be these two next above statements as they may, our roving eyes quickened perceptibly for other reasons. For instance, and in our usual blundering fashion, we wondered when it was that control of United Artists had passed from Hollywood to Denham and if this might be how Kelly was demonstrating his allegiance to the new owners. . . .

▼

Our last recollection of the set-up appears to be five American owner-members—Goldwyn, Pickford, Fairbanks, Chaplin, et al—and only one British—Alex Korda, who only recently dropped Hungarian for English citizenship. It seems unduly strange, therefore, that Kelly, as the vice-president of foreign distribution in a company dominated here, should give Korda and his London Films, who make up one of the employers, the decided edge on his American bosses, names you have. It might have embarrassed Kelly no end if the reporter on the *Herald* had thought to inquire if the interviewed one included in his encomiums several of the sickening flops made in England and released elsewhere by United Artists. Dolefully, we ponder the simplicity of such a query had that reporter read our favorite trade paper as diligently as we do. Anyway, flag-waving makes us tired and getting the signals mixed as per Kelly makes us give up. . . .

▼ ▼

Cecil B. De Mille is back in Hollywood with an interesting experience under his belt. Never overlooking his showmanship, you know, of course, that he has just rounded out a quick barnstorming tour in half dozen or more widely scattered key cities all for the purpose of gauging reactions to previews of "The Plainsman." The fruit of this experience, for instance, included what the coast regarded as a dramatic line spoken by Gary Cooper. New Orleans, however, thought otherwise and laughed, not only outright but loud. The probability now is that the skidding line will come out since it can without difficulty and without impairing the dramatic development fore and aft. . . .

▼

From De Mille:

"For years there has been a steady decrease in the value to a producer of audience reactions in California previews. A large part of any theatre audience near Hollywood is composed of persons either engaged in the film business or who are the relatives or friends of persons in the business. Sometimes there are eighteen or twenty previews in a single week. The California audience thinks no more of seeing a 'Preview Tonight' sign on a theatre than a Bronx audience thinks of seeing two feature pictures offered for the price of a single admission.

"This constant procession of previews has changed the majority of people in a California audience into film critics. They go to a preview to sit in judgment, to praise or condemn. They do not sit back and enjoy the show. From a Hollywood preview night, therefore, a producer gets a critical, rather than an audience, reaction. And that's why the preview, hereafter, must be a national one."

▼

C. B. was talking for newspaper consumption. That put a brake on his choice of language. If he were not so polite anyway, he might have painted the situation in far more cryptic and descriptive terms. For the coast preview ranks well up among the iniquities of Hollywood. It functions as those in charge prefer to have it function with the ayes deluging the nayes and general honesty in opinion compelled to run to ready cover under the glowering glares of the studio mighty. It seems strange today, as it has for years and years, that Hollywood cannot stomach the caustic with the enthusiastic, but must have paraded steadily before it a perpetual series of droolings and raves mounting to new crescendoes with each succeeding release. . . .

▼

The stories are legion about those who have gotten themselves thoroughly in bad by criticizing openly and as their judgment dictates. Hollywood, when the preview system works according to rote as it usually does, of course never makes a bad picture. As a matter of fact, when big previews occasion the dusting off of the mike for radio fanfare, those who direct their remarks into the ether are usually confident the attraction they are about to see makes a world beater and a wow look like the final word in understatement. No fools they, to go *Time* on you, they and others appreciate how to play their strategy.

▼

The entire system typifies the self-adulation which Hollywood views as so essential a phase of its satisfied existence. If you think that exhibitors and public are wrong when the product reaches them, you merely misjudge. The libel committed on Hollywood thereby is double-plated and no explanation to adequately explain away the frequent chasm between studios anticipation and theatre performance has ever been devised. All great on the coast, it has been said something happens by the time the prints reach New York. Santa Fe's quickened schedule for the Super-Chief hasn't contributed one bit toward a solution. . . .

Bingo Hitting Theatres

CINCINNATI, Dec. 13.—Theatre attendance here is being affected by the use of Bingo, wheels of fortune, raffles and similar activities, advertised to raise funds for charity, according to a member of the Greater Cincinnati Independent Exhibitors' Ass'n.

The stunts are widely used here, having originated with churches and charitable organizations, and drawing as many as 2,000 in a single location. A percentage of the proceeds, said at times to reach $3,000, goes to the sponsoring group.

City officials are investigating the practice with a view to curbing, if not stopping it.

MAJESTICALLY APACE WITH WARNER BROS.'

NOBLEST ACHIEVEMENTS

Vitaphone

Presents This Week

"The Most Inspiring and Important Short in Recent Years"

"Give Me Liberty"



"Splendid! An outstanding short, with a tremendous emotional and dramatic punch. It will stir every American heart, and is a sample of the fine work that the motion picture can do with a serious historical theme and still produce a picture with 100 per-cent pure entertainment. One of the finest readings ever presented on the screen and the climax will bring cheers from any patriotic audience!" —*Film Daily*

"Too much cannot be said on behalf of this grand piece of entertainment. Without a doubt this is one of the most inspiring and important shorts to come to the screen in recent years. It will send a tingle up and down your spine! You'll have customers deluging your box office".—*Showmen's Trade Review*

"It will bring down the house. Swelegant!" —*The Exhibitor*

A TWO-REEL 'BROADWAY BREVITY' RELEASE WITH JOHN LITEL • NEDDA HARRIGAN CARLYLE MOORE, JR. • ROBERT WARWICK • GEORGE IRVING • DIRECTED BY B. REEVES EASON

FILMED ENTIRELY IN TECHNICOLOR

Radio Parade Of Film Stars Marching On

(Continued from page 1)

E.S.T. over the C.B.S. network. The production scheme for "Open House" will be altered materially for this program to allow for a half-hour vest pocket edition of the operetta "Naughty Marietta."

Lux "Radio Theatre" on Dec. 28 will feature Herbert Marshall and Madeleine Carroll in a vehicle as yet unknown. On the same program William S. Hart will emerge from a long retirement and will be interviewed by Cecil B. DeMille. Tomorrow night Lux presents Jean Harlow, Robert Taylor and Claude Rains in a radio version of "Madame Sans Gene," and as an added feature a DeMille-conducted interview with Jerome Napoleon Bonaparte, direct descendant of the Emperor.

Tuesday night the "Camel Caravan" program will have Joel McCrea and Bette Davis in scenes from "There's Always Juliet." Thursday night's Kraft "Music Hall" series will have Jack Oakie and Mary Astor in interviews. Pat O'Brien, incidentally, has been set for his third appearance on this program on Dec. 31.

Gulf Gas Renews Baker

Phil Baker has received advance notice from his sponsor, Gulf Gas, that his contract will be extended through June, 1937. Baker inaugurated his program with his present sponsor Sept. 29. The cast, as it now stands, will remain intact—Baker, Beetle and Bottle, Agnes Moorehead and the Seven G's. At the moment Baker is featuring a new band each week, although it is expected that a permanent orchestra will be appointed shortly.

Carter Not for Newsreel

From Chicago, where he is now making a lecture tour, comes a denial from Boake Carter that he was considering a position as a newsreel commentator.

Carter said he has done but one motion picture, "The Dead March," as yet unreleased. The film is a seven-reeler made by Bud Pollard, and is anti-war.

WOR Reports Renewals

Colgate-Palmolive-Peet has renewed its electrically transcribed dance program over WOR for an additional 13-week period through Benton & Bowles. The renewal is effective Dec. 14.

Also renewed for a like period over WOR is the Tidewater Oil program featuring Arthur Hale's Transradio News bulletins and comments. The new period starts Jan. 4. Lennen & Mitchell is the agency.

New "Singing Lady" Series

Ireene Wicker, the "Singing Lady," begins a new series of weekly musical plays Christmas Day over the NBC-Blue each Friday from 5:15 to 5:45 P.M., E.S.T. The program will be sponsored by the Kellogg Co.

The new program will not supplant the regular "Singing Lady" broadcasts, heard Mondays through Fridays at 5:30 P.M., E.S.T.

Bowes, a Guest "M.C."

Major Bowes will be the guest master of ceremonies on the Sealtest "Saturday Night Party" program Dec. 19. This is the first time Bowes has ever accepted an invitation to appear on any program other than his own amateur and Sunday morning "Capitol Family" sessions. He follows Rudy Vallee as guest on the program.

Morris and Landi Next

Jackie Cooper again presents film players as guests on his twice-weekly WOR "Lessons in Hollywood" program. Chester Morris will be Jackie's guest tonight while Elissa Landi will be featured on the program Wednesday.

The program is heard from 8 to 8:15 P. M., E. S. T.

Burns and Allen East

HOLLYWOOD, Dec. 13.—Burns and Allen will leave for New York Christmas night, to be gone two weeks. Diana Bourbon will accompany them. A tentative arrangement for Ted Husing to announce their weekly program while in New York has been made.

Atlantic Replacing Show

The Atlantic Refining Co's. current CBS sports series featuring commentator Ted Husing will be replaced with a script program after the Rose Bowl Game on New Year's Day. The new show is now being set by N. W. Ayer, agents for the sponsor.

"The O'Neills," Berle, Et Al

Short Shots: The entire cast of "The O'Neills" will trek to Hollywood early next month to appear in "The Trial of Danny O'Neill," a motion picture written by Janet West, author of the radio serial. . . . An RKO contract awaits Milton Berle when his "Community Sing" activities come to a close. . . . Frank Buck and Jack Dempsey have been set for appearances on Mary Small's "Juvenile Radio Revue" which will reach the networks next month . . . Phil Regan leaves for Hollywood immediately after his guest star appearance on the Hammerstein "Music Hall" series tomorrow night. . . . Fred Perry, the tennis champ, will be interviewed by Edward Everett Horton on the Shell Chateau program Dec. 19. . . . Marion Cole, feature writer on hobbies for the *New York American*, will interview Gertrude Merriam over WABC Jan. 19 at 3:45 P.M., E.S.T. on her unique collection of theatre passes from all over the world. . . . Jean Paul King, announcer, abdicates from Abe Lyman's "Melodiana" program effective Dec. 15 because of a conflicting schedule with his newsreel commentating job. . . . WOR's "Morning Matinee" on Dec. 17 will feature Shep Fields' orchestra and Benay Venuta's songs. . . . Marcia Davenport, music critic and novelist, has been engaged as commentator for the Metropolitan Opera broadcasts soon to begin on the NBC-Blue under RCA sponsorship.

Chicago Short Shots

The Bowman Dairy Fireside Theatre series started off over WGN Wednesday night with the WGN 600-seat theatre filled with Bowman employees who were given the low-down about the show afterwards in a series of speeches by executives. . . . Irene Rich here for her NBC broadcasts. . . . Lum and Abner will broadcast from Cincinnati this week while making a series of personal appearances in surrounding Ohio cities. . . . Boake Carter met his first radio boss at WBBM the other day. The man was Louis Jackobsen who had to fire Carter from the WPEN announcer staff when listeners demanded a voice with less accent. That was some years ago. . . .

Add Irony

Saturday afternoon, Al Pearce and his Gang, Margaret Speaks, and Freddie Rich's orchestra auditioned for the Ford Motor Co. in the CBS studio in the Hammerstein Theatre Building. The offices immediately atop the studio are occupied by Fred Waring, whose third year of broadcasting for Ford comes to an end next week.

The audition was arranged through the N. W. Ayer agency.

And from Hollywood

Short Shots: Ben Paley, former assistant production manager of WBBM, Chicago, will take a position in the program department at KNX. . . . Don Prindle replaces Harry Conn as writer for the Joe Penner show. . . . Conrad Thebault's wife in from New York. . . . Jackie Heitman, four-year-old spelling champion from St. Louis, will be the guest of Edward Everett Horton on Shell Chateau Dec. 19.

Novel Coast Broadcast

HOLLYWOOD, Dec. 13. — A direct broadcast to Australia and New Zealand through the facilities of CBS station KNX, by the "Stranded in America Club" was made Saturday. This club has been formed by people bound for these countries, but who have been detained due to the present maritime strike.

Among those stranded who appeared on the program were C. W. Cox, who was elected the "Pitifully Powerful Potentate" of the club, Sidney Moseley, a London television expert, Edgar F. Keep, circulation manager of the *Sidney Sun*, and Arthur O'Conner, head of the Australian Press Bureau.

WKRC Honoring Cities

CINCINNATI, Dec. 13.—WKRC, local CBS outlet, has started a series of Sunday programs which pay tribute to neighboring cities.

The first was dedicated to Hamilton, O., with Mayor Raymond H. Burke, Alexander Thomson, president of the Chamber of Commerce, and other civic personalities participating.

Music is by the local Y.M.C.A. Orpheus Glee Club.

Case Joins CBS Today

HOLLYWOOD, Dec. 13.—Fox Case, former head of the All Year Club here, has joined CBS as head of special events and public relations. He takes over the new post Monday.

Walter Baker's Job Expands

HOLLYWOOD, Dec. 13.—Walter Baker, office manager at NBC, has been given the additional position of night manager of the local studio.

Chevrolet Renews Rubinoff's Pact

Spiking rumors that his orchestra would be replaced by another band at the termination of his present contract, Dave Rubinoff has been re-signed for an additional 13-week period by his sponsor, the Chevrolet Motor Co. Also re-signed were Jan Peerce and Virginia Rea, vocalists on the program. The Chevrolet series is heard Sundays at 6:30 P.M., E.S.T. over the CBS network.

Rubinoff's band, slated to leave the "waxed" series sponsored by Chevrolet and featured on 400 stations throughout the nation, has been retained for an additional 30-day period pending the outcome of auditions now being conducted for a new orchestra. The change will not affect Rubinoff's CBS network series for the same sponsor.

Effective with the signing of a new band, the number of stations carrying the program will be cut in half. It is for this reason that Rubinoff is leaving the program, for, with the curtailment in the number of stations carrying the program, the sponsor desires a more inexpensive band than Rubinoff's.

CBS, Miss Niesen Sue

Two suits for $100,000 each were filed in N. Y. Supreme Court on Saturday against Gertrude Niesen and the Columbia Artists Bureau, Inc., for alleged breach of contract by Miss Niesen's former agent, Henry Daeand, who said he had entered into an agreement with Columbia as a representative of Miss Niesen in Dec., 1932. He claimed the agreement stipulated that Columbia publicize and sell her services and he was to get five per cent of the profits. At the same time, it was alleged, he entered into an agreement for a percentage of Miss Niesen's salary. He claims she owes him $25,000.

France Laux Recovering

ST. LOUIS, Dec. 13.—France Laux, sports announcer for KMOX, is recovering from an operation at St. John's Hospital. He will be away about a month.

Willy Schubert, local German actor, is presenting a new German program over KMOX at 7:45 on Tuesdays, Thursdays and Saturdays.

Parker Fennelly, who plays with Arthur Allen in KSB's Saturday night "Snow Village," has written a play. It is reported George M. Cohan and Sam H. Harris are considering it for Broadway production.

Bobby Meeker, musical director for the Club Continental, Hotel Jefferson, who broadcasts over KMOX nightly from 11 to 11:15, has signed a new contract.

Rogers for Biscuit Show

HOLLYWOOD, Dec. 13.—Buddy Rogers, with his orchestra, is definitely set for the National Biscuit program which will be inaugurated here on New Year's Day over NBC-Blue network. Rogers was forced to cancel a British picture engagement to accept the current assignment. He left for New York today and will return in time for the opening of the program.

Arrangements to have Phil Ohman on the show have been cancelled.


You have
a
New Year's
Date
with

THAT GIRL PA



GAYETY SWEEPS THE SCREEN FOR THE HOLIDAY

FIVE NEW KNOCKOUT SONG NUMBERS BY THE MAN WHO WROTE HALF THE HITS OF THE MUSICAL STAGE...

ARTHUR SCHWARTZ

COMPOSER OF SUCH SCORES AS "THE LITTLE SHOW" . . . "BAND WAGON" . . . "REVENGE WITH MUSIC" AND A DOZEN MORE...

LYRICS BY EDWARD HEYMAN...

THE NEW TUNES:

"SEAL IT WITH A KISS"..."CALL TO ARMS"..."LOVE AND LEARN" . . . "MY NEPHEW FROM NICE" ..."MOONFACE"

LILY PONS

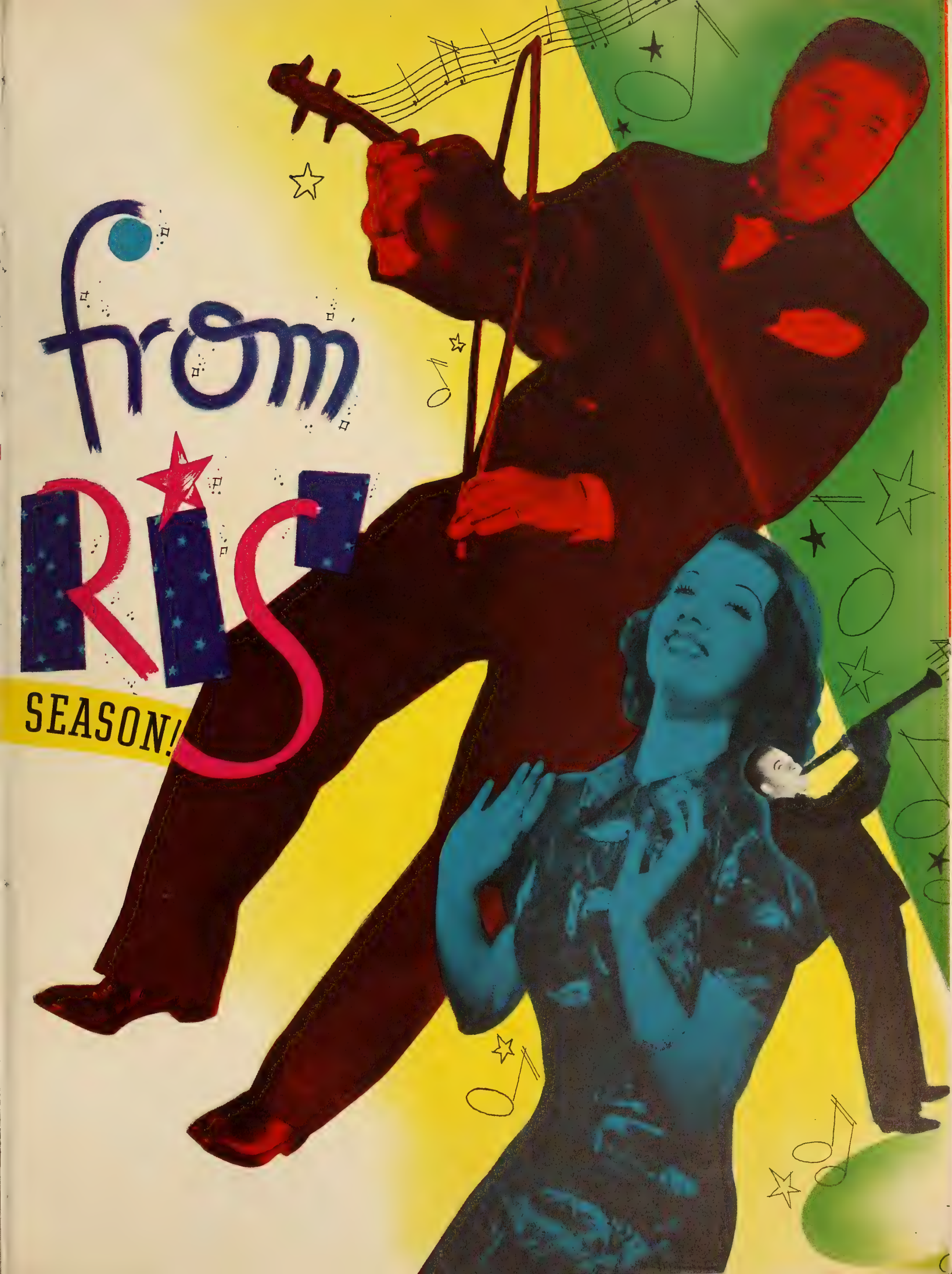
The sweetest singing lovely girl who ever trilled a note to win a nation's heart . . . . .

JACK OAKIE

The charming cutup with the winning way and the smile that says "come on and have some fun!"

Gene RAYMOND

The big romantic threat to the dreams of Every-girl from fourteen to fifty . . . . . .


from
RIS
SEASON!

A great, big, good-time musical show . . . bubbling over with rollicking romance and swingtime rhythm! . . . Laugh piled on laugh, tumbled over drama, and rolled into song! . . . with a big-name cast goin' to town in a picture alight with the golden glow of happiness arrived . . . exploding in the dazzling joy of glorious life awinging!



McLEAN'S WILDCAT

Lily PONS GENE

JACK OAKIE ★ RAYMOND

THAT GIRL from PARIS

with

HERMAN BING MISCHA AUER

LUCILLE BALL FRANK JENKS

Directed by LEIGH JASON

A PANDRO S. BERMAN Production

Music by Arthur Schwarz

Lyrics by Edward Heyman

RKO RADIO PICTURES

LITHO U.S.A.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 141 NEW YORK, TUESDAY, DECEMBER 15, 1936 TEN CENTS

Warner's Net Goes Over Two Million Mark

Gain for Quarter Told To the Stockholders

WILMINGTON, Dec. 14.—Warners and its subsidiaries showed a net profit of more than $2,000,000 for the quarter ended Nov. 28, 1936, Ivan Culbertson, Delaware attorney for the company, told approximately 100 stockholders here today at the annual stockholders' meeting. After being introduced by Robert W. Perkins, secretary, Culbertson took over the chairmanship of the session.

The $2,000,000 figure compares with a profit of $1,031,315.96 for the corresponding period last year, and is after Federal income tax and other expenses, but before the new undistributed profit tax.

In view of negotiations for refinancing and because the net covered a three-month period, Culbertson said there would be no dividend at this

(*Continued on page 9*)

N. Y. "Ecstasy" Ban Is Upheld by Court

A special statutory court yesterday upheld the right of New York State and Governor Lehman to refuse a permit for exhibition of "Ecstasy" within its borders. The court consisted of U. S. Circuit Judge Martin J. Manton and District Judges Robert T. Patterson and Samuel Mandelbaum.

The film, the court held, was re-edited after importation to make it adaptable to American audiences and thus lost its status as an import in its original state. For that reason the court added the censorship was one of the statutory regulations in New York State and contributed no burden upon foreign commerce as alleged by Eureka Prod., Inc., in its application to restrain state officials from interfering with importation of films.

The plaintiff challenged the refusal

(*Continued on page 9*)

Margolies Goes to G. B. Publicity Job

Albert Margolies, who has been with the U. A. publicity department for the past few years, yesterday resigned to join G. B. as publicity head, starting Jan. 1. Margolies has a one-year contract.

A. P. Waxman, advertising counsel for G. B., is not affected by the Margolies switch. Monroe Greenthal has not appointed a successor in the U. A. post.

"U" Buys Air Title Rights For Annual Musical Series

Universal yesterday purchased the title rights to "Melody Treasure Hunt," a WOR-Mutual network program featuring musical compositions written by amateurs and presented over the air by professionals. Universal, it is understood, will use the title for a series of annual musicals similar to Warner's "Gold Diggers," Paramount's "Big Broadcast," and M-G-M's "Broadway Melody" series.

Norman White and Pat Ballard are co-producers of the radio program. The program will preserve its title on the air and, if present plans are adhered to, Universal will use its contract players as guests in the series in order to build up the theatre value of the title.

The deal marks the third radio program title to be purchased by producers this year. Paramount recently bought "One Man's Family," popular network serial from Carleton Morse, author of the series, while 20th Century-Fox shortly begins production on "Town Hall Tonight," the title of Fred Allen's network series.

Additional radio news on page 7

Bank Night is Lottery, Says Kansas Court

TOPEKA, KAN., Dec. 14.—The second court blow directly hitting Bank Night in as many weeks was struck by the Kansas Supreme Court when it decided the game constitutes a lottery within the meaning of the state's anti-lottery statute.

The earlier decision was that of the U. S. Circuit Court of Appeals in Denver, which ruled that Bank Night too closely resembles a lottery for the owners, Affiliated Enterprises, Inc., to be entitled to the assistance of an equity court or the protection of a copyright on the game.

The decision was handed down in the case of the mandamus suit brought against the Fox-Kansas Theatre Co.,

(*Continued on page 12*)

AP Loses Suit To Stop Radio News Pirating

By CLARENCE LINZ

WASHINGTON, Dec. 14.—Holding that the suit did not involve the $3,000 required to give it jurisdiction and should not originally have been entertained by the Washington Federal courts, the U. S. Supreme Court today refused to pass on the suit brought by Associated Press to restrain KVOS, Bellingham, Wash., from alleging piracy of news dispatches.

The action of the court does not necessarily relieve the broadcasting situation, and in delivering the opinion Associate Justice Roberts referred to the method whereby the station secured the news dispatches

(*Continued on page 7*)

High Farce of Crazy-Quilt Family Hits; In for Films

If you happened in the general neighborhood of West 45th St. last night, the giggles, the guffaws and the handclapping that must have reached into the lobby and onto the street were all for "You Can't Take It With You." And with good and sufficient reason. The town has a hit on its hands.

For this farcical comedy by Moss Hart and George S. Kaufman is real fun and it often shook the Booth Theatre to its blase rafters. This department has a hunch that the proceedings won't hold up under too minute an inspection of the usual ingredients that go into a play. Such as a plot, for instance.

This time there is so little of it you are apt to wonder what makes matters tick. And that is not as difficult to explain as you might imagine. There are (1) many cleverly con-

(*Continued on page 9*)

Loew's Admits Buy into G. B. From 20th-Fox

Schenck-Mayer Say Deal Has Gone Through

HOLLYWOOD, Dec. 14.—First official acknowledgment of Loew's purchase of half of 20th Century-Fox's interest in G. B. was made today when Nicholas M. Schenck, president of Loew's, and Louis B. Mayer in a joint statement to MOTION PICTURE DAILY said: "It is true Loew's owns half of 20th Century-Fox's interest in G. B."

Up until late Friday, Schenck and his brother, Joseph M., Sidney R. Kent, president of 20th Century-Fox, and Isidore and Maurice Ostrer had been conferring on the three-way deal.

The head of Loew's, accompanied by Al Lichtman, is scheduled to leave for New York later in the week. Tentative plans call for their arrival at the home office on Monday. Kent's departure is uncertain at the present time.

Completion of the sale to Loew's of half of the 20th Century-Fox 49 per cent interest in Metropolis & Bradford Trust, holding company for G. B., has been pending since July

(*Continued on page 12*)

FCC to Delve into Erpi Affairs Here

The Federal Communications Commission will delve into Erpi's affairs here next Monday as part of its investigation of A. T. & T., which has been under way in Washington for some time.

Among those who have been called by the commission to testify at the sessions here next week are Whitford S. Drake, executive vice-president of Erpi; George Pratt, head of Erpi's west coast office; John E. Otterson, former president of Erpi; R. E. Anderson, former treasurer of Erpi, and H. M. Wilcox, a former vice-president of Erpi.

The cost of the F.C.C.'s investigation is now estimated at $1,500,000 and an additional appropriation of $350,000 is now being asked.

Mort Singer to Head Pool in Minneapolis

MINNEAPOLIS, Dec. 14.—Mort H. Singer, former Twin City theatre manager and head of a large circuit operating throughout the midwest, will head the committee operating the

(*Continued on page 9*)

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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Chicago Daily News Lauds Screen in Ad

CHICAGO, Dec. 14.—A full page display which was at once a tribute to the film industry and a strong advertisement to stimulate public attendance at film theatres was published the other day by *The Chicago Daily News.*

The page, bordered by a group of photographs of leading stars, was captioned, "To an industry which has the courage of its convictions," and the advertisement extolled the manner in which the screen has developed from its beginnings in this country. The copy concluded: "See a movie tonight—Your neighborhood theatre is at your very door."

See No Meehan Delay

WASHINGTON, Dec. 14.—No postponement of the hearing before the Securities and Exchange Commission scheduled for tomorrow in the Michael J. Meehan case is expected. Meehan is charged with violating the Securities Exchange Act in Bellanca Aircraft stock trading. Meehan has been under treatment at the Bloomingdale Hospital.

Guild to Encourage Film-Seamen Peace

HOLLYWOOD, Dec. 14.—A checkup system on production companies working on local seaport locations has been instituted by Screen Actors' Guild in an effort to emphasize the necessity of players carrying their guild cards as a symbol of the close alliance between the guild and the A. F. L. Because of the existence of the current maritime strike it is expected that the system will prevent expensive production delays.

It was learned today that the guild ironed out differences between the seaport unions and a Republic studio group while on location recently.

I.A.T.S.E. Starts Picketing

HOLLYWOOD, Dec. 14.—Projectionists' Local, 150, tomorrow will start picketing the Raymond in Pasadena as a result of the failure to reach an agreement on union wages. A similar situation with regard to the Wilshire in Santa Monica has been adjusted and contracts signed.

The current move is a continuation of the independent theatre closed shop drive by I.A.T.S.E.

Allow Income Credit On Stock Dividends

WASHINGTON, Dec. 14.—Stock dividends of corporations to the extent of the fair market value of any stock issued, where such distributors are clearly taxable to the shareholders under the provisions of the 1936 act, will be allowed by the Internal Revenue Bureau as a credit in the audit of corporation income tax returns, it was disclosed today by Commissioner Guy T. Helvering.

No dividends paid credit, however, will be allowed with respect to a stock dividend distribution if the receipt of the stock clearly constitutes a nontaxable receipt by the shareholder.

In any case where the taxability of the distribution is debatable, the bureau will adopt a general policy of making a tentative allowance pending a final determination.

The new regulations are issued under the provisions of the 1936 act imposing taxes on corporate income withheld from distribution.

Declares Extra Dividend

BOSTON, Dec. 14.—Loew's Boston Theatres Co. has declared an extra dividend of 50 cents per share, payable Dec. 23 to stockholders of record Dec. 15.

Theatres Gain

Toronto, Dec. 14.—The first immediate result of the accession of the Duke of York to the British throne was a benefit to Canadian theatres in the form of a rush declaration making today — the King's birthday—a statutory holiday in Canada.

Theatre patronage suffered last week as a result of the keen interest in the frequent broadcasts from England on the possibilities of abdication.

Proposed Omaha Tax Would Hit Theatres

OMAHA, Dec. 14.—Proposals placed before the City Council to tax gross receipts of all Omaha business firms 50 cents per $1,000 on the first $50,000 of annual income and $1 per $1,000 over that would affect Omaha exhibitors.

The city needs $211,000 more revenue than it can obtain now through present levies. The gross receipts tax would raise $300,000 a year if put into effect, it is estimated.

George Brantley Dead

CHARLESTON, S. C., Dec. 14.—George S. Brantley, 59, said to have been the first film man in this city, died at Durham, N. C., Friday. Brantley opened the Theatorium here in 1906, and later the Majestic and the Victoria.

Hartley F. Alley Passes

BOSTON, Dec. 14.—Hartley F. Alley, formerly with RKO, dropped dead in Lynn as the result of a heart attack. He was 55 and leaves a widow and three children.

Grady Attends Funeral

BOSTON, Dec. 14.—William Grady, M-G-M casting director, was here yesterday for the funeral of his father, George Grady, who died Friday. He is expected to return to the coast tomorrow.

Conn.MPTO Meets Today

NEW HAVEN, Dec. 14.—The Connecticut M.P.T.O. will meet tomorrow with Irving C. Jacocks presiding. Edward Levy, executive secretary, will analyze the Colorado Bank Night decision and the M.P.T.O.A. 10-point program and the replies received thus far from distributors.

Sixteen at Minneapolis with Company for 10 Years or More

Minneapolis, Dec. 14.—Sixteen employes in the local Paramount branch have been with the company 10 years or more, a checkup in connection with the Silver Jubilee Drive for Adolph Zukor revealed.

The two oldest in point of service are E. J. Hurley, chief accountant, and Dora Udell, head inspectress, with 18 years behind them. Next are Ben Blotcky, district manager; Stella Lettus, cashier, and Lenora Gabriel, inspectress, 16 years. A. Selby Carr, ad sales head, has been with the firm 15 years. George Hinton, sales manager; Hilda Nelson, bookkeeper, and Charles Jackson, salesman, 13 years. J. J. Donahue, John Fritcher, Frank Anderson, Gib Esterly and Ruth Heins, 12 years. Dorothy Roy and Ernie Lund, 10 years.

Phila. Variety Club Affair Is Brilliant

PHILADELPHIA, Dec. 14.—The second annual banquet of Tent No. 13 of the Variety Club last night brought 1,200 to the Bellevue Stratford Hotel for what was conceded to be the biggest local industry social event in years.

Among the speakers were Mayor Wilson of Philadelphia; Governors Earle of Pennsylvania and Hoffman of New Jersey; Jack Kelly, local Democratic leader; Ed Sullivan, columnist. George Jessel was awarded the verbal palm for "toastmasting" brilliance, and Jay C. Flippen was an agile master of ceremonies for the entertainment.

With Congressman Clare Fennerty making the presentation, the club gave $1,000 to further the treatment of four children suffering from infantile paralysis, who were selected last year. Films of the progress of the cure of the children were shown, and three of them appeared in person. Retiring chief barker Jim Clarke was presented a watch, and he in turn gave Ben Amsterdam, the incoming chief, a memorial plaque in the name of the club.

Hold Ball in Cleveland

CLEVELAND, Dec. 14.—The local Variety Club held its annual ball at the Mayfair Casino, with numerous prominent industry people in attendance. Benny Rubon was master of ceremonies, the entertainment featuring performers from local night clubs.

Among the 600 guests were W. F. and Mrs. Rodgers, New York; J. Myer and Mrs. Schine and Louis W. and Mrs. Schine, Gloversville, N. Y.; Harry and Mrs. Kalmenson, Pittsburgh; Mark and Mrs. Goldman, Pittsburgh; "Duke" and Mrs. Clark, Columbus; Louis and Mrs. Lazar, Bellefontaine, and William and Mrs. Sussman, New York.

U. A. in Circuit Deals

U. A. executives have closed two important independent circuit deals. Moe Streimer has completed negotiations with Joseph Seider of Associated Playhouses, operating about 30 theatres in Long Island and Brooklyn, while Bert Stern and William Rosenthal represented the distributor on a deal with Theatrical Managers, Inc., operating 12 houses in Indiana. Ralph Bocker acted for the circuit.

Weinberger Closes With Asher

Mack D. Weinberger, general sales manager of General Pictures, has closed a deal with Harry Asher of Boston to take over the New England franchise for General product. Asher has organized Popular Pictures, Inc., under which the General output will be sold for five years.

Wardour Deal Is Set

LONDON, Dec. 14.—Wardour Films will distribute all Twickenham product after Jan. 1 throughout the world, with the possibility that a deal may be arranged whereby G. B. will handle the product in the United States.

Tampa Price Is Raised

TAMPA, Dec. 14.—The Park here, a Sparks house, has increased admissions five cents for matinee and evening, the first price raise here in several years.

Mr. EXHIBITOR: here is your sales analysis on



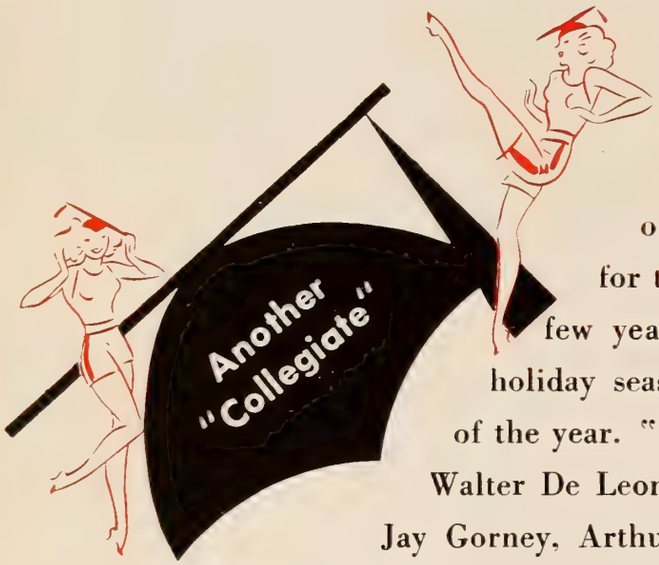
• All the facts you need to know to Put This Big Paramount Holiday Special in the top grosser class

Believing that trade advertising should be informative as well as stimulating reading, Paramount here publishes the first of a series of sales analyses on major Paramount productions. Any questions not completely covered in these analyses will be gladly answered either at your local Paramount Exchange or at the Paramount Home Office, Paramount Building, Times Square, New York City.

Paramount Pictures



STAR POWER . . . is the first and most important sales angle on "College Holiday". Paramount gives you Jack Benny, George Burns and Gracie Allen, and Martha Raye right while the public is hot for them after their smashing success in "The Big Broadcast of 1937". In addition to their popularity with picture fans... do not forget that right now is the height of the radio season, and all of them are now radio headliners! In addition to these "Big Broadcast" stars, "College Holiday" presents that tried and true box-office favorite, Mary Boland, with Etienne Girardot, Ben Blue, and a whole lineup of those Paramount youngsters we have been building in recent hit pictures.



TIMELINESS... is the next important sales angle on "College Holiday". Realizing that holiday business depends for the most part on youth appeal, Paramount has for the past few years given exhibitors a big-time college musical for the holiday season. Last year's "Collegiate" was one of the big grossers of the year. "College Holiday" has the same appeal plus. J. P. McEvoy, Walter De Leon, Harlan Ware, Frederick Hazlett Brennan, Henry Meyers, Jay Gorney, Arthur Sheekman, Nat Perrin, James Seymour, Bobby Vernon and Edward Welch . . . the pick of Hollywood's gag men . . . have combined to turn out a college musical not "just as good as 'Collegiate'," but about twenty times faster and funnier. Frank Tuttle, who directed the first "Big Broadcast," is in charge of "College Holiday".



HIT TUNES . . . these days are one of the most important sales angles on any picture. "College Holiday" has actually more potential radio hits than "Rhythm on the Range", Paramount's outstanding tune show for 1936. Ralph Rainger and Leo Robin have knocked out another of their wow numbers, "I Adore You", also "A Rhyme for Love" and "So What?" Burton Lane and Ralph Freed give you "Sweetheart Waltz", "Who's That Knockin' at My Heart". And, in addition to these, plus a Minstrel Number sung by none other than Martha Raye, "College Holiday" contains the Alma Mater songs of seven leading American universities.

A Typical Zukor Production

PRODUCTION VALUE...means plenty in box-office returns. A fan can smell a weak production a mile away. "College Holiday" is one of those big-time productions which Paramount has been turning out these past few months in impressive succession. Here are a few facts to back up this statement: Sets include a huge Greek temple, covered entirely in white satin, with living models; an acre of the studio's back lot was transformed into the rotunda of a girl's school, jutting out over a real lake; a hotel lobby, one of the largest sets ever constructed at Paramount, is made even more impressive by a mural painted by a noted artist especially for the picture.



"COLLEGE HOLIDAY"

Further facts on next page

PRE-SOLD TO MILLIONS

EXPLOITATION

on "College Holiday" already has been enough to promote it right into the hit class. Jack Benny has plugged the picture on his hit program Sunday nights. And General Foods have begun another campaign similar to their successful dealer tie-up with Paramount for "Big Broadcast". Burns and Allen have plugged the show on their popular weekly program. Martha Raye, joining the ranks of radio stars December 22nd over the Columbia network, begins then to exploit the picture for you (check your local station for tie-in). In addition to this the tunes from the picture have already been featured by Camel Caravan, and Shell Chateau. Readers of Esquire Magazine will read a large advertisement by Gantner Bathing Suits, advertising "College Holiday" and showing a picture of two of the stars, Marsha Hunt and Leif Erikson. These are only a few of the major tie-ups. See Press Book or query your exchange for information on local tie-ins.



Paramount Pictures

"COLLEGE HOLIDAY" with JACK BENNY
GEORGE BURNS and GRACIE ALLEN · MARY BOLAND
MARTHA RAYE · Marsha Hunt · Eleanore Whitney
Johnny Downs · Ben Blue · Leif Erikson · Directed by Frank Tuttle

AP Loses Suit To Stop Radio News Pirating

(Continued from page 1)

which it broadcast and to which the A. P. contended it had no right.

"The petitioner," Justice Roberts said, "has no organization of its own for gathering news, but adopts the practice of 'pirating' news gathered by the respondent and its members. This practice consists of procuring copies of the *Herald*, the *Post Intelligencer* and the *Daily Times* and broadcasting parts, or all, of the items published therein, whether gathered by these newspapers or received by them from the respondent, the repetition being sometimes verbatim and sometimes a rearrangement of the wording. The copies of the three newspapers do not reach their subscribers for some time (in some cases as much as 24 hours) after publication; whereas the petitioner, promptly obtaining the papers, is able to pirate and broadcast their contents and to anticipate the receipt of the news by the newspapers' subscribers. This practice constitutes unfair competition with the respondent; wrongfully deprives the respondent of the just benefits of its labors and expenditures; similarly injures the respondents' members, and prejudices the respondent with its members."

While the Associated Press contended that it was damaged to the extent of more than the $3,000 required to give the Federal courts jurisdiction, it was pointed out, that contention was challenged and the challenge was not refuted.

"Since the allegation as to the amount in controversy was challenged in an appropriate manner, and no sufficient evidence was submitted in support thereof, the bill should have been dismissed," the court ruled.

"The decree of the Circuit Court of Appeals is reversed and the cause is remanded to the district court with directions to dismiss the bill of complaint for want of jurisdiction."

Programs in Foreign Languages New Plan

CHICAGO, Dec. 14.—To develop another angle of broadcast advertising, the use of radio on a national scale to reach foreign-language audiences in American cities, Roesler & Howard, Inc., has been organized by George Roesler, midwestern station representative, and R. E. ("Bob") Howard, formerly in the radio department of Campbell-Ewald Co., Inc., Detroit advertising agency. Roesler is in charge of the new firm's Chicago office. Howard heads the New York office.

Dealing exclusively in foreign language programs on American stations, Roesler & Howard have a complete service in radio programs in any language but English. Linguists have been engaged in both Chicago and New York for the translation of commercial copy and arrangements have been made with several recording companies for foreign-language transcriptions. Although it began operations only a few weeks ago, the new firm states it has already been authorized to handle the sale of foreign-language programs on 23 stations.

Aim to Force Free Time on the Radio

Distribution yesterday of a pamphlet prepared for the Civil Liberties Union revealed that this organization is backing Federal legislation to make free time mandatory for radio stations. It is backing a bill introduced at the last session of Congress by Representative Byron Scott of California.

The proposed legislation requires all stations to set aside regular periods "for uncensored discussion on a non-profit basis of public, social, political and economic problems and for educational purposes." It also requires that every station presenting a controversial issue must give at least one opposing view.

Trimming Kostelanetz

Beginning with the Jan. 2 broadcast, Andre Kostelanetz's twice weekly sessions for Chesterfield cigarettes will be cut in half. Kostelanetz will retain his Wednesday evening berth, co-featuring with Nino Martini, but will be succeeded by Hal Kemp's orchestra on Fridays. Kemp auditioned for the spot immediately after he vacated the Phil Baker program several weeks ago.

Kay Thompson's choral group, program standbys since its inception, will be held over to assist Kemp. Ray Heatherton's status on the Friday show is in doubt at the moment.

The change was brought about by Kostelanetz's refusal to reduce the size of his orchestra. Newell Emmett Co. is the agency.

To Dramatize Big Events

CBS will again present "Twelve Crowded Months," a dramatization of the major news events of the year. The program will be heard Dec. 29, at 11:30 P.M., E.S.T.

The dramatization will consist of the 12 most significant and dramatic news events of the year as selected by a majority of editors and publishers throughout the nation. Ballots are now on their way to the nation's editorial offices. There is a strong likelihood that this year's broadcast, the second in the series, will be sponsored.

Pick and Pat Resigned

Pick and Pat, blackface comedians, and Benny Kreuger and his orchestra have been retained for another year by their sponsors, Dills Tobacco. Their present contract does not expire until March 1, 1937. The contract of Frank McMahon, producer and director of the program, has also been renewed for the same length of time.

7th Radio Year Nears

Betty Moore and Lew White inaugurate their seventh season of broadcasting for Benjamin Moore & Co. Jan. 7. The program will be heard weekly over the NBC-Red from 11:30 to 11:45 P. M., E.S.T.

Ruth Etting Guest Star

Ruth Etting will guest star on two programs in three days. Saturday night she will appear with Ed Wynn, and on Monday, Dec. 21, she will sing on Dick Himber's "Champion" program.

Opera Stars on "Magic Key"

The RCA "Magic Key" program this Sunday will include several operatic personalities, in addition to film and stage guest artists. Representing the opera are Marcia Davenport, who has been engaged by RCA as commentator for the forthcoming Metropolitan Opera broadcasts; Edward Johnson, general manager of the Met, and Gertrud Wettergren. Bill Robinson, Bobby Breen and Robert Benchley round out the cast.

Family Trees

Omaha, Dec. 14.—Two staff announcers here are being kidded about their claims to reported inheritances and foreign titles. Daniel Cook of New York has disputed the verified assertion of John K. Chapel of WOW that he was born into the Russian nobility in pre-Soviet days, that he and his mother, Countess Josephine Kuropatkin of Boston, are entitled to claim the $500,000 estate of the late Gen. A. N. Kuropatkin of the Russian Imperial Army.

Arthur H. Faust, KOIL announcer and dramatic director, also has announced he is the only son of Excmo, Senor Marues Arturo Faupete de Costa, and Excmo, Senora dona Leome Faupete de Costa of the Spanish nobility. Faust, a native of Madrid, asserts his father died last year leaving the title to him.

Butcher, Keely, Et Al

Short Shots: Blayne Butcher, of the production staff of Lennen & Mitchell, off to the coast today to supervise the Walter Winchell Jergens program which will emanate from Hollywood for the next seven weeks . . . Joe Keely, New York publicity head of N. W. Ayer, leaves for Cincinnati today to arrange a change on the "Armco" band program . . . Patsy Kelly will be Ben Bernie's guest star Dec. 22 . . . "Samson and Delilah" will inaugurate the Metropolitan Opera series Dec. 24 . . . Arnold Johnson's Christmas cards will consist of live turkeys from his Connecticut estate. Tied to their legs will be the Johnson holiday wishes . . . The contest to select a name for the KDKA Mystery Act closes Dec. 15. The prize will be a $150 receiver . . . Ted Weems and his orchestra replace Kay Kyser's band over WOR and the Mutual network beginning Dec. 25 . . . Tex Fletcher, WOR's "Lonely Cowboy," has been signed for a role in the forthcoming Broadway production, "Git Along Little Dogie" . . . Clinton L. Bardo, former president of the National Ass'n of Manufacturers, and Gen. Hugh S. Johnson will oppose each other in a debate on "America's Town Hall of the Air" program this Thursday. Their subject will be: "Can Business Absorb Unemployment?" . . . Dr. Allen Roy Dafoe will guest star on "Come On, Let's Sing" Dec. 23 and will deliver a special holiday message to children everywhere . . . Alfred A. Cormier, vice-president of WIP, Philadelphia, now heading for Florida for a vacation . . . Sylvia Froos will guest star on Benny Rubin's WOR-Mutual program this Sunday . . . As of November, Mutual reports a mail increase for the year of 92.2 percent.

NBC's Coast Studio Size to be Doubled

HOLLYWOOD, Dec. 14.—NBC's Hollywood studios, built at a cost of $500,000 and in operation less than a year, will be expanded to twice their present size, it will be announced shortly by Donald E. Gilman, vice-president in charge of the western division of the network.

Engineers are now at work on construction plans for the expansion, made necessary, it will be stated, by the increasing number of network shows originating in the film capital. Important NBC programs now emanating from Hollywood include Kraft Music Hall, starring Bing Crosby; Marion Talley's program for Ry-Krisp; Ben Bernie for American Can Co., Elza Schallert's film interviews, the Fred Astaire-Packard program, and the Jack Benny-Jello series. Shell Chateau, a current Hollywood program, moves eastward in January. In addition the NBC Hollywood studios feed a considerable number of sponsored programs to local audiences.

The new wing will include a television studio in anticipation of future needs. The additions will be built adjacent to the present studios at 5515 Melrose Ave., Hollywood.

In addition to new commercial network broadcasts which NBC plans to accomodate in the enlarged quarters, the expansion will enable the company to augment its Hollywood schedule with many additional sustaining broadcasts.

O. B. Hanson on Coast

HOLLYWOOD, Dec. 14.—O. B. Hanson, chief engineer for NBC, arrived today for a week's advance survey in connection with the local expansion program.

WHBC, Canton, Aids Theatres

CANTON, O. Dec. 14.—WHBC is devoting 10 minutes each evening to theatre announcements. The current attractions are broadcast for each theatre, as well as the time of starting for feature pictures.

L. B. Wilson in Florida

CINCINNATI, Dec. 14.—L. B. Wilson, owner of radio station WCKY, Covington, Ky., across the river from here, and operator of three theatres there, is vacationing in Florida following his recent illness, from which he has completely recovered.

Amos 'n' Andy at Palm Springs

HOLLYWOOD, Dec. 14.—The Amos 'n' Andy programs using straight dialogue will be broadcast from Palm Springs over NBC on Mondays, Tuesdays and Thursdays. Their Minstrel show will emanate from the Hollywood studios on the other week days.

Harris Chain Starts Dec. 29

HOLLYWOOD, Dec. 14.—Tommy Harris will start a new commercial over NBC's Pacific Coast Red network on Dec. 29. The singer will broadcast every Tuesday for Moonglow nail polish. The show will go out under the title of "Moonglow Melodies."

Split Time for 2 Products

CINCINNATI, Dec. 14.—An innovation in commercials has been inaugurated by Procter and Gamble here in dividing their 15-minute local WLW time into two distinct periods to advertise different products.

Purely Personal

JAMES MULVEY, vice-president of Samuel Goldwyn, Inc., returned yesterday on the *Queen Mary* after a month's vacation abroad. On the same boat were WILLIAM WYLER and JAMES M. BECK. WYLER left for the coast last night by plane.

•

MAX MARCUS of the 20th Century-Fox ad sales department will be married on Dec. 27 to ESTHER SCHILLER. They will spend their honeymoon in the snow country of northern New York.

•

MARY PICKFORD and her niece, GWYNN, arrived late yesterday by American Airlines from the coast. Earlier in the day, BUDDY ROGERS came in the same way.

•

BILL FADIMAN is a father. His first child—a boy, eight pounds, named JEFFREY ANDREWS, was born at Doctors' Hospital Sunday. Mrs. F. and child are doing well.

•

MAX FELLERMAN, RKO assistant film buyer, returned yesterday from Minneapolis where he lined up playing time on the pooling deal there.

•

H. J. YATES leaves the coast by train today and is scheduled to arrive here on Friday. H. J. YATES, JR., arrived from the coast yesterday.

•

BEN ADLER, head of the Adler Sign Letter Co., Chicago, is in New York to open an eastern branch. ARCHIE ROSENBAUM will be in charge.

•

BILL POWERS, GEORGE BALSDON and MILTON HOSSFELD have delayed their return from Kansas City until Friday. They were due back yesterday.

•

HERBERT J. OCHS, assistant to GRADWELL L. SEARS, Warner general sales manager, is on a tour of midwestern and southern exchanges.

•

LUCILLE BALL, RKO player, arrived from Hollywood yesterday to spend a few weeks here.

•

GEORGE VALLAR is en route to Mexico, where he will become manager for Paramount.

•

MRS. HENRY FONDA, GEORGE JESSEL and HAL KEMP plan to leave for the coast today by plane.

•

W. RAY JOHNSTON returned yesterday from a trip to the coast and stopovers en route back.

•

C. C. PETTIJOHN of the M.P.P.D.A. is back from a trip to Columbus, Chicago and St. Louis.

•

JOHN D. CLARK of Twentieth Century-Fox returned yesterday from a brief southern trip.

•

JOE MILLER, Columbia Buffalo manager, will return to his upstate headquarters today.

•

C. W. BUNN of Erpi returned yesterday from an extended tour of branch offices.

•

SOL LESSER has returned to town after a short visit to Boston. He and MRS. LESSER will sail on the *Normandie*, en route to Vienna, on Dec. 23. Following a tour of Europe, they will return to Hollywood in February.

•

GAIL PATRICK will leave Memphis via American Airlines tonight for Hollywood.

•

JOSEPH MANKIEWICZ, M-G-M producer, left New York yesterday for the coast.

•

FRANK NUGENT, photoplay editor of the *New York Times*, is back from a short visit to Hollywood.

•

M. M. BOYD of NBC is due to leave by plane for the coast tomorrow.

•

DICK PURCELL, Warner player, is in New York for a month's vacation.

•

JACK LAIT returned from the coast yesterday after a visit to his son.

•

FRED JACKSON, the playwright, is enroute to Hollywood by car.

•

JACK WHITE of Twentieth Century-Fox is back from the coast.

•

W. G. VAN SCHMUS is due from the coast in a few days.

•

J. M. MATHES has been named to handle promotional advertising for Fawcett Publications.

•

BORRAH MINNEVITCH will fly to the coast tomorrow and report at 20th Century-Fox.

•

FRED MEYERS delayed his trip to Rochester and Syracuse until next Thursday due to a death in the family.

•

LOUIS WEISS will leave for Hollywood tomorrow.

•

C. J. SONIN of M-G-M flew to Cleveland last night.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"God's Country and the Woman"

(Warners)

HOLLYWOOD, Dec. 14.—This has drama and romance with comedy contrasts, a glovefitting cast and sound direction by William Keighley. As Warner's first venture in all-color in some time, "God's Country and the Woman" also has fine scenic and action effects in production.

As conceived by Peter Milne and Charles Belden with an adaptation by Norman Reilly Raine, this is robust drama and romance in the timberlands. In it George Brent, alternately gayly comic and seriously dramatic, checks in with a pleasing characterization quite different from any he has previously essayed. Similarly Beverly Roberts, surprisingly effective, seems to have found her proper dramatic groove as a woman troubled by the affairs of the business world as well as those of the heart. Likewise, Robert Barrat is good and the principal supports, Alan Hale, Barton MacLane, Billy Bevan, Roscoe Ates, El Brendel, Joseph King and Victor Potel, contribute worthy performances.

A he-man's picture with appeal for women, the film tells two stories. Continuity and related significance of both are well blended. The main locale is the heavy timber northwoods country, the scenic beauty of which has been colorfully photographed by Tony Gaudio. Barrat, dynamic business czar, has two objectives. One is a determination to write finis to his playboy brother's spendthrift career; he is Brent. The other is to wreck his rival's business; she is Miss Roberts. He fails to reckon what would happen when a man and woman fall in love even though action and incident leading to that blissful state savor not at all of anything resembling the lavender and old lace technique.

Brent, ridiculed and abused by Miss Roberts as he attempts an assault on her heart; browbeaten and manhandled by her husky lumberjacks, yet a willing victim of backbreaking toil when he discovers his brother's plot to ruin the woman whose heart he is determined to conquer, emerges a man's hero in a woman's way.

Heroically dynamiting a log jam—the film's big spectacle feature—following a well-developed series of dramatic incidents, his reward is Miss Roberts' capitulation. As Barrat is grateful that it took a woman to make a man of his brother, the two companies effect a peaceful merger and Brent and Miss Roberts merge in wedlock.

Production Code Seal No. 2,357. Running time, 85 minutes. "G."

Denies Academy Sale

BOSTON, Dec. 14.—Philip Smith denies rumors current here that he has sold Academy Pictures Corp. of New England to Imperial Pictures. Negotiations are on, however.

Smith, head of an independent theatre circuit, incorporated the independent exchange about a year ago and is distributing Chesterfield, Invincible and other product. Imperial has been negotiating for several weeks with Roy Heffner of Specialty Pictures, Inc., and with others for New England distribution.

Fox Caldwell Is Formed

WILMINGTON, DEL., Dec. 14.—Fox Caldwell Theatres Corp. has been formed here to operate theatres, listing capital of $1,000. Incorporators are Harry B. Davis, David H. Jackman and Charles N. Caldwell, Jr., New York. Fort Smith Theatres, Inc., has changed its name to Malco-Arkansas Theatres, Inc.

Variety Club

Kansas City

KANSAS CITY, Dec. 14.—About 200 attended the party staged at the clubrooms recently by CHARLES SHAFER and HARRY M'CLURE of Fox Midwest.

With ELMER C. RHODEN, head of Fox Midwest, as toastmaster, and SENN LAWLER, Fox Midwest publicity director, as m. c., it was pretty much a Fox Midwest-staged party. Local dignitaries attended in addition to Variety members. W. RAY JOHNSTON was a guest.

Introducing LAWLER, RHODEN pointed out that a publicity man used to lay out advertising, contact newspapers, write copy. Now his job is merchandising. He must know his china, premiums, and giveaways.

"Katz Drug Company played their annual show to 30,000 people at the Municipal Auditorium, December 5," RHODEN commented, "and there were 6,000 persons in downtown theatres on that night. Katz sells merchandise and gives entertainment. We sell entertainment and give merchandise. I'm not sure right now which is the best business to be in."

NAT HECHTMAN was given a hand for his presentation to the club of a fine banner carrying the tent name and number and the barker insignia. A hand also went to FRANK HENSLER, chief barker, for his part in the success of the annual Variety Club-Kansas City *Star* bowling tournament Dec. 19 and 20. A similar tournament is being held in Kansas City, Kan., with the same sponsors, but with R. R. BIECHELE and GEORGE BAKER handling details.

BILL REINKE, Tower manager, contributed acts from the current Tower stage show, for which ROY CATO of the Fox Warwick and MORRILL MOORE of the Fox Rockhill were at the piano.

Wall Street

Paramount Up 3 on Board

	High	Low	Close	Net Change
Columbia, vtc	36½	34½	35	—1½
Columbia, pfd.	42½	42½	42½	.....
Consolidated	5¾	5¼	5¼	— ¼
Consolidated, pfd.	18½	17½	17⅝	— ⅝
Eastman	176¾	175	175	—1¾
Eastman, pfd.	164	163	164	+1
Gen. T. Equip.	29¾	28½	29¼	+1⅛
Loew's, Inc.	64½	63⅞	64½	+1
Paramount	22⅞	22⅛	22¼	.....
Paramount 1 pfd.	169	157¼	158	+3
Paramount 2 pfd.	21¼	20⅝	20⅝	+ ⅛
Pathe Film	10⅞	10¼	10¾	— ¼
RKO	8½	8¼	8¼	— ⅛
20th Century-Fox	37¾	37	37⅜	+ ⅜
20th Century, pfd.	46⅝	46¼	46⅝	+ ⅛
Warner Bros.	18⅜	17⅝	17⅝	.....
Warner, pfd.	67½	67	67½	+1½

No Declines on Curb

	High	Low	Close	Net Change
Grand National	3¼	3⅝	3⅝	.....
Sonotone	2	2	2	.....
Technicolor	23	22¾	22¾	+ ⅜
Trans-Lux	4½	4¼	4½	+ ¼
Universal Pict.	13⅞	13⅞	13⅞	+ ⅝

Bond Advances in Majority

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	101⅛	101	101⅛	+ ½
Paramount B'way 3s '55	73	73	73	+ ½
Paramount Pict. 6s '55	100½	100¼	100¼	— ¼
RKO 6s '41 pp	118½	118¼	118¼	— ¼
Warner Bros. 6s '39 wd	100¼	99⅜	100	+ ½

(Quotations at close of Dec. 14)

Warner's Net Goes Over Two Million Mark

(Continued from page 1)

time. Several weeks ago the company announced a profit for the year ended Aug. 29, last, of $3,177,312.73.

Directors reelected for two-year terms were Samuel Carlisle, Stanleigh P. Friedman, Charles S. Guggenheimer, Sam E. Morris and Morris S. Wolf. On Nov. 4 MOTION PICTURE DAILY exclusively reported the five men would be renamed. The board will meet tomorrow in New York and continue the present list of officers. Holdover members of the board are Harry M. Warner, president; Albert M. Warner and Jack L. Warner, vice-presidents; Perkins, secretary and general counsel, and Waddill Catchings and Joseph Bernhard.

Abel Klaw and John R. Krauss of Wilmington were the tellers.

In addition to Perkins, those attending from the home office included Carlisle, E. K. Hessberg and Joseph Hazen.

King, Mrs. Simpson On Canada's Screens

TORONTO, Dec. 14.—Fox Movietone News has just released as a special clip exclusive views of former King Edward VIII and Mrs. Simpson on a holiday trip to the Mediterranean last summer, and Prime Minister Stanley Baldwin, not previously shown in Canada.

These shots passed the Ontario censors without question.

Plan New Year Shows

NEW HAVEN, Dec. 14.—The Paramount will be the only first run to feature vaudeville at the midnight show New Year's Eve, with reserved seats at $1.10 all through the house. The picture is not yet set. "Gold Diggers" at the Roger Sherman and "After the Thin Man" at the Poli are the competing attractions.

It is reported the Bijou will be kept open for a midnight show New Year's Eve, to take care of the Poli overflow. The same plan will be followed in Hartford, where both Poli and Palace will be kept open.

Settle Colbert Suit

A suit against Columbia Pictures for $250,000 was dismissed yesterday in U. S. District Court when it was revealed it had reached a settlement with Claudette Colbert for a nominal sum. The action by the actress arose as a result of the publication in the *Detroit Press Press* in 1934 of a picture of her from "It Happened One Night" in a whiskey ad giving her alleged endorsement of the whiskey. Miss Colbert is said to be convinced that none of the higher executives of Columbia was responsible.

Rush Wheeling House

WHEELING, W. VA., Dec. 14.—The $1,000,000 Capitol here, recently acquired by Wheeling Theatres, Inc., after long litigation, is being rushed to completion for opening at Christmas. The policy will be legitimate, vaudeville and films.

Looking 'Em Over

"Boss Rider of Gun Creek"

(Universal)

Combining melodrama, fair character acting and romance with action and rustic comedy, the resulting product evolves as a pleasing and, in a measure, an entertaining film.

Buck Jones, in a dual character part, comes through with a convincing performance. When a sordid murder by his double points its finger at him, Jones, following his arrest and trial, makes a humorous and, on the part of the sheriff a good-natured getaway. Aided by Harvey Clark he sets out to clear his name. But before this has reached a starting point the double is killed when he pulls a gun on the aforementioned sheriff. From meagre clue, Jones traces the cause of his troubles and with the aid of friends he sets about clearing up the affair. The fireworks hold off until almost the very end.

Muriel Evans is good as the romantic interest. The supporting cast includes Lee Phelps, Tom Chatterton, Joe Swickhard and Mahlon Hamilton. Herbert Kirkpatrick and Allen Thompson are due credit for splendid photography. Les Selander directed.

Production Code Seal No. 2,381. Running time, 60 minutes. "G."

High Farce of Crazy-Quilt Family Hits; In for Films

(Continued from page 1)

ceived situations, all good for laughs; (2) excellent characterizations led by Josephine Hull and Henry Travers; (3) beautiful timing and (4) very expert stage direction by Kaufman. "You Can't Take It With You," quite definitely, is a triumph of high comedy sense over plot.

Here you get another "Royal Family" but in minor key. Penelope Sycamore, fluttering and silly, has turned from painting to playwrighting because a typewriter was delivered by mistake eight years earlier; this is Miss Hull and she is splendid. Essie is her daughter; she is interested in classic dancing and candy kisses commercialized as "Love Dreams." Paul Sycamore plays with a Mechano set, makes fireworks in the basement without license and in cahoots with Mr. De Pinna, the iceman who made his daily delivery eight years ago and remained as a member of the family. Ed is Essie's husband who earned $28.50 the year before the play opened. His specialty is the xylophone, home printing and masks. Donald, is the colored boy living in sin with Rheba, the Sycamore maid; Martin Vanderhof, the old and wise grandfather who walked out of his office 35 years ago and never returned and Alice, the pretty daughter in love with her boss's son. Boris Kolenkhov is the explosive imperial Russian teaching Essie the Pavlowa intricacies.

Material Wealth for Slim Plot

These are most of the chief characters and the instruments of their various callings clutter to the hilt the sitting room of the Vanderhof home. The difficulties of the love match and the gap between the mildly insane family on the girl's side and the socially and wealth prominent on the boy's side make up the thin base on which whatever plot there is pursues its way. Ed's printing hobby brings down the G-men who find a variety of incendiary messages stuck neatly away in each package of "Love Dreams" and Old Grandfather Vanderhof finally joins the lovebirds together, reaching for the result through the not so impenetrable skin of the prospective high-toned father-in-law.

It is not so much what happens as how the duet of playwrights makes it happen. They set a furious pace and they don't quite keep the speedometer at constant mileage the length of the journey, yet the pace is fast enough and the laughs frequent enough to make it an evening hitting close to tops in the current New York season.

The cast including Paula Trueman, Frank Wilcox, Frank Conlan, George Heller, Oscar Polk, Hugh Rennie, George Tobias and Mitzi Hajos, back to the stage finally, does handsomely. Margot Stevenson, as Alice, and Jess Barker, as her sweetheart, are likely Hollywood fodder and the play itself is formed in the perfect mould for a knockabout motion picture. The only but and if swing around the featherweight plot. Hollywood can take care of that. It's done so before.

Howard's "Hamlet" Closes

The Leslie Howard "Hamlet," which opened at the Imperial Nov. 10, closed Sunday with a benefit performance for the Actors' Fund and Stage Relief Fund. The show ran 39 performances.

Mort Singer to Head Pool in Minneapolis

(Continued from page 1)

six Loop theatres merged by a partnership agreement between the Singer Minneapolis Corp. and the Minnesota Amusement Co.

The operating partnership, disclosed by John J. Friedl, president of the Minnesota Co., will pool the Minnesota, Orpheum, State, Lyric, Century and Aster. The Orpheum and the Minnesota will continue to show class A offerings. No policy for the other four houses has been formulated.

N. Y. "Ecstasy" Ban Is Upheld by Court

(Continued from page 1)

of the state authorities to grant a permit on the grounds that they were encroaching upon federal power in foreign commerce. It was further argued that Congressional legislation in the field of regulation superseded state legislation. The court ruled, however, that "in regulating the legal exhibition of film, the state exercised its power after the article had lost its character as an import and secondly did not invalidly interfere with the exercising of Federal power. The purpose of Congress was to supplement and aid state legislation leaving the matter of legal exhibition for determination by the state. Congress, therefore, did not seek to abridge the power of the state and the judgment of the Federal officers in admitting the film did not prevent state officers from arriving at a different judgment when it came to the exhibition of the film and to the granting of a license therefor."

Equity Must Pay $952.72

LOS ANGELES, Dec. 14.—The Municipal Court judgment of $952.72 in favor of L. Lashus, assignee of Hariett Bennett, actress, against Actors' Equity was affirmed today by the Los Angeles Appellate Division. The court ruled that the trustee is not permitted to mingle trust funds with his own or to co-mingle the funds of several trusts.

The records disclosed that Equity accepted deposits of bonds on the part of actors' employers to guarantee payment of their salaries. Miss Bennett was employed in 1929 as an actress by MacFarland Prod. in the musical comedy, "Wishing Well." When production was discontinued in April of that year Equity had $10,000 deposited to cover the players' salaries. Some were paid while the salaries of others, including that of Miss Bennett, were retained. Subsequently, in an action brought against her, her money was attached. While decision on this action was pending, her funds and others were invested in Guarantee Bldg. & Loan Ass'n, which failed.

Equity sought to escape liability by showing that the investment was made in good faith.

Reserves Plea Decision

N. Y. Supreme Court Justice Phillip J. McCook yesterday reserved decision on the application by Tobacco Road, Inc., requiring 20th Century-Fox to show cause why it should not be restrained from using gags in its picture "Banjo on My Knee" which are alleged to give the impression the picture is based on the play. A suit for $1,000,000 by the Tobacco Road Co. against the film company also is pending. It is based on the charge that the picture will do considerable damage to the film rights of the play when they are sold.

Hold K. C. Charity Show

KANSAS CITY, Dec. 14.—The I.T.O. on Saturday conducted its second annual charity matinee for the Salvation Army. Twenty-three independent suburban theatres participated, receiving canned goods as admissions. Emanuel Rolsky, president of the I.T.O., and Arthur Cole of Paramount, headed the committee in charge.


• • • THE BEST CHRISTMAS
20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

PRESENT YOU COULD GIVE YOUR THEATRE!

THERE never has been anything to approach a Shirley Temple picture for smash Christmas business. And here's the greatest Shirley Temple show to date . . . as full of surprises as a sleigh-load of gift packages. Shirley, herself, talks and sings Chinese! The name-brilliant cast is the best of any Temple picture yet! A different kind of story, too . . . adventure, romance, thrills, suspense . . . in mysterious, far-off China! And the songs! . . . six hits that are hits! Perfect entertainment for EVERYBODY!

Shirley

TEMPLE STOWAWAY

with

ROBERT YOUNG • ALICE FAYE

EUGENE PALLETTE

HELEN WESTLEY • ARTHUR TREACHER

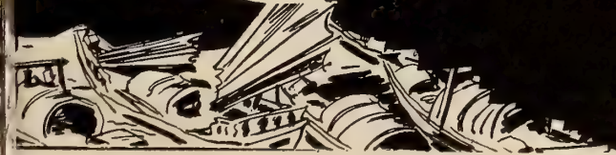
J. EDWARD BROMBERG • ARTRID ALLWYN

Directed by William A. Seiter

Associate Producers B. G. De Sylva, Earl Carroll, Harold Wilson · Screen play by William Conselman, Arthur Sheekman, Nat Perrin · Story by Sam Engel

Darryl F. Zanuck in Charge of Production

Shirley and Alice sing THESE GORDON & REVEL HITS:
"Good Night My Love" "I Wanna Go to the Zoo" "A Dreamland Choo-Choo to Lullaby Town" "You Gotta S-m-i-l-e to be H-a-Double-p-y" "One Never Knows, Does One?"—and—"That's What I Want for Christmas"
by Irving Caesar



Bank Night is Lottery, Says Kansas Court

(*Continued from page 1*)

a Fox Midwest subsidiary, and was written by Justice William E. Hutchinson.

"Prize, chance and consideration" the three elements considered essential to a lottery by the courts, was held by the Kansas Supreme Court to be present in Bank Night. There is involved in Bank Night, the opinion said, "consideration sufficient to make it a policy or scheme of drawing in the nature of a lottery as prohibited by Article 15, Section 4 of the Kansas constitution."

The phrase, "is at least in the nature of a lottery," contained in the decision, was taken to indicate that the court will find almost any cash giveaway used by the theatres in Kansas to be in violation of the lottery law, should Attorney General Clarence V. Beck, who filed the present action, and who has on one or two previous occasions moved aggressively against such giveaways, care to take action.

Attorneys for Fox-Kansas said yesterday they would contest the decision. The only recourse would be application to the state Supreme Court for a rehearing.

Ban Bingo in Churches

ALBANY, Dec. 14.—The Right Reverand Edmund F. Gibbons, bishop of the Albany diocese, has decreed that the playing of Bingo must cease in all church-owned property after Dec. 31. Parishes are forbidden to sponsor Bingo in church property or to lease the property to outsiders for Bingo parties.

The bishop's decree points out that while the game started as a harmless pastime it has grown to be an outright gambling venture, for which Catholics who sponsor it cannot hope to escape severe censure, if it is allowed to continue.

Operators of film theatres claim that Bingo parties have constituted a most serious competitor for several months.

Games Called Lottery in La.

NEW ORLEANS, Dec. 14.—Bank Nights offered by theatres as an attendance inducement are illegal, according to the decision of Judge W. W. Westerfield, of the Louisana Court of Appeals. The decision was concurred in by other members.

Today's ruling was the result of a suit filed by Charles G. Schanchell, a negro, on behalf of his minor son, Joseph, against the Lewis Amusement Co., operator of the Florito, which, at the time, was running Movie Sweepstakes.

The suit charged that the boy was refused admission to the theatre during Bank Night drawings but that his name was drawn as the winner of $105. The plaintiff demanded that the theatre be compelled to pay the $105 since the management excluded the boy, thus preventing him from winning. The court ruled that Bank Night is based on a gambling contract and cited the State Lotery Act of 1894. The court stated, in part:

"There is no difference in principle between a chance in Sweepstakes Night or Bank Night to each purchaser of a ticket of admission to a theatre, as is done, and granting the privilege to a customer of a cigar to participate in a punch-board scheme."

As a result of the decision the games are considered as having been denounced as a lottery. The appeal becomes final unless an appeal is filed before Dec. 21.

Exchange men today were generally non-committal. Henry Lazarus, operator of the Center and Coliseum, said that the decision might mean ruin to the small exhibitor.

Bans Merchant Lotteries

LINCOLN, Dec. 14.—Attorney General William H. Wright has warned all Nebraska county attorneys to stop merchants from giving lottery chances with purchases. No ruling was made on Bank Night, however, or any other theatre giveaway.

Games Used in Night Clubs

CINCINNATI, Dec. 14.—Although gambling in any form is not permitted here, and Tom Reilly, operating the Rialto, neighborhood, was arrested several months ago when he attempted to play Sweepstakes, it is understood that several of the lesser night clubs are runnning the equivalent of Bank Night, with substantial prizes to the winners.

Bank Night Unscathed

TERRE HAUTE, Ind., Dec. 14.—Some cities may consider Bank Night a gamble, but in Terre Haute, where gambling has been crushed by Mayor Samuel E. Beecher, crusading mayor, there has been no hint of stopping Bank Night at the Indiana.

Out Hollywood Way

HOLLYWOOD, Dec. 14.—ROBERT NORTH—late of Columbia—this day elevated to associate producership at Paramount. First assignment, "Danger, Men Working."

CECIL B. DEMILLE has decided to go in for more historical background stories and will do "The Buccaneer" next. . . . It is based on the life of JEAN LAFITTE.

Completed cast for "Person to Person Call" at Universal includes GLORIA STUART, WALTER PIDGEON, BILLY BURRUD, HOBART CAVANAUGH and SIDNEY BLACKMER. . . . Columbia signs STEPHEN MOREHOUSE AVERY to three-way contract as writer, supervisor and director. . . . Paramount signs CHARLES BICKFORD to long term pact and assigns him to "High, Wide and Handsome."

WALLY ALBRIGHT, 11-year-old player, gets role of GEORGES in Radio's "Escadrille." . . . S. J. BRISKIN on the job again after New York trip. . . . DOUGLAS MACLEAN borrows JIMMY ELLISCU from HARRY SHERMAN for "23½ Hours' Leave." . . . J. EDWARD BROMBERG's option renewed for one year by 20th Century-Fox. . . . "Servant of the People," first of M-G-M's historical short series, to open in Loew's Palace, Washington, Dec. 25. . . . LESLIE FENTON gets male lead in "Miss Customs Agent," Radio.

WILLIAM POWELL starts in "The Last of Mrs. Cheney," M-G-M. . . . HARRY GREY, musical director for Republic, back from New York minus his appendix. . . . LEONA ROBERTS, DUDLEY CLEMENTS, WILLIAM BRISBANE and RICHARD LANE, signed by S. J. BRISKIN on his recent New York trip, due to report Jan. 1. . . . JAMES R. GRAINGER due here Dec. 21.

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Casting—CLAUDIA DELL added to cast of "A Star Is Born," Selznick-International. . . . CHARLES JUDELS, GRANVILLE BATES, BULL MONTANA and DONALD ROWAN in "When's Your Birthday?," David L. Loew Prod. . . . CHARLES TROWBRIDGE in "Dangerous Number," and IVAN LEBEDEFF and JEAN LOCKHART in "Ada Beats the Drums," M-G-M.

WALTER BRENNAN in "Class Prophecy," Universal. . . . HELEN MACKELLAR in "The Stuttering Bishop," LIONEL GRAHAM and IVAN SIMPSON in "The Prince and the Pauper," and ALAN MOWBRAY and MARY BOLAND in "Marry the Girl," Warners. . . JUNE MARTEL, in "The Love Trap," B. P. SCHULBERG. . . . WARREN HYMER and MISCHA AUER in "We've Had Our Moments," JACK SMART in "Class Phophecy," Universal. . . . HUGH O'CONNELL in "Marry the Girl," Warners.

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New Contracts—JEAN PARKER given new term pact at Columbia.

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Title Changes—"Lords of Land" to "White Bondage," Warners; "The Truth Is On the March" to "The Story of Emile Zola," also Warners.

Win Injunction in Col. Booking Fight

BOSTON, Dec. 14.—Western Massachusetts Theatres, Inc., operated by Sam and Nathan Goldstein in conjunction with Paramount, has been granted an injunction against the showing of the Columbia film, "Theodora Goes Wild," which opened last Sunday at the Academy in Northampton, Mass. Herman Rifkin of Republic operates the Academy.

Rifkin bought the entire Columbia lineup this season away from the Goldsteins' Calvin and Plaza in Northampton. The Goldsteins claim, however, that "Theodora Goes Wild" is part of last season's product and should go to them. The granting of the injunction has tied up the feature. At Rifkin's office here it was said the next move is up to Columbia, and the Columbia exchange says the matter has been referred to New York for action.

Set Chicago Xmas Drive

CHICAGO, Dec. 14.—Arrangements have been completed for the Movie Christmas Basket Parties, to be conducted by all Chicago theatres on Dec. 22. Aaron Saperstein is general chairman and the Chicago Amusement Publicists' Ass'n is handling the advance campaign.

Fire Empties Theatre

ALBANY, Dec. 14.—A fire in the ventilating system of the Paramount here yesterday drove the audience of 1,000, mostly children, to the street. There were no casualties. The fire caused little damage and the house reopened today.

Loew's Admits Buy into G. B. From 20th-Fox

(*Continued from page 1*)

20, when Nicholas M. and Joseph M. Schenck and Isidore Ostrer announced the three-way alliance at the Sherry Netherlands.

MOTION PICTURE DAILY on Nov. 24 reported:

"From reliable sources at M-G-M, it was learned that Schenck will go through with the transaction to purchase half of the 20th Century-Fox interest in M. & B. This is scheduled to take place this week, as top executives are understood to figure the stock deal a good buy."

The deal was not completed that week. It was apparently set by Nicholas Schenck in Hollywood within the past week. Home office executives of Loew's were not aware of the final windup of the transaction until informed by MOTION PICTURE DAILY. They seemed surprised, although holding that there never had been any doubt that the deal would go through.

Efforts to learn the price paid for the 24½ per cent of 20th Century-Fox's interest were without result both here and in Hollywood.

Ostrer Reluctant to Talk

Returning from a two-week stay in Hollywood, during which he conferred with the Schenck Brothers and Sidney R. Kent on G. B. matters, Isidore Ostrer, chairman of the English firm, yesterday reversed himself in the handling of the press. Where he had previously been willing to answer questions, yesterday he tried to ward off the press with: "I'm sorry, but I have nothing to say."

To queries relating to the weather and the trip east, Ostrer was his usual self. He found the Hollywood climate ideal and the train ride abominable, particularly the rattling of the wheels.

With him was his brother, Maurice, who shortly after the first of the year will become head of all G. B. production. This member of the family readily made himself available to reporters. He said that while he didn't sign anyone, he made many contacts.

The Ostrers will remain until after Christmas. A booking on the *Queen Mary*, which is due to sail tomorrow, has been cancelled.

Uses Rear Door in Chicago

CHICAGO, Dec. 14.—Isidore Ostrer, enroute to New York from the coast, yesterday dashed through the railroad station and ducked out by the rear door. He left without baggage and took a cab to meet his wife, brother and sister-in-law elsewhere.

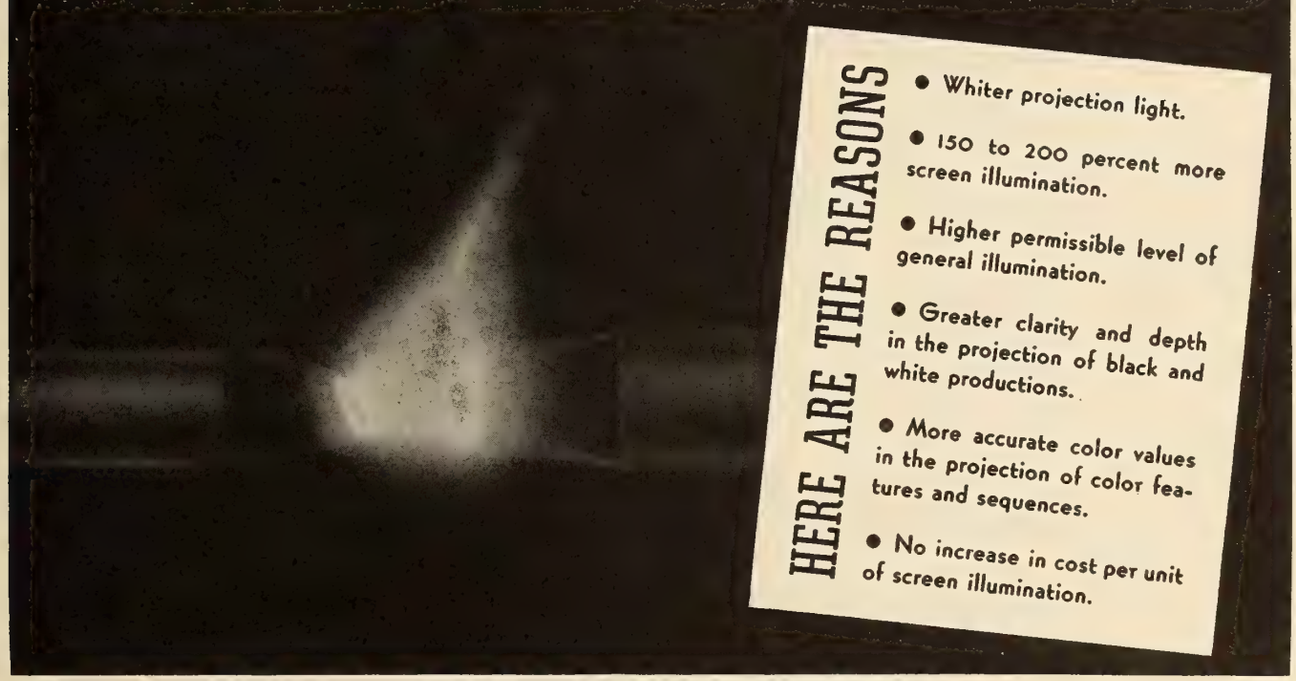
All hotels were checked, but there was no trace of the Ostrers. The Canadian Pacific reported a booking for Toronto in the name of Ostrer, but the trip was canceleld last night.

Upon questioning, Maurice told MOTION PICTURE DAILY he knew of no deal with 20th Century-Fox and Loew's being called off. He said he had been in Hollywood purely for talent, but that he didn't sign any.

This member of the Ostrer menage said his coast trip had nothing to do with reported attempts by his family to buy back the G. B. stock held by 20th Century-Fox.

NATIONAL SUPREX CARBONS

ARE RAPIDLY REPLACING LOW INTENSITY ARCS IN THEATRES OF SMALL AND INTERMEDIATE SIZE



HERE ARE THE REASONS

- Whiter projection light.
- 150 to 200 percent more screen illumination.
- Higher permissible level of general illumination.
- Greater clarity and depth in the projection of black and white productions.
- More accurate color values in the projection of color features and sequences.
- No increase in cost per unit of screen illumination.

The SUPREX ARC is a high intensity arc, using a new type of carbon developed by the National Carbon Company Research Laboratories. New lamps, of high efficiency and simplified design, have been produced by projection lamp manufacturers for use with this new carbon.

In comparison with the low intensity arc, the SUPREX ARC has the inherent advantages of higher intrinsic brilliancy, whiter light, and greater efficiency in light production. The improved quality of screen illumination it provides and the higher level of general illumination, from supplementary sources, which it permits are advantages which strongly appeal to the theatre-going public. The SUPREX ARC has been acclaimed as the "outstanding achievement of years" in the field of motion picture projection.

TAKE ADVANTAGE OF THE PATRONAGE DRAWING POWER OF THIS SUPERIOR PROJECTION LIGHT

NATIONAL PROJECTOR CARBONS

NATIONAL CARBON COMPANY, INC.
Carbon Sales Division, Cleveland, Ohio
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BRANCH SALES OFFICES: New York - Pittsburgh - Chicago - San Francisco

"Theodora" Is Seattle Lead For 2d Week

SEATTLE, Dec. 14.—"Theodora Goes Wild," in its second week at the Liberty, was the best grosser in town. It went to $6,800, over normal by $1,800 and was held for another week.

"Born to Dance" held up to $5,100 in its third week of an extended run from the Fifth Avenue and this attraction was held again. Business elsewhere was slightly off due to the usual pre-Christmas slump.

Total first run business was $44,350. Average is $41,500.

Estimated takings for the week ending Dec. 7:

"CHARGE OF THE LIGHT BRIGADE" (W. B.)
FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days. **Gross:** $7,200. (Average, $7,000)

"BORN TO DANCE" (M-G-M)
BLUE MOUSE—(950), 25c-40c-55c, 7 days, 3rd week, extended run from Fifth Avenue. **Gross:** $5,100. (Average, $4,000)

"THEODORA GOES WILD" (Col.)
LIBERTY—(1,800), 15c-25c-30c-40c, 7 days, 2nd week. **Gross:** $6,800. (Average, $5,000)

"LIBELED LADY" (M-G-M)
MUSIC BOX—(950), 25c-40c-55c, 7 days, 4th week, extended run from Fifth Avenue. **Gross:** $4,350. (Average, $4,000)

"OUR RELATIONS" (M-G-M)
"CASE OF THE BLACK CAT" (F. N.)
MUSIC HALL—(2,275), 25c-35c, 7 days. Stage: Vaudeville headed by Fitz & Murphy Bros. **Gross:** $4,400. (Average, $5,000)

"GO WEST, YOUNG MAN" (Para.)
"ALL AMERICAN CHUMP" (M-G-M)
ORPHEUM—(2,450), 25c-30c-40c, 8 days. **Gross:** $6,450. (Average, $6,000)

"DOWN TO THE SEA" (Republic)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Vaudeville headed by Shaw & Lee. **Gross:** $4,800. (Average, $4,500)

"THREE MEN ON A HORSE" (F. N.)
"ROSE BOWL" (Para.)
PARAMOUNT — (3,050), 25c-30c-40c, 7 days, 2nd week. **Gross:** $5,250. (Average, $6,000)

"Born to Dance" Is Oklahoma's Smash

OKLAHOMA CITY, Dec. 14.—"Born to Dance" was a holiday smash at the Midwest. The $8,100 gross was more than double normal.

"Go West, Young Man" at the Criterion was strong with $5,100 and "Daniel Boone" was in the profit division with $2,200 at the Capitol.

Total first run business was $18,300. Average is $13,500.

Estimated takings for the week ending Dec. 5:

"GO WEST, YOUNG MAN" (Para.)
CRITERION—(1,700), 10c-35c-55c, 8 days. **Gross:** $5,100. (Average, $5,000)

"BORN TO DANCE" (M-G-M)
MIDWEST—(1,500), 10c-35c-55c, 8 days. **Gross:** $8,100. (Average, $4,000)

"DANIEL BOONE" (Radio)
CAPITOL — (1,200), 10c-25c-40c, 7 days. **Gross:** $2,200. (Average, $2,000)

"A STAR FOR A NIGHT" (20th-Fox)
"AND SUDDEN DEATH" (Para.)
LIBERTY — (1,500), 10c-25c-35c, 4 days. **Gross:** $2,000. (Average, for week, $2,500)

"TIMOTHY'S QUEST" (Para.)
"MUMMY'S BOYS" (Radio)
LIBERTY — (1,500), 10c-25c-35c, 3 days. **Gross:** $900. (Average, for week, $2,500)

Worthington to Marry

CINCINNATI, Dec. 14.—Solon R. Worthington, staff artist at the RKO division office, and Florence M. Wocher, local commercial artist's model, will be married Saturday in the chapel of Christ Church.

'Dance' Smash 2nd Week Hit, In Pittsburgh

PITTSBURGH, Dec. 14.—"Born to Dance" in its second week at the Warner was a brilliant light in the surrounding gloom with a gross of $8,700, which was nearly double par.

Another attraction to beat off the pre-Christmas slump was "Smartest Girl in Town," helped by the "Folies Parisienne" revue at the Stanley. The $23,000 take topped par by $4,500.

Other houses couldn't stand the pace.

Total first run business was $49,350. Average is $43,000.

Estimated takings for the week ending Dec. 10:

"THE MAN WHO LIVED AGAIN" (G.B.)
"LUCKIEST GIRL IN WORLD" (Univ.)
ALVIN—(2,000), 25c-40c, 6 days. **Gross:** $4,000. (Average, 7 days, $5,500)

"THE GAY DESPERADO" (U. A.)
FULTON—(1,750), 25c-40c, 7 days, 2nd week. **Gross:** $4,150. (Average, $4,500)

"GO WEST, YOUNG MAN" (Para.)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $9,500. (Average, $11,000)

"SMARTEST GIRL IN TOWN" (Radio)
STANLEY—(3,600), 25c-60c, 7 days. Stage: French Casino revue, "Folies Parisienne." **Gross:** $23,000. (Average, $18,500)

"BORN TO DANCE" (M-G-M)
WARNER—(2,000), 25c-50c, 7 days, 2nd week. **Gross:** $8,700. (Average, $4,500)

'Theodora' $10,500 Leader in Montreal

MONTREAL, Dec. 14. — "Theodora Goes Wild" headed the first run procession with $10,500 at the Princess where average is $7,000. It held for a second week.

"Here Comes Carter," with a vaudeville show, brought $11,500 to Loew's for an above-par result. "Reunion," topping the dual at the Capitol, earned $9,000, while a second week of "Libeled Lady" meant $6,000 to the Palace. "As You Like It" played three days at His Majesty's for $3,500. The stage opposition consisted of the Ballet Russe for the first half of the week at His Majesty's and professional hockey which isn't drawing well.

Total first run business was $40,500. Average is $43,000.

Estimated takings for the week ending Dec. 5:

"REUNION" (20th-Fox)
"ALONG CAME LOVE" (Para.)
CAPITOL — (2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $9,000. (Average, $9,500)

"AS YOU LIKE IT" (20th-Fox)
"JACK OF ALL TRADES" (British)
HIS MAJESTY'S—(1,700), 25c-35c-40c-50c, 3 days. **Gross:** $3,500. (Average, 7 days, $5,000)

"HERE COMES CARTER" (F. N.)
LOEW'S—(3,115), 25c-34c-50c-60c, 7 days. Stage: "La Vie Paree" vaudeville unit. **Gross:** $11,500. (Average, $10,500)

"LIBELED LADY" (M-G-M)
"SWORN ENEMY" (M-G-M)
PALACE — (2,600), 25c-35c-40c-50c-65c, 7 days, 2nd week. **Gross:** $6,000. First week, $11,500. (Average, $11,000)

"THEODORA GOES WILD" (Col.)
"YOU MAY BE NEXT" (Col.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $10,500. (Average, $7,000) Held over.

'Skidding' for Barrymore

HOLLYWOOD, Dec. 14.—M-G-M has picked "Skidding" as the next for Lionel Barrymore.

Brushes 'Em

Omaha, Dec. 14.—Manager Ted Emerson of the Paramount gives his customers real service. When five inches of snow fell in Omaha in one day he kept ushers in the lobby to brush the snow off patrons' clothing.

'Theodora' Doubles Top in Providence

PROVIDENCE, Dec. 14.—"Theodora Goes Wild," on a dual with "Mad Holiday," cut the biggest slice of cake for the week, bringing in $600 over the usual $12,000 take to Loew's State.

The Strand, with "Hideaway Girl" and "North of Nome," caught $6,900, over by $400, and Fay's likewise was $400 to the good with "Luckiest Girl in the World" and five acts of vaudeville.

"Three Men on a Horse" and "Fugitive in the Sky" garnered an even $7,000 for the Majestic.

Total first run business was $40,200. Average is $39,500.

Estimated takings for week ending Dec. 10:

"REMBRANDT" (U.A.)
"WANTED: JANE TURNER" (Univ.)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $6,300. (Average, $7,000)

"THREE MEN ON A HORSE" (W.B.)
"FUGITIVE IN THE SKY" (W.B.)
MAJESTIC — (2,400), 15c-40c, 7 days. **Gross:** $7,000. (Average, $7,000)

"LUCKIEST GIRL IN THE WORLD" (Univ.)
FAY'S—(1,600), 15c-40c, 7 days. Stage: Five acts of vaudeville. **Gross:** $7,400. (Average, $7,000)

"HIDEAWAY GIRL" (Para.)
"NORTH OF NOME" (Col.)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $6,900. (Average, $6,500)

"THEODORA GOES WILD" (Col.)
"MAD HOLIDAY" (M-G-M)
LOEW'S STATE—(3,400), 15c-40c, 7 days. **Gross:** $12,600. (Average, $12,000)

"Wedding," Rand Houston Winner

HOUSTON, Dec. 14.—"Wedding Present," with Sally Rand on the stage of the Metropolitan, took top honors of the week with a gross of $13,000. This was $6,000 over normal.

"Love on the Run" was the best straight film attraction, getting $12,000, up by $5,000, at Loew's State. "Three Men on a Horse" went $1,400 over the line to a take of $8,400 at the Majestic.

Football games out of town and closing attractions at the Dallas Centennial gave some opposition. The weather was warm and wet.

Total first run business was $40,500. Average is $26,000.

Estimated takings for the week ending Dec. 3:

"HOT MONEY" (F. N.)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $1,750. (Average, 7 days, $5,000)

"WOMEN ARE TROUBLE" (M-G-M)
KIRBY—(1,450), 15c-35c, 1 day. Bank Night. **Gross:** $800. (Average, 7 days, $5,000)

"MURDER WITH PICTURES" (Para.)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $1,650. (Average, 7 days, $5,000)

"LOVE ON THE RUN" (M-G-M)
LOEW'S STATE—(2,750), 25c-40c, 7 days. **Gross:** $12,000. (Average, $7,000)

"THREE MEN ON A HORSE" (F. N.)
MAJESTIC — (2,250), 25c-50c, 7 days. **Gross:** $8,400. (Average, $7,000)

"WEDDING PRESENT" (Para.)
METROPOLITAN — (2,600), 35c-55c, 7 days. Stage: Sally Rand. **Gross:** $13,000. (Average, $7,000)

"Love on Run" Hits $21,500 In St. Louis

ST. LOUIS, Dec. 14.—"Love on the Run" had the cash customers on the run all week, principally to Loew's, and as a result that house grossed $21,500, beating par by $11,500. It was by far the best take of the week. The attraction was held over.

"Go West, Young Man" and a pretty good pit show at the Ambassador, also were big with $17,000, which was $8,000 above average for that house. At the St. Louis, "Dimples," playing a second run in conjunction with vaudeville, did $7,500, which was $500 above par.

With one day of snow the week was not bad from a weather standpoint. The principal opposition came from a stage show at the American.

Total first run business was $76,500. Average is $58,500.

Estimated takings for the week ending Dec. 2:

"GO WEST, YOUNG MAN" (Para.)
AMBASSADOR — (3,018), 25c-40c-55c, 7 days. Vaudeville and pit orchestra. **Gross:** $17,000. (Average, $9,000)

"REUNION" (20th-Fox)
"IN HIS STEPS" (G. N.)
FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $14,000. (Average, $14,000)

"LOVE ON THE RUN" (M-G-M)
LOEW'S — (3,162), 25c-35c-55c, 7 days. **Gross:** $21,500. (Average, $10,000)

"CASE OF THE BLACK CAT" (F. N.)
"ISLE OF FURY" (W. B.)
MISSOURI — (3,214), 25c-40c, 7 days. **Gross:** $8,000. (Average, $9,000)

"VALIANT IS THE WORD FOR CARRIE" (Para.)
ORPHEUM—(1,950), 25c-35c-55c, 7 days. **Gross:** $5,300. (Average, $6,000)

"DANIEL BOONE" (Radio)
"COUNTRY GENTLEMAN" (Republic)
SHUBERT-RIALTO — (1,725), 20c-25c, 7 days. **Gross:** $3,200. (Average, $3,500)

"DIMPLES" (20th-Fox)
ST. LOUIS — (4,000), 25c-40c, 7 days. Stage: Vaudeville. **Gross:** $7,500. (Average, $7,000)

"Theodora" Buffalo Wow with $14,000

BUFFALO, Dec. 14.—"Theodora Goes Wild' was a sensation at the Lafayette. It piled up $14,000 at 25 cents top, topping normal by $8,000. It was held.

Business was good all along the line, a big Thanksgiving opening helping. "Love on the Run," at the Buffalo for eight days, grossed $17,005, over par by $5,005. "Come and Get It" reached $12,002, up by $4,702, at the Great Lakes and "Tarzan Escapes" at the Century grossed $10,001 in a $5,800 house.

Total first run business was $60,008. Average is $38,400.

Estimated takings for the week ending Dec. 5:

"LOVE ON THE RUN" (M-G-M)
BUFFALO — (3,000), 30c-50c, 8 days. **Gros:** $17,005. (Average, 7 days, $12,000)

"POLO JOE" (W. B.)
"EASY TO TAKE" (Para.)
HIPPODROME—(2,500), 25c-40c, 7 days. **Gross:** $7,000. (Average, $7,300)

"COME AND GET IT" (Univ.)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $12,002. (Average, $7,300)

"TARZAN ESCAPES" (M-G-M)
CENTURY—(3,000), 25c, 7 days. **Gross:** $10,001. (Average, $5,800)

"THEODORA GOES WILD" (Col.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $14,000. (Average, $6,000)

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EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

"Orders" Gets $16,000, Best Boston Gross

BOSTON, Dec. 14.—"Without Orders" was high at the RKO Boston with $16,000. It was helped by "Shooting High" on the stage featuring Gene Sheldon, Mell Kirk & Howard. The take was $5,000 over normal.

"Hideaway Girl" at the Metropolitan was $3,000 over par with $25,000 on the week. Phil Baker was star of the stage show. "Love on the Run," in its second week, was average at Loew's Orpheum, getting $12,000. The same program also drew average at Loew's State with $11,000 gross.

Total first run business was $88,500. Average is $79,500.

Estimated takings for the week ending Dec. 10:

"CAN THIS BE DIXIE" (20th-Fox)
"MURDER WITH PICTURES" (Para.)
FENWAY — (1,382), 30c-50c, 7 days. **Gross:** $5,000. (Average, $4,500)

"WINTERSET" (Radio)
RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days, 2nd week. **Gross:** $12,000. (Average, $12,000)

"LOVE ON THE RUN" (M-G-M)
LOEW'S ORPHEUM—(2,970), 35c-45c-65c, 7 days, 2nd week. **Gross:** $12,000. (Average, $12,000)

"LOVE ON THE RUN" (M-G-M)
LOEW'S STATE—(3,537), 35c-45c-65, 7 days, 2nd week. **Gross:** $11,000. (Average, $11,000)

"HIDEAWAY GIRL" (Para.)
METROPOLITAN—(4,332), 35c-50c-65c, 7 days. Stage: Phil Baker, Beetle and Bottle, Seven G's. **Gross:** $25,000. (Average, $22,000)

"CAN THIS BE DIXIE" (20th-Fox)
"MURDER WITH PICTURES" (Para.)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $7,500. (Average, $7,000)

"WITHOUT ORDERS" (Radio)
RKO BOSTON—(3,246), 25c-50c-65c, 7 days. Stage: "Shooting High." **Gross:** $16,000. (Average, $11,000)

Feldman Seeks Ad Man

PITTSBURGH, Dec. 14.—Joe Feldman, advertising chief for Warners here, will be in New York over the week-end interviewing commercial artists in an effort to find a successor to Sam Stern. The latter leaves for New York in another 10 days to join the art advertising staff at the home office after serving here for four years.

Variety Post Initiates

CLEVELAND, Dec. 14.—Variety Post No. 313 of the American Legion has held its first initiation meeting at the Statler Hotel with 38 members. Harry E. Long, Loew division manager, is post commander. Harry H. Goldstein, Paramount district manager, is chairman of the membership committee.

Vidaver Joins National

SAN FRANCISCO, Dec. 14.—M. S. Vidaver, who has been handling publicity for the F. W. C. Paramount in Oakland, has joined the staff of National Screen Accessories here. He will handle press contacts.

Joins Basketball League

BOSTON, Dec. 14.—The Scollay Square, M. & P. house, has entered the Parl Basketball League.

"Banjo" Louisville Leader with $4,800

LOUISVILLE, Dec. 14.—"Banjo On My Knee" at the Strand was the only film in town to go above average, taking $4,800, $300 over normal. A. J. Kalberer and Carroll Hannah put forth plenty of exploitation effort, and were rewarded with sufficient business to warrant a holdover.

"Pennies From Heaven" and "Legion of Terror" at Loew's State, pulled some nice trade over the week-end, but slumped during the remainder of the week. The gross dropped to $5,000, $500 under average.

The weather was mild. Christmas shopping started unusually early.

Total first run business was $21,500. Average is $21,800.

Estimated takings for the week ending Dec. 10:

"FLYING HOSTESS" (Univ.)
"LOVE LETTERS OF A STAR" (Univ.)
BROWN—(1,500), 15c-25c-40c, 7 days. **Gross:** $2,100. (Average, $2,500)

"RAMONA" (20th-Fox)
"WIVES NEVER KNOW" (Para.)
"PEPPER" (20th-Fox)
"THEY MET IN A TAXI" (Col.)
KENTUCKY—(900), 15c-25c, 7 days, split week. **Gross:** $1,600. (Average, $1,500)

"PENNIES FROM HEAVEN" (Col.)
"LEGION OF TERROR" (Col.)
LOEW'S STATE—(3,000), 15c-25c-40c, 7 days. **Gross:** $5,000. (Average, $5,500)

"THREE MEN ON A HORSE" (F.N.)
MARY ANDERSON—(1,000), 15c-25c-40c, 7 days, 2nd week. **Gross:** $3,200. (Average, $3,500)

"THE IRISH IN US" (W. B.)
"IT HAPPENED IN NEW YORK" (Univ.)
"MOULIN ROUGE" (Para.)
"MUSIC IS MAGIC" (20th-Fox)
OHIO—(900), 15c, 7 days, split week. **Gross:** $800. (Average, $800)

"JUNGLE PRINCESS" (Para.)
"WANTED, JANE TURNER" (Radio)
RIALTO—(3,000), 15c-25c-40c, 7 days. **Gross:** $4,000. (Average, $4,500)

"BANJO ON MY KNEE" (20th-Fox)
STRAND—(1,500), 15c-25c-40c, 7 days. **Gross:** $4,800. (Average, $4,500)

"Theodora" Beats Milwaukee's Slump

MILWAUKEE, Dec. 14.—"Theodora Goes Wild' and "Easy to Take," with a $7,000 take at Fox's Palace, copped top honors for a week marred by the season's first sub-zero weather. This, coupled with holiday shopping, made business spotty. The gross was $2,000 above average and the bill was shifted to the circuit's Strand for a second week.

Business at all other houses was below par, although "Born to Dance" and "15 Maiden Lane" held up well in its second and final week at Fox's Wisconsin to gross $6,500.

Total first run business was $23,000. Average is $24,500.

Estimated takings:

Week Ending Dec. 8:
"BORN TO DANCE" (M-G-M)
"15 MAIDEN LANE" (20th-Fox)
WISCONSIN—(3,200), 25c-35c-50c, 6 days, 2nd week. **Gross:** $6,500. (Average, $8,000)

Week Ending Dec. 9:
"ONE WAY PASSAGE" (W.B.)
"POLO JOE" (W.B.)
WARNER—(2,400), 25c-35c-50c, 7 days. **Gross:** $4,200. (Average, $5,000)

Week Ending Dec. 10:
"THEODORA GOES WILD" (Col.)
"EASY TO TAKE" (Para.)
PALACE—(2,400), 25c-35c-50c, 7 days. **Gross:** $7,000. (Average, $5,000)

"COUNTRY GENTLEMEN" (Republic)
RIVERSIDE—(2,300), 20c-25c-30c, 7 days. Stage: "Show Window" Revue. **Gross:** $4,000. (Average, $5,000)

"COME AND GET IT" (U.A.)
"MAKE WAY FOR A LADY" (Radio)
STRAND—(1,400), 25c-35c-50c, 8 days. **Gross:** $1,300. (Average, $1,500)

A Farley Idea

Seattle, Dec. 14.—Unusual and effective service is being offered to patrons of the Fifth Ave. here by Manager Andrew Saso, who has established a branch U. S. Post Office in the foyer of his theatre. It is open daily from 11:30 A. M. until 11:30 P. M., under the management of the Post Office Dep't. Here the patrons of the theatre may have their Christmas packages weighed, insured and stamped.

"Three Men" Hits $13,500 in Cincy

CINCINNATI, Dec. 14.—"Three Men on a Horse" rode into first place at the RKO Palace last week, winning $13,500, or $3,500 up on the average. It continues at the RKO Capitol.

"Go West, Young Man" had a $13,000 gross on a six-day run at the RKO Albee, where the seven-day average is $12,000. It moved to the RKO Lyric to make way for "Born to Dance." "Love on the Run" ran up to $3,100 on its third downtown week at the RKO Grand, plussing par by $350.

Total first run business was $54,200. Average is $58,700.

Estimated takings:

Week Ending Dec. 10:
"GO WEST, YOUNG MAN" (Para.)
RKO ALBEE—(3,300), 35c-42c, 6 days. **Gross:** $13,000. (Average, 7 days, $12,000) Moved to RKO Lyric.

"THREE MEN ON A HORSE" (F.N.)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $13,500. (Average, $10,000) Moved to RKO Capitol.

"A STAR FOR A NIGHT" (20th-Fox)
RKO SHUBERT—(2,150), 40c-60c, 7 days. Stage: "Hollywood Hotel Revue." **Gross:** $10,500. (Average, $12,000)

"WINTERSET" (Radio)
RKO CAPITOL—(2,000), 35c-42c, 7 days, 2nd downtown week. **Gross:** $3,800. (Average, $6,500)

"ROSE BOWL" (Para.)
RKO LYRIC—(1,400), 35c-42c, 7 days. **Gross:** $3,900. (Average, $6,500)

"LOVE ON THE RUN" (M-G-M)
RKO GRAND—(1,200), 25c-40c, 7 days, 3rd downtown week. **Gross:** $3,100. (Average, $2,750)

"RIDE 'EM COWBOY" (Univ.)
RKO FAMILY—(1,000), 15c-25c, 4 days. **Gross:** $1,200. (Average, $1,250)

"MURDER WITH PICTURES" (Para.)
RKO FAMILY—(1,000), 15c-25c, 3 days. **Gross:** $1,000. (Average, $1,200)

"THE GARDEN OF ALLAH" (U.A.)
KEITH'S—(1,500), 30c-40c, 7 days, 2nd downtown week. **Gross:** $4,200. (Average, $6,500)

Skouras Suit Ended

The N. Y. Supreme Court yesterday accepted the stipulation discontinuing without prejudice the suit brought by Skouras Enterprises against 20th Century-Fox and RKO involving the 1935-36 product deal which permitted the RKO 81st Street to play the distributor's product day and date with competing Skouras houses. The case was scheduled to have been called for trial yesterday.

Baird Equipment Safe

LONDON, Dec. 14.—Baird Television has stated officially that neither the Baird transmissions for the B. B. C. nor the supply of receivers to the public would be affected by the fire at the Crystal Palace, which damaged the Baird premises.

"Theodora" Is Denver's Best Bet, $10,500

DENVER, Dec. 14.—"Theodora Goes Wild" had standouts at the Aladdin and topped the town's first runs with a take of $10,500, over the line by $3,000. It was moved to the Aladdin for a second week.

"Go West, Young Man" was the only other first run attraction to stir up any excitement. It was $2,000 into the profit column on a gross of $6,500 at the Denver in its second week.

"East Meets West" stayed three days at the Broadway and was succeeded by "Craig's Wife" which had played to big business for a week at the Paramount.

Total first run business was $30,500. Average is $28,500.

Estimated takings for the week ending Dec. 10:

"UNDER YOUR SPELL" (20th-Fox)
ALADDIN — (1,500), 25c-40c-50c, 7 days. **Gross:** $2,000. (Average, $3,000)

"EAST MEETS WEST" (G. B.)
BROADWAY—(1,500), 25c-40c, 3 days, following a week at the Aladdin. **Gross:** $1,000. (Average, $2,000)

"CRAIG'S WIFE" (Col.)
BROADWAY—(1,500), 25c-40c, 4 days. **Gross:** $1,500.

"TWO IN A CROWD" (Univ.)
"DOWN TO THE SEA" (Republic)
CENTER—(1,500), 15c-25c-35c, 7 days. Stage show. **Gross:** $2,000. (Average, $2,000)

"GO WEST, YOUNG MAN" (Para.)
DENHAM—(1,500), 25c-35c-40c, 7 days, 2nd week. **Gross:** $6,500. (Average, $4,500)

"THEODORA GOES WILD" (Col.)
DENVER—(2,500), 25c-35c-50c, 7 days. Stage band. **Gross:** $10,500. (Average, $7,500)

"BORN TO DANCE" (M-G-M)
"OUR RELATIONS" (M-G-M)
ORPHEUM—(2,600), 25c-35c-40c, 7 days, 2nd week. **Gross:** $4,000. (Average, $6,000)

"HERE COMES CARTER" (W. B.)
"ISLE OF FURY" (F. N.)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $3,000. (Average, $3,500)

Children Name 10 Best

"The Great Ziegfeld" was rated the best picture produced in 1936 by more than 300 children between the ages of eight and 17, according to a vote compiled by the Young Reviewers and 4-Star Clubs connected with the National Board of Review. The following nine films, in the order listed, were: "Anthony Adverse," "San Francisco," "Romeo and Juliet," "The Charge of the Light Brigade," "Mr. Deeds Goes to Town," "Story of Louis Pasteur," "The Devil Is a Sissy," "The Last of the Mohicans" and "Mary of Scotland."

Paper to Name 10 Best

PROVIDENCE, Dec. 14.—A ten best pictures poll has been inaugurated by the *News-Tribune* as a holiday feature. Exhibitors of the downtown theatres will give free tickets as prizes to those whose selections most closely approximate the list compiled by the paper's critics.

Showmen's Club Elects

CLEVELAND, Dec. 14.—Showmen's Club of Cleveland has elected the following officers for the coming season: President, Frank Greenwald; vice-president, Burt Diener; treasurer, Howard Reif; secretary, Louis Swee; recording secretary, William J. Banks. An initiation and ball will be held in January.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 142 NEW YORK, WEDNESDAY, DECEMBER 16, 1936 TEN CENTS

Bureau Shows Violations of Copyright Cut

1936 Evasions Only 9%, Report Indicates

Irregularities in the form of one or more violations of copyright regulations were reduced to 9.3 per cent for the year ended Oct. 31, 1936, which compares with 17.4 per cent in 1935 and 44.6 per cent in 1930 and 1931, it was revealed yesterday in the annual report of the Copyright Protection Bureau. The report was submitted by Jack Levin, director, and Gabriel L. Hess, attorney.

"In each of the past six years," the report said, "the bureau has investigated approximately the same number of theatres, located in practically every state." Pointing out that the comparative percentage figures referred to about the same total, it was said, "This is further evidence of the continuously progressive deterring effect of the bureau activities in keeping available for normal licensing the upward of 15,000,000 annual exhibition transactions of the industry."

The report noted the legislative fight during the past year for adequate protection in the copyright law against

(*Continued on page* 10)

Legislative Threat Stirs Up Oklahoma

OKLAHOMA CITY, Dec. 15.—The threat of adverse legislation, the attraction of balmy weather and improved business conditions combined to more than double this year's attendance at the annual convention of the Theatre Owners of Oklahoma, Inc., held here yesterday and today at the Biltmore Hotel. The registration at noon stood at 170, the best in several years.

Legislation vitally affecting exhibitors is expected when the law-making body meets following the Christmas holidays. The regular session will begin in January, it was pointed out.

Ed Kuykendall, president of M. P.

(*Continued on page* 10)

Otvos Checks Up on Potential Franets

A. Dorian Otvos, writer at the Vitaphone studios in Brooklyn, is taking no chances on sending out Christmas cards that are unappreciated.

He has sent a number of advance post-cards to friends in which he states: "I am about to invest a small

(*Continued on page* 4)

A Double Cross

New Orleans, Dec. 15.—The local musicians' union has a rule that if a traveling show carries its own orchestra, a similar number of local musicians must be engaged at the union scale, even if they just sit and twiddle their thumbs.

However, the manager of "The Great Waltz" double-crossed them cleverly in a Municipal Auditorium run. He compromised with the organization, placing 12 men in the pit. Then he demanded that these 12 men be oboe players. Records show that there are not 12 oboe players in the state capable of pit work.

20th-Fox's Reply to MPTOA Final-Clark

Reconsideration by 20th Century-Fox of its reply on the M.P.T.O.A. 10-point trade practice program is out of the question, John D. Clark, general manager of distribution, said yesterday.

Ed Kuykendall, M.P.T.O.A. president, recently made public copies of a letter he had sent the company requesting that it reconsider its decisions to continue collection of a separate score charge and to grant a 10 per cent cancellation instead of the increased percentage sought by the exhibitor organization.

Clark said that while he had not seen Kuykendall's letter as yet, he regarded 20th Century-Fox's initial reply on its trade practice concessions as a final one and that reconsideration of either its score charge or cancellation decision would not be undertaken.

IATSE NOW AIMS AT HOUSE STAFFS

Charge AT&T WithMonopoly Of Radio Wire

By BERTRAM F. LINZ

WASHINGTON, Dec. 15.—Charges that the Bell telephone system has a virtual monopoly in the provision of wire channels to radio stations and chains were made today by the Federal Communications Commission as it delved into the radio policies and practices of A. T. & T.

N. R. Danniellian, commission economist, this morning began the reading of a 300-page report on the subject, going back to the early '20s. Originally refusing to furnish service to broadcasters, it developed a plan about 1923 whereby local communities were

(*Continued on page* 8)

London Films to Ask For New Borrowing

By BRUCE ALLAN

LONDON, Dec. 15.—The stockholders of London Films will be asked at the annual meeting on Dec. 21 to authorize an increase in the company's borrowing power to a maximum of £1,750,000.

The company showed a loss of £330,842 for the year ended May 2, according to the financial statement issued last week.

Has Plans to Supervise Organization of All Theatre Employes

Complete unionization of theatre employes, including the service classifications of ushers, porters, doormen and cashiers, is believed to be impending under an I.A.T.S.E. move to assert its jurisdiction over all theatre workers from the front to the rear of the house.

According to local sources of information, the move has been considered by I.A.T.S.E. on several occasions during the past year, but only recently has it been felt within the organization that industry and public circumstances were propitious. The move presumably would be started in New York and other large cities first with the organization of non-union employe classifications and extended to the smaller centers later. If successful, the policy would result in a closed shop for every important theatre in the country.

No problem of jurisdiction over the unorganized employe classifications is likely to trouble or complicate the I.A.T.S.E. move, when and if it is started. The A. F. of L. at its Atlantic City convention two years ago delivered complete jurisdiction over all theatre employes, including the

(*Continued on page* 4)

All Warner Officers Reelected for 1937

Harry M. Warner was reelected president and all other Warner officers were continued for another year yesterday at a board of directors' meeting at the home office.

Others reelected were Albert Warner, Jack L. Warner, Sam E. Morris, Herman Starr and Stanleigh P. Friedman, vice-presidents; Albert Warner, treasurer; Samuel Carlisle, Stewart McDonald, Paul A. Chase,

(*Continued on page* 10)

Policies Fixed for Minneapolis Houses

Policies of the six RKO and Minneapolis Amusement Co. houses pooled in Minneapolis under a partnership arrangement have been set.

The Orpheum and Minnesota will be "A" houses with the former occasionally playing vaudeville. A stage

(*Continued on page* 10)

Strike Play Diffused and Rambling; Generally Misses

It happened in a small town in the Middle West, explains the program of "Days to Come." But Lillian Hellman was essaying a biting and brutal chapter, painting in stark and drab colors, the horrors of industrial warfare.

Objective clear, the play, let it be said early and forthwith, decidedly was not. The three long acts which unfolded on the stage of the Vanderbilt last night were wordy and generally static. Where the class struggle reasonably might be expected to drive home its inequalities in powerful and emotion-arousing terms of drama and penetrating dialogue, in its place were lengthy and diffused speeches, frequent soliloquies which rambled on and on interminably in unconscious deference, no doubt, to the title. The evening, in all of its unfortunate truth, was an embarrassingly long time in drawing to a close.

The action concerns labor difficulties in a small and model town where the factory owner grew up with his workers and each, you are told, well nigh loved the other. The usual tussle of wages results in the introduction of a trainload of strike-breakers itching for a fight and ready to let loose with

(*Continued on page* 4)

Radio—Pages 8 and 9

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Rodgers at Allied Meet; All's Quiet

Mutual problems of M-G-M and New Jersey exhibitors were discussed by William F. Rodgers, general sales manager of the distributing company, at a meeting of Allied of New Jersey.

Rodgers talked about the M-G-M sales policy from various angles to approximately 65 exhibitors. He was introduced by Lee Newbury, president, who told MOTION PICTURE DAILY no statement would be issued.

Strict secrecy concerning the meeting prevailed yesterday.

Sidney Samuelson, a director of Allied, declared the new policy of the organization is to stop blasting its activities in the press.

"From now on we will go about our business quietly," he said.

William A. Scully, district manager for M-G-M, also attended the session at the Lincoln.

France Honors Zanuck

LOS ANGELES, Dec. 15.—Darryl F. Zanuck, head of 20th Century-Fox production, received the Cross of Chevalier of the French Legion of Honor here yesterday from the French consul, Jean-Joseph Viala.

Insiders' Outlook

By RED KANN

REBUTTAL raised its interesting head yesterday. It took the form of a lengthy, single-spaced letter from Sammy Cohen, who handles foreign publicity for United Artists. Sammy is a nice lad. Besides rebuttal is rebuttal and long communications are gratefully received; they lighten the stint on Column Day and make more time for Christmas shopping. Proving, moreover, that you don't have to be a president, or even a vice-president, to crash this space, here is Cohen on his typewriter, italics and all:

"I have just finished reading your editorial in today's (Dec. 14) MOTION PICTURE DAILY, in which you take Arthur W. Kelly to task for his alleged 'flag-waving' on behalf of British pictures and for 'getting the signals mixed' because he declared that U. A. will release fifty or sixty pictures next season and that 'the famous Walt Disney shorts will again be distributed by us.'

"Both those statements are correct, if you add the words *in the foreign market*, which was obviously what Kelly was referring to. Any other interpretation is ridiculous, and one as well informed as you should have realized that, when a foreign sales manager in a foreign country is discussing his company's product, his facts and figures refer to the foreign market in general and that country in particular.

"As a matter of fact, if you read your favorite trade paper as diligently as you claim, you would have remembered a statement by Kelly (see front page of MOTION PICTURE DAILY of Sept. 2) in which he revealed that United Artists would release fifty-seven pictures in the foreign field during the coming season.

"And to one as familiar as you are with the facts of foreign distribution, knowing that foreign release dates are far behind those in the United States, it should have come as no surprise to learn that U. A. will distribute the Disney shorts during the coming season in Argentina and in the rest of the foreign market. Argentina, for your information, still has to play all of the Group 4 Disney films—a full year's schedule.

"So much for the 'mixed signals.'

"Now as to the British 'flag-waving.' As Al Smith would say, 'Let's look at the record.'

"In his September statement—and again quoting your favorite trade paper—Kelly said: 'More than half of the fifty-seven features which United Artists will distribute abroad this season will be British films.' The actual number is thirty-four, so when Kelly puts in a boost for British pictures, he isn't 'flag-waving,' he isn't 'demonstrating his allegiance to new owners,' he isn't deprecating the product of American producers; he is simply trying to make it easier for the U. A. foreign salesmen to sell a sizeable block of product—product which in the past, because of its British label, has been anathema to foreign exhibitors.

"In other words, Kelly is doing what Goldwyn, Pickford, Fairbanks and Chaplin are paying him to do, and doing it in masterly fashion. Don't forget for one moment that those thirty-four pictures are being distributed by U. A. in the foreign market with the full knowledge, consent and blessing of Goldwyn, Pickford, Fairbanks and Chaplin. And no one has a keener appreciation of the value and importance of the foreign market to U. A. than G. P. F. & C. Because they have seen the figures!

"Furthermore, the statements Kelly made about British progress in Buenos Aires are the very things that Goldwyn, et al, have themselves pointed out during the past year—and which Kelly summed up in his September statement in the following paragraph: 'We must face the fact that although Hollywood still continues to dominate in the world market, it no longer has a monopoly on good product. Good product today means international product. And with the improved facilities they now have abroad, particularly in England, it is just as easy for Alexander Korda, for example, to make international pictures at the Denham studios in London as it is for Samuel Goldwyn or David Selznick to make them in Hollywood.'

"It all boils down to this: far from giving Korda 'the decided edge on his American bosses,' Kelly is pleading with foreign exhibitors to give Korda and British pictures the *same break* they give Goldwyn and the other American producers, and not to scorn them just because they were made in London instead of Hollywood.

"In brief, Kelly considers it his bounden duty, in his travels around the world, to preach the gospel of the 'new deal' in British pictures and to do everything in his power to insure that more than half of U. A.'s product in the foreign market is not penalized because it was 'made in England.'

"If that be 'flag-waving,' then make the most of it!"

▼

There was never any lack of appreciation for Kelly's problem. Not at all. The point made originally was that he should not eulogize his company's British product and damn the American by faint or no praise. Nothing that we have discovered in Cohen's extended defense compels us to alter our first convictions. . . .

▼ ▼

In his "Footlights and Flickers" department, Harry Martin, critic of the *Memphis Commercial Appeal*, has a word of two about our recent dissertation on Gypsy Rose Lee, who, incidentally, is getting almost as much space here as in some of New York's tabloid columns.

"It is possible that Miss Lee might fit into the Hollywood niche as a character actress," writes Martin. "If so, there is certainly no harm done. Many of our greatest entertainers trace their origin to burlesque, among them W. C. Fields, Fannie Brice and many others. If Mr. Goldwyn can develop Miss Lee into an acceptable actress without inflicting anything objectionable upon the populace, I trust the MOTION PICTURE DAILY will not be too harsh with him."

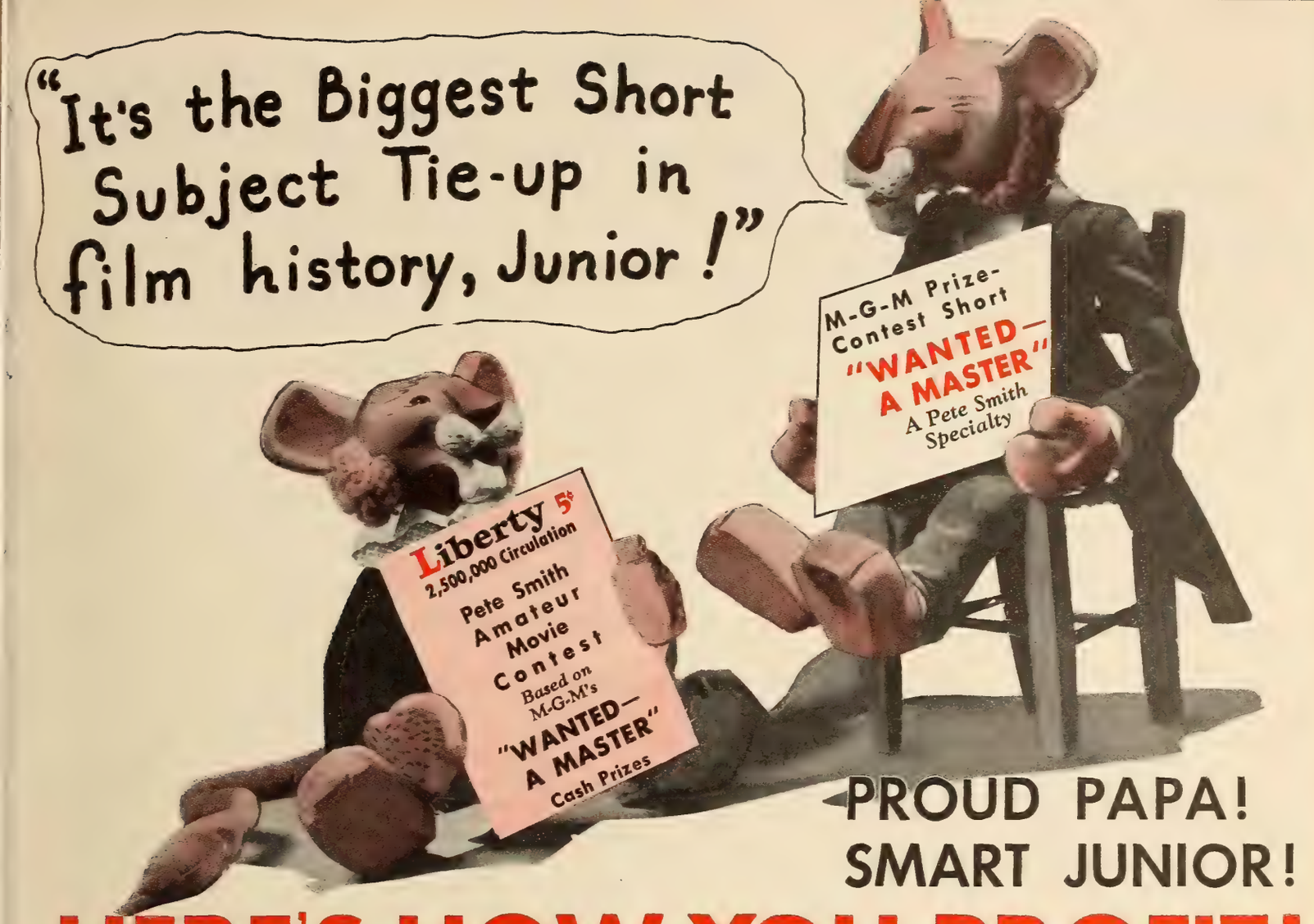
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We are slightly fearful that Martin missed out on our intent. There never has been, nor could there reasonably be, any objection built up over the development of talent tracing its beginnings to burlesque. Likewise has no trepidation ever existed in these parts that Goldwyn or any producer would have the nerve to film Miss Lee in her various nature poses. The essential argument is that those producers who continue to flirt outrageously with this artiste, perforce, are much more interested in the implied, if not direct, publicity which will hail her first film appearance than they are in her inherent abilities as a performer. That, we maintain, is treading on tissue paper ice and gambling with something which conceivably may develop when the value received is not, and cannot be, worth the risk. In the meantime, the understanding is Goldwyn's current fixation is that he must have Miss Lee for his impending "Follies," insisting she is essential with a typical vehemence suggesting the picture is foredoomed to failure unless this comes about. We are almost persuaded to send him for a re-reading, or may be a first reading, his few weeks' old interview in the Sunday magazine section of *The New York Times*. . . .

▼ ▼

The Associated Press reports Carole Lombard the best-dressed actress in and out of films during 1936, seven votes of a possible ten cast by as many studio stylists cinching this momentous piece of news. Kay Francis must feel pretty badly about it; she only rated six votes and tied with Norma Shearer. Claudette Colbert must feel even worse with five and, by this time, is probably looking daggers at Dolores Del Rio and Joan Crawford who emerged her numerical rival. Not remote at all is the dagger process in reverse, or in other words from Del Rio and Crawford to

(*Continued on page* 10)



PROUD PAPA! SMART JUNIOR!

HERE'S HOW YOU PROFIT!

When you book M-G-M's Short Subject "WANTED—A MASTER"

10 WEEKS IN LIBERTY!

Beginning December 26th, and every week for ten succeeding weeks, Liberty, with huge display spreads, will urge its 2,500,000 readers to go to local theatres playing M-G-M's unique Short Subject "WANTED—A MASTER" in order to see how a successful amateur film can be prepared.

NATIONAL AD CAMPAIGN

Through Liberty's affiliated publications, Photoplay, True Story, True Detective, and others of the MacFadden group, a series of full-column "house" ads will spread direct interest in "WANTED—A MASTER" to 6,000,000 more readers!

RADIO PROGRAMS SCHEDULED

Over the radio networks, regularly scheduled programs of MacFadden Publications will carry the seat-selling story of "WANTED — A MASTER" to many more millions!

25,000 NEWSSTANDS POSTED

On 25,000 newsstands thoughout the country Liberty will have displayed a special color poster announcing the contest and giving full credit to the Pete Smith Specialty "WANTED—A MASTER" as the film that inspired it!

YOUR PLAYDATE IN LIBERTY!

Definite instructions have been issued by Liberty to its local distributors to permit the insertion in current issues announcements of "WANTED—A MASTER" playdates as supplied by local theatres. Don't miss this opportunity.

FREE LOCAL ADS!

Liberty distributors throughout the country have also received instructions to cooperate to the fullest extent with local theatres playing "WANTED—A MASTER" in placing printed announcements of local playdates on newsstands, bannering the distributor's delivery trucks, and various other local tieups.

DEALERS READY TO AID YOU!

This arrangement also provides local theatres with direct access to co-op ad and window tieups with department and other stores handling home movie cameras, film and other equipment, such as the Cooperative tieups with Eastman and Bell & Howell, etc.

M-G-M's Exploited Shorts mean Extra Drawing Power and Extra Receipts!

IATSE Aims At Organizing House Staffs

(Continued from page 1)

service classifications, to the I. A. T. S. E. and, insofar as official labor circles are concerned, a closed shop move would be dependent for its start solely upon I.A.T.S.E.'s decision to assert the jurisdiction which has been granted it.

Theatre service employes in New York and most other large cities are unorganized at present. An attempt to organize the service classifications was made here two years ago by the Building Service Employes Union, but collapsed six months after it began when a strike which was called proved to be ineffectual. Although the Building Service Employes Union is an A. F. of L. affiliate, the definition of jurisdiction which immediately followed the failure of its organizing drive in New York theatres was in I.A.T.S.E's. favor.

Salesmen to Rename Joe J. Lee as Head

Joe J. Lee of 20th Century-Fox tomorrow will be reelected president of M. P. Salesmen, Inc., at the annual election to be held at the exchange. He, as well as Matty Cahan, second vice-president; Morris Sanders, treasurer; Charles Penser, financial secretary, and Jacob Hartman, historian, have no opposition.

Up for first vice-president are Saul Trauner and Jerry Wilson. Irving Landes and Morris Fraum are vieing for recording secretary. Louis Kutinsky and Anthony Ricci are up for sergeant-at-arms.

Two trustees will be elected from the following: Trauner, John Benas and S. R. Schussell.

Five members of the board will be selected from a list of 12 nominees, which include Arthur Greenblatt, Harry H. Buxbaum, Joe Felder, Leo Abrams, Lew Preston, Mike Rudin, Max Fellerman, Schussell, Bernard Kranze, Jack Ellis, Abe Leff and Richard Gledhill.

Because the membership this year includes other industry representatives in addition to salesmen, the members will be asked to recommend a new name for the organization.

Postpone Union Meeting

The illness of Howard S. Cullman caused the postponement yesterday of the scheduled meeting of Mayor La Guardia's survey board on the union situation with representatives of Local 306, the Allied Union and the I.T.O.A. The session was called for the purpose of settling disputed points arising in the negotiation of an agreement for the absorption of Allied by 306.

The I.T.O.A. will discuss the labor situation in general at the regular meeting today at the Astor.

Revive "Kid from Spain"

United Artists will reissue "The Kid from Spain" shortly. This was produced about three years ago by Samuel Goldwyn.

Looking 'Em Over

"Slalom"

(George Kraska)

Said to have been produced by H. H. Sokal of Vienna, Austria, and filmed in Switzerland, this film offers light and entertaining comedy romance, the chief enjoyment of which lies in the beauty of snow-clad background and the vicarious exhilaration of seeing flying figures on skis.

The story is slight and of no consequence. With comparatively little dialogue, it tells of the girl who goes to St. Moritz to show up her fiance in winter sports. With the assistance of two men-of-all-work, one very tall and the other very short, she becomes skillful, beats her fiance, and the Film ends with a ski wedding in the snow.

The real entertainment in the film, aside from the ski, bobsled and skating scenes, lies in the work of these two. Amazingly accomplished, especially on skis, their antics are also highly amusing. Timely in its winter sports background, the film is enjoyable.

Previewed without production code seal. Running time, 66 minutes. "G."

Strike Play Diffused and Rambling; Generally Misses

(Continued from page 1)

revolver and rifle on as flimsy an excuse as a bleeding nose. When one pug-ugly is stabbed by his confrere and the body planted on the premises of the labor organizer, the sit-down strikers override their passive instructions and death spouts. This, of course, dips your factory owner's mantle in murderer's blood with pangs of conscience ensuing and embracing the audience as well. Also there is his wife who never loved him, never wanted to marry him, has been carrying on with his lawyer, who happens to be his best friend. She wants to go off with the labor organizer and meets an unhappy and dismal finish in the home of the husband whose name she had sullied. The characters drawn for husband and wife elicit little sympathy; as Miss Hellman conceived them and as she made them act and speak, no other audience or critical reaction could be possible.

Players' Efforts Futile

It is occasionally apparent what the author of "The Children's Hour" was groping for here. It is regrettable, but also accurate, to report she veers far from her mark. Against odds over which they had no control, Florence Eldridge, William Harrigan, Ben Smith, Ned Wever and the others do what they can. It is not much.

Denies Warner Motion

Judge Knox in U. S. District Court here yesterday denied a motion by Warners to prevent Beekman Film Corp. from giving evidence at the trial of its injunction and damage suit against Warners for alleged infringement of Beekman's picture, "This Is America" in Warners' "The Yanks Are Coming." Warners, in its application, had declared the plaintiff had failed to furnish a bill of particulars as ordered by Judge Knox. Beekman has asked damages of $200,000.

Pick "Woman Alone"

G. B. has picked "The Woman Alone" as the release title of the Alfred Hitchcock picture starring Sylvia Sidney and Oscar Homolka.

Bad Psychology

Minneapolis, Dec. 15.—That dual bill marquee ad which appeared in one of the Ford Motor Co. ads has drawn a protest from S. D. Kane, secretary of Northwest Allied exhibitors. He insisted in his letter that it was bad business to introduce the dual idea into a single feature territory.

Otvos Checks Up On Potential Franets

(Continued from page 1)

fortune in Christmas cards. But before I do I must know one thing: are you a Franet? (Old English for Christmas-card-destroyer.)

"Statistics of the last 73 years show that only none of every person (rough estimate) who receives a Christmas card appreciates it.

"Lest I buy more cards than necessary, please fill out the attached reply card so that I know how I stand.

"Thank you very much and, incidentally, Merry Christmas!"

On the reverse side, the person receiving the card is asked to check one of three boxes: one states "I don't want your Christmas card"; the second, "I don't care for your Christmas card", and the third, "I can do without your Christmas card."

Sets Cook Trial Date

N. Y. Supreme Court Justice Louis A. Valente yesterday set Jan. 5 for the trial of the action of Harry Cook against 20th Century-Fox, asking $50,000 and an injunction, holding his likeness was used without his consent in the film, "15 Maiden Lane." The court, however, refused his petition for a temporary injunction against distribution of the film, declaring it questionable that the spirit and purpose of the civil rights law had been violated.

Insiders' Outlook

(Continued from page 1)

Colbert. The vividness of your own imagination will inform you of the reactions of Verree Teasdale, Gloria Swanson, Madeleine Carroll, Myrna Loy and Joan Bennett, each a three-vote woman. Make no mistake by taking this word from the west coast lightly. New trends in product, born out of player discontent, have developed from less. Far less. . . .

Next Columbia Sales Meet Here Jan. 8-9

Columbia will hold its fourth and final mid-season sales meeting in New York about Jan. 8 and 9, it was learned yesterday with the return of Rube Jackter and Joe McConville from New Orleans where they attended the third session over the weekend. Abe Montague and Lou Weinberg are remaining in the south on circuit deals.

While attending the southern session, Jackter was given a birthday party last Saturday and presented a miniature radio and desk set.

To Preview Swiss Film

Arthur Mayer, operator of the Rialto, and Joseph Burstyn will preview their latest importation, "The Eternal Mask," for a group of psychiatrists tomorrow evening at 729 7th Ave. The film, a Swiss production by Progress Films, A.G., of Berne, Switzerland, is one of two which Mayer and Burstyn have imported. The other is "Remous," French film produced by H. O. Films of Paris. "The Eternal Mask" is expected to open at the Filmarte about the middle of January, prior to general release.

Wall Street

Board Issues Fall Off

	High	Low	Close	Net Change
Columbia	35½	35	35	.....
Columbia, pfd.	42	41⅛	41⅛	—1⅜
Consolidated	5⅜	5¼	5⅜	— ⅛
Consolidated, pfd.	17½	17⅛	17½	— ⅛
Eastman, pfd.	164	164	164	.....
Gen. T. Equip.	30½	29⅛	30¼	+1
Loew's, Inc.	64⅜	64¼	64¼	— ¼
Loew's, pfd.	106¼	106¼	106¼	.....
Paramount	22½	21½	21⅞	— ⅜
Paramount 1 pfd.	157	154½	154¼	—3¾
Paramount 2 pfd.	21	20¼	20¼	— ⅜
Pathe Film	10½	10⅛	10⅛	— ⅛
RKO	8⅜	8⅛	8⅛	— ⅛
20th Century-Fox	37⅜	36½	36½	— ⅞
20th Century, pfd.	46¼	46	46	— ⅝
Universal, pfd.	105	105	105	.....
Warner Bros.	18¼	17¾	17¾	+ ⅛
Warner, pfd.	68½	68	68½	+1

Curb Off Slightly

	High	Low	Close	Net Change
Grand National	3¾	3⅜	3⅝	— ⅛
Sentry Safety	¾	¾	¾	—1/16
Sonotone	2	2	2	+ ⅛
Technicolor	22⅞	22⅛	22⅛	— ½
Trans-Lux	4⅝	4⅝	4⅝	.....

Warner Bonds Up ½

	High	Low	Close	Net Change
Loew's 6s '41 ww deb rights	101	100¾	101	— ⅛
Paramount B'way 3s '55	72½	72½	72½	— ½
Paramount Pict. 6s '55	100½	100¼	100⅜	— ⅛
RKO 6s '41 pp	118¾	118	118	— ¼
Warner Bros. 6s '39 wd	100	99⅝	100	+ ½

(Quotations at close of Dec. 15)

"Brigade" Out Front on Loop With $18,800

CHICAGO, Dec. 15.—"The Charge of the Light Brigade" swept into the Loop to hit an $18,800 gross for the first week, which was $7,800 above average and the best business in town.

"Come and Get It," moved to the Apollo from the Roosevelt, also garnered a nice gross to hit $7,900, which was well above the average.

The Oriental and State-Lake with stage shows and prize nights did very well. Other houses were about normal as cold weather and the first shopping rush caused business to start downward generally in the pre-holiday slump.

Many conventions helped night business. Had it not been for these, business would have been poor.

Total first run business was $128,800. Average is $115,000.

Estimated takings:

Week Ending Dec. 9:

"SMARTEST GIRL IN TOWN" (Radio)
PALACE—(2,509), 35c-55c-75c, 7 days. Stage: Fats Waller and Band. **Gross:** $18,000. (Average, $19,000)

"GARDEN OF ALLAH" (U. A.)
CHICAGO—(4,000), 35c-55c-75c, 7 days, 2nd week. Stage: The Radio Rogues. **Gross:** $25,000. (Average, $32,000)

"WEDDING PRESENT" (Para.)
ORIENTAL—(3,940), 30c-55c. Stage: Joan Marsh and Hollywood Revue. **Gross:** $19,800. (Average, $15,000)

Week Ending Dec. 8:

"CHARGE OF THE LIGHT BRIGADE" (W. B.)
ROOSEVELT—(1,591), 35c-55c-75c, 7 days. **Gross:** $18,800. (Average, $11,000)

"BORN TO DANCE" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days, 3rd week. **Gross:** $15,000. (Average, $15,000)

"COME AND GET IT" (U. A.)
APOLLO—(1,400), 35c-55c-65c, 7 days. **Gross:** $7,900. (Average, $4,500)

"ONE WAY PASSAGE" (W. B.)
GARRICK—(900), 35c-55c-65c, 7 days. **Gross:** $6,800. (Average, $5,500)

"LOVE LETTERS OF A STAR" (Univ.)
STATE-LAKE—(2,776), 25c-35c-40c, 7 days. Stage: "Temptations" Revue. **Gross:** $17,500. (Average, $13,000)

N. Z. to Make Shorts

WASHINGTON, Dec. 15.—The government of New Zealand is proceeding with plans to produce scenic and industrial films for exhibition in foreign countries, according to a report to the U. S. Dep't of Commerce from Vice-Consul G. B. Lane in Wellington.

Advance orders for these films are reported to have been submitted by the Imperial Institute in London for distribution to colleges, schools, technical and social institutions in Britain.

In addition, it is anticipated that industrial films for advertising New Zealand produce and manufactures will be produced for exhibition abroad. It is understood that an American company has placed an advance order for a number of these films for exhibition in Far Eastern countries.

Australia Upholds Disney

CANBERRA, AUSTRALIA, Nov. 16.—The rights of Walt Disney and his Associated Enterprises to sole use of "Mickey Mouse" and "Minnie Mouse" have been upheld by the registrar of trade marks who has rejected an application of the Radio Corp. for permission to use these names on radio sets.

Austria Considering Compulsory Dubbing

By HANS LORANT

VIENNA, Dec. 4.—The Austrian Government is giving serious consideration to the introduction of measuses conditioning the importation of American films into Austria. The most important factor in the Government's plan is understood to be a requirement that American films be dubbed into German in Austria.

Representatives here of American companies decided at a recent meeting that the expense of dubbing is too high, running between 30,000 and 40,000 schillings, and that the Government's financial aid, in the form of exemption from the price of the merit ticket, is not sufficient to compensate for the high price of dubbing.

Robert Schless, Warner manager in Europe, declared that dubbing here is impossible, citing as the first major objection the fact that such films are not permitted into Germany.

"The Austrian market is very small," he said, "and as it is flooded with German-speaking pictures, American films dubbed into German will not have much chance." He called the poor quality of Austrian dubbing another important factor. Other American companies are considering the matter, and the Ministry of Commerce has indicated that the Government is extremely anxious to reach an agreement with them.

New Vienna Firm Formed

WASHINGTON, Dec. 15.—A new producing company, Czernin-Ostwald Film Co., has been formed in Vienna with a capital of 20,000 schillings, according to a report from Assistant Commercial Attache Leys A. France in Vienna, to the U. S. Dept. of Commerce.

Single Feature Law Cuts Budapest Total

By ENDRE HEVESI

BUDAPEST, Dec. 4.—The decrease in the number of features exhibited in Budapest under the operation of the recent Government edict prohibiting the showing of any but single bills in Hungarian theatres, is indicated in figures for the first three months of the new system.

In the three months to October, 1935, 66 features were shown in local first runs, while in the same period in 1936 52 films were shown, a decrease of 20 per cent. American product was far in the lead, the 52 divided as follows: American, 25; Hungarian, six; German, nine; Austrian, four; French, seven, and Czechoslovakian, one.

The most recent American importations in first runs here were rated at the box-office as follows: "San Francisco," excellent; "The General Died at Dawn," very good; "Gorgeous Hussy," "Showboat" and "Robin Hood of El Dorado," poor.

Protest Air Film Attack

LONDON, Dec. 7.—The London and Home Counties Branch of the C.E.A. is protesting to the British Broadcasting Corp. against expressions alleged to have been used by Alistair Cooke, film critic of the B.B.C. In a recent broadcast, it is asserted, Cooke advised listeners that current films were of such a kind that the public could employ its time better than by going to the cinema.

Sir Press Agent

London, Dec. 7.—Sir Michael W. S. Bruce, Baronet, has been appointed studio American press representative for London Films. Elder brother of Nigel Bruce, and holder of the family's centuries-old Scottish title, Sir Michael Bruce is a well known Fleet St. journalist, writing film criticism and social gossip.

That's something no Hollywood studio can boast.

Italian Film Plan Refused by French

By PIERRE AUTRE

PARIS, Dec. 9.—The French Government has declined to approve the proposed Franco-Italian commercial agreement covering the exchange of films, and despite the visit here recently of Luigi Freddi, head of the Italian industry. The aim of the agreement was to permit French producers to work in Italy, as was proposed to American interests, the financing to come from the revenue on French films shown in Italy, since the Italian laws forbid the export of money.

The French objection centered chiefly about the estimate that the revenues to be derived from the distribution of French product in Italy would not be sufficient by a wide margin to finance French production in Italy. Whereas a French film could not be expected to draw more than 100,000 lire in Italy, a production would cost approximately 1,000,000 lire.

It was concluded, therefore, that an agreement on the basis proposed by the Italians would be of no benefit to French producers.

Japanese Firm Taken Over by Subsidiary

By TETSUYA MORI

TOKYO, Dec. 1.—The entire operation of Nikkatsu, one of the leading producing-distributing organizations in Japan, will henceforth be handled by Uzumasa Hassei, a subsidiary, following the arrest of K. Hori, managing director of Nikkatsu, on suspicion of embezzlement and other acts. Several other executives also were arrested.

The arrests threw the business of the company into chaos, and an immediate meeting of the management resulted in the operation going to Hussei, which is headed by H. Ikenaga. Extraordinary efforts are being made to maintain a supply of product to circuits with which the company has contracts.

To Produce in Far East

WASHINGTON, Dec. 15.—The production of films in the Dutch East Indies by a local company is expected to begin shortly following an agreement concluded with American interests for distribution, according to a report to the U. S. Dep't of Commerce from its Batavia office. The firm, known as the General Netherlands Indian Film Syndicate (the ANIF) was formed several months ago. Chief product will be travelogues and short educational films concerning the Netherlands Indies.

"Allah" High In 2nd Week, Philadelphia

PHILADELPHIA, Dec. 15.—"The Garden of Allah" was outstanding in a week of dull first run business here. In its second week at the Aldine it ran $2,840 over normal for a take of $11,000, and was held for a third stanza.

Christmas shopping cut into grosses. "Three Men on a Horse" got a fair $13,000 on its second and last Fox week. Slipping toward the end of its run, "Born to Dance" left after six days of its second week with an $11,000 figure at the Stanley.

Total first run business was $70,000; the average is $80,760.

Estimated takings for the week ending December 10 are:

"GARDEN OF ALLAH" (U. A.)
ALDINE—(1,300), 40c-55c-65c, 7 days, 2nd week. **Gross:** $11,000. (Average, $8,160)

"VALIANT IS THE WORD FOR "CARRIE" (Para.)
ARCADIA—(600), 25c-40c-50c, 9 days, 2nd run. **Gross:** $2,900. (Average, 7 days, $2,800)

"ADVENTURE IN MANHATTAN" (Col.)
BOYD—(2,400), 40c-55c, 7 days. **Gross:** $11,000. (Average, $14,000)

"POLO JOE" (W. B.)
EARLE—(2,000), 25c-40c-55c, 7 days. **Gross:** $10,500. (Average, $14,000)

"THREE MEN ON A HORSE" (F. N.)
FOX—(3,000), 40c-55c-65c, 7 days, 2nd week. **Gross:** $13,000. (Average, $14,000)

"DEVIL ON HORSEBACK" (G. N.)
KARLTON—(1,000), 25c-35c-40c, 7 days. **Gross:** $2,100. (Average, $4,000)

"EVERYTHING IS THUNDER" (G. B.)
KEITH'S—(2,000), 30c-40c-50c, 7 days. **Gross:** $2,000. (Average, $4,000)

"BORN TO DANCE" (M-G-M)
STANLEY—(3,700), 40c-55c, 6 days. **Gross:** $11,000. (Average, 7 days, $14,000)

"ONE WAY PASSAGE" (W. B.)
STANTON—(1,700), 30c-40c,50c, 7 days, revival. **Gross:** $6,500. (Average, $7,000)

"Easy," with Show, Smash in New Haven

NEW HAVEN, Dec. 15.—A stage show took the town by storm and brought the best business in many months to the Paramount, where grosses shot from the usual $4,800 to $12,000. N. T. G. in person and his "Broadway Heat Wave," with "Easy to Take" on the screen, made up the program.

"Come and Get It" and "The Luckiest Girl in the World," dualled at the Roger Sherman, took a good $6,900, over average by $2,200.

Two concerts at Woolsey Hall, continuing capacity Arena crowds at hockey, and several days of driving rain, cut in.

Total first run business was $27,700. Average is $19,300.

Estimated takings for the week ending Dec. 11:

"LOVE ON THE RUN" (M-G-M)
"WITHOUT ORDERS" (Radio)
COLLEGE—(1,499), 35c-50c, 7 days, 2nd week. **Gross:** $2,200. (Average, $2,800)

"EASY TO TAKE" (Para.)
PARAMOUNT—(2,348), 35c-50c, 7 days. Stage: N.T.G. and "Broadway Heat Wave." **Gross:** $12,000. (Average, $4,800)

"THEODORA GOES WILD" (Col.)
"ALIBI FOR MURDER" (Col.)
POLI—(3,040), 35c-50c, 7 days. **Gross:** $6,600. (Average, $7,000)

"COME AND GET IT" (U. A.)
"LUCKIEST GIRL IN THE WORLD" (Univ.)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $6,900. (Average, $4,700)

Charge AT&T With Monopoly Of Radio Wire

(Continued from page 1)

to provide stations, to be built and operated by the telephone company, which also was to provide a program service and determine the extent of commercial development.

For experimental work in broadcasting the company built two stations, WEAF in New York, and WCAP in Washington. In 1926 a contract was made with RCA providing for an exchange of patent licenses, the telephone company to sell its interest in radio and receive an exclusive service contract from RCA. The telephone company, the report charged, then developed its long line monopoly.

During the years since 1926, the company has grossed $35,000,000 and secured a net of $28,000,000 in charges. After the signing of this agreement which gave them the right to use RCA products applicable to telephony and RCA the right to manufacture under Western Electric patents, the company, it was charged, refused to sell wire services to any station not using Western Electric apparatus or licensed to broadcast with apparatus of telephone company licensees, for a time securing from $75,000 to $100,000 a year.

Little Cooperation Offered

The company, the report alleged, refused to permit its wires to be connected with those of Western Union, Postal Telegraph or independent telephone companies. Later, it continued, the company relaxed its restrictions and entered into contracts more widely, but these later contracts, it was charged, were less liberal than the original agreements. The RCA contract, for instance, permitted the company to cancel practically at will. RCA also was to be permitted to use telephone company wires for television and other service, but later purchasers could not.

As time passed, the company became increasingly liberal in the extension of its wire service. Since 1934, when the first tariffs were filed with the commission, it was alleged, both the Bell and subsidiary companies have violated each other's tariffs repeatedly, the report citing a number of such instances, as for instance in the case of WBZ-WBZA, originally not permitted to connect telephone and Western Union wires but later allowed to do so on numerous occasions.

Discrimination Described

The 1926 agreement with RCA, it was revealed, provided that the telephone company should refrain from broadcasting for a period of 10 years, which has now expired. However, had the company re-entered the radio field, it was to pay back to RCA $800,000 of the $1,000,000 it received for Station WEAF.

"The Bell Telephone system has practiced discrimination in the exercise of its monopoly position and in the application of its policies in giving wire service to broadcasting stations and with respect to interconnection with other wire-using companies," the report asserted. "The facts indicate that the Bell system has a virtual monopoly in the provision of wire channels to radio stations and chains. It follows, therefore, that the general principles and policies discussed in this report have influenced, or continue to influence, the radio industry as a whole."

No attempt was made in the report to evaluate the patent position of the company in the radio field nor to determine the reasonableness of its rates.

Two Stations Given Licenses by F. C. C.

WASHINGTON, Dec. 15.—Operating licenses were granted today to two broadcasting stations by the Federal Communications Commission, one to the Golden Empire Broadcasting Co.; to operate KVCV at Redding, Cal., with 100 watts power, and the other to the Bell Broadcasting Co. to operate KTEM at Temple, Tex., with 100 watts.

The commission also permitted increased power to KVI, Tacoma; WHFC, Cicero, Ill.; WHDL, Olean, N. Y., and KUOA, Siloam Springs, Ark, the last named being given 2,500 watts; and increased night power of 1,000 watts to WSYR-WSYU, Syracuse, N. Y., and WBIG, Greensboro, N. C.

RCA Mfg. Co. was granted a license for a portable television broadcasting station to relay programs from one plant to another, and several broadcasting relay stations of low power were approved.

Complete WKRC Transmitter

CINCINNATI, Dec. 15.—Installation of the new WKRC (Columbia) 5,000-watt transmitter has been completed under direction of Frank Dieringer, chief engineer, and James Middlebrooks of CBS, and a series of early morning tests are being conducted. The increased power will be used only for daytime operation, the night power to remain at the present 1,000-watt rating.

New studios and offices also are being constructed.

Karl Krug Broadcasting

PITTSBURGH, Dec. 15.—Karl Krug, film critic and columnist of the *Sun-Telegraph*, has inaugurated a weekly 15-minute session of film news and gossip over station WCAE. He goes on the air every Saturday morning at 10 o'clock.

The program is not commercially sponsored, but is presented by his paper, a Hearst daily, which owns and operates WCAE.

WELI After Full Time

NEW HAVEN, Dec. 15.—The decision of the F.L.C. on the application for full-time operation of WELI is expected in a few days. Representing the station at the hearings in Providence and Washington were Postmaster Patrick K. Goode, president, and James Milne, general manager.

Now It's Insurance Oddities

OMAHA, Dec. 15.—The Harry A. Koch Insurance Co. has started a series called "The Insurance Tailor" over WOW every Friday at 9:55 P.M. Insurance oddities dug from old records are told in conversational style.

Colorado Link Soon To Be Added by NBC

Another link in the growing NBC station chain will be forged on Jan. 1 when KGHF, Pueblo, Col., joins the Mountain Blue web.

KGHF, owned and operated by C. P. Ritchie, broadcasts on a power of 500 watts. The addition will bring the NBC total to 110 stations by the end of the year. NBC's outlets this year have been increased by 25 stations—a record in network expansion. Seventeen of the new stations will be actively identified with the network by the end of the year, and eight others will join Jan. 1 or shortly thereafter, which will bring the complete NBC total to 113 stations, 16 more than CBS.

Radio-Film Trailer Stunt

Employing a film trailer effect, Elsie Hitz and Nick Dawson, who begin a new series next month, will make two guest appearances on the Paul Whiteman "Musical Varieties" program, one on Sunday, Dec. 20 and another the following Sunday, to offer a preview of their forthcoming script series, "Follow the Moon."

This is believed to be the first such promotion stunt attempted on the air. Both programs are Lennen & Mitchell accounts for the Woodbury Co.

Atlantic Sets New Series

As intimated here several days ago, the Atlantic Refining Co. is replacing its present CBS series featuring Ted Husing in sports talks with a script show labeled, "Maw and Paw." The dramatic sketches bow in Dec. 28, and will be heard Tuesdays, Thursdays and Saturdays from 7:15 to 7:30 P. M., E.S.T.

Parker Fennelly, Margaret Dee and Harry Humphries will play the lead characters in the sketches. N. W. Ayer & Son is the agency.

Bradley Replacing Kostelanetz

Oscar Bradley's orchestra has been signed to replace Hal Kemp on the Phil Baker Gulf Gasoline series effective with the program of Sunday, Jan. 3. Kemp, meanwhile, has been signed as the bandleader on the Friday night Chesterfield program, succeeding Andre Kostelanetz, on Jan. 1.

Bradley for the past two years has served as screen maestro on the Shirley Temple musicals and previously was the orchestra leader for the late Will Rogers' radio series.

Myrt and Marge Back

Myrt and Marge, who have been absent from the networks for a considerable period, return to the air as guest artists on Kate Smith's "Bandwagon" program Dec. 17.

The mother and daughter team has auditioned for several agencies since its recent arrival here from Chicago.

New Heatter Series

Gabriel Heatter begins a new commercial series on Jan. 10, and each Sunday thereafter from 9:45 to 10 P. M., E.S.T. over WOR-Mutual. North American Accident Insurance Co. will sponsor. Franklin Buck is the agency.

3 Guests on "Court of Honor"

Lucille Manners, Casper Reardon and Edith Dick will guest star on *Radio Guide's* "Court of Honor" program this Friday at 10 P. M., E.S.T. over the NBC-Blue. "Court of Honor," incidentally, fades from the airways shortly, and will not be replaced.

Heidt-"Alemite" Renewed

The "Alemite Half Hour," starring Horace Heidt's Brigadiers, will remain on the air for its third year of broadcasting through a contract renewal, effective Dec. 28. The program is under the sponsorship of the Stewart-Warner Corp.

Rogers, Devine, Et Al

Short Shots: Buddy Rogers, who starts his new National Biscuit series on New Year's Day, arrived here from Hollywood yesterday for a brief stay. Andy Devine, plaintive-voiced film comic, makes his second appearance in as many weeks on the Jack Benny program this Sunday . . . Richard Crooks, Met tenor, will guest appear on the "Voice of Firestone" program Dec. 21, while Rosario Bourdon guest conducts on the same program . . . Harriet Hilliard, wife of Ozzie Nelson who retired from the screen and radio to have a baby, returns to her husband's Sunday night "Baker's Broadcasts" on Dec. 27 . . . Theodore Dreiser and Ford Madox Ford, noted authors, will broadcast on the subject of the Federal Arts Projects over the CBS network Saturday, Dec. 19 at 4:45 P. M., E.S.T. . . . Elinore Sherry, WOR songstress, guest solos on the Dec. 31 "Morning Matinee" program with Harry Sosnick's band . . . Leo Freidberg, WOR house conductor, replaces Harold Stern's orchestra on the Vim series this Monday . . . Glenn Morris, Olympic decathlon champ now attached to NBC special events division, married Charlotte Edwards yesterday . . . After an extended leave of absence from the air, the Tastyeast Jesters return in the Jimmy Braddock series. The Jesters begin broadcasting Dec. 15 . . . John McCormack will guest sing on Floyd Gibbons' Nash-Lafayette "Speedshow" this Saturday . . . Dr. Harry Emerson Fosdick, pastor of the Riverside Church, will make a Christmas address on the CBS concert series sponsored locally by the Chase National Bank on Dec. 25.

A. J. Bryan Heads KFWB's Programs

HOLLYWOOD, Dec. 15.—Arthur J. Bryan, formerly of WHN, New York, today was named program director of KFWB, Warner Bros. station.

KEHE Starts New Policy

HOLLYWOOD, Dec. 15.—KEHE, the local Hearst station, launched a new policy with the inauguration of its new 5,000 watt transmitter.

Henceforth, there will be no more religious programs during the week. Company officials are now working out a series of live shows to supplant many of the transcription programs. It was learned that almost all of the old programs have been cancelled.

H. W. Gambrill, formerly with KTSA in San Antonio, has been made traffic manager of the CRS system owned by Hearst which consists of KYA, San Francisco; KERN, Bakersfield; KUG, Stockton; KMJ, Fresno, and KFBK, Sacramento.

Glenhall Taylor Joins KNX

HOLLYWOOD, Dec. 15. — Glenhall Taylor, formerly with KHJ, the local Don Lee station, has joined CBS at KNX as a writer and producer.

New N. E. Broadcast Chain Ready Jan. 1

BOSTON, Dec. 15.—Another regional network to the listeners in the New England states which will be a possible rival to John Shepard 3rd's Yankee Network, will be launched Jan. 1.

This new venture is expected to get under way when present contracts terminate. The name New England Network will be dropped under the present setup which was made by verbal agreement between stations for the convenience of advertisers to reach a desired territory.

Tentative outlets for the chain have been set as follows: WEEI, Boston; WPRO, Providence; WORC, Worcester; WMAS, Springfield; WLBZ, Bangor; WDRC, Hartford. WLBZ, Bangor, might remain with the Shepard-NBC and not switch to the Columbia setup.

Cantor Minstrel Guest

CHICAGO, Dec. 15. — Eddie Cantor probably will be the first guest star on the Amos 'n' Andy minstrel show when the pair start their broadcasts from Hollywood after the first of the year. The deal has not been signed as yet, but is expected to be closed shortly. Other stars will be used on subsequent broadcasts. Only four letters out of several thousand were opposed to the Amos 'n' Andy minstrel show idea, according to a survey.

When the comedians reach the coast they will broadcast every day but Friday from Palm Springs and on that day will work from Hollywood.

Broadcasting WPA Series

NEW HAVEN, Dec. 15.—WELI, as a new regular feature, has the weekly presentations of the Federal Theatre Project of this city under Gertrude DonDero, which will go on Saturdays at 1:15 P. M. The studios "First Offender" series, broadcast from the County Jail under the direction of Arthur Parker, has received wide notice. A new program, "This Week in New Haven," a dramatization of local news of the week, will go on soon.

Station Cancels Gossiper

LINCOLN, Dec. 15.—Bob Moon, about town gossiper on KFOR, was yanked off the air and the program turned down after a month's life. Moon, early in the column's life, delved into circuit warrings of the Westland Theatres, Inc. and Lincoln Theatres Corp. here, which caused quite a stir of protest on theatre row.

Jay Slocum Joins WBZ

BOSTON, Dec. 15.—Jay Slocum has been named New England sales representative for WBZ, Boston, and WBZA, Springfield, replacing Paul A. Belaire, who is now with WOR, Newark. Slocum was formerly salesman with Conde Nast Publications.

Martin on Honeymoon

LINCOLN, Dec. 15. — Reginald B. Martin, recently married station manager of KFAB and KFOR here, will return from his two weeks' honeymoon to New Orleans about Dec. 15.

WOW Publishes a Paper

OMAHA, Dec. 15.—Station WOW is publishing a monthly newspaper, called the *Radio News Tower* and edited by Newscaster Foster May. The publication is sold.

15 Firms Spent $16,017,206 At NBC; P&G in the Lead

Fifteen NBC clients, as of Dec. 1, spent $16,017,206 with the network for the first 11 months of 1936. Combined, these advertisers have accounted for 51.78 per cent of the $30,935,248 thus far expended at the network. The 15 leaders follow:

Client	Agency	Time Expenditures
Procter & Gamble	Blackett-Sample & Hummert, Inc., Blackman Adv., Inc., Pedlar & Ryan, Inc., H. W. Kastor Adv. Co., Inc.	$2,904,397
Standard Brands, Inc.	J. Walter Thompson	2,076,179
Sterling Products, Inc.	Blackett-Sample & Hummert, Inc.	1,443,379
General Foods Corp.	Benton & Bowles, Inc., Young & Rubicam, Inc.	1,280,169
Pepsodent Co.	Lord & Thomas	1,246,356
Miles Laboratories	Wade Adv. Agency	1,174,460
General Motors Corp.	Campbell-Ewald Co.	911,685
American Tobacco Co.	Lord & Thomas	889,513
National Dairy Products	J. Walter Thompson Co.	694,420
Bristol-Myers Co.	Young & Rubicam, Inc.	665,720
Lady Esther Co.	Stack-Goble Adv. Co.	609,528
American Home Products	Blackett-Sample & Hummert, Inc.	586,835
Ford Motor Co.	N. W. Ayer & Son, Inc.	519,462
Shell Eastern Petroleum	J. Walter Thompson Co.	507,875
Kellogg Co.	N. W. Ayer & Son, Inc.	507,268

Canada Hotel Group Protests Music Fee

TORONTO, Dec. 15.—Although not previously announced, the new Copyright Appeal Board of the Federal Government has a third protest on its hands against the scheduled fees to be imposed by the Canadian Performing Rights Society. This complaint, which is to be heard immediately, is from the Ontario Hotels Ass'n, backed by the Hotel Ass'n. of Canada which officially represents 6,000 hotels throughout the Dominion.

The action is against the imposition of the Society's fee for the use of radio music in lobbies, dining rooms and private rooms. Appointed to head the delegation to appear before the board at Ottawa is Howard P. Fox of Niagara Falls, Ont., president of the Ontario group. Other complaints against the society's fees for 1937 have been registered by the city of Toronto through its Civic Board of Control on behalf of all cities and incorporated towns and by the Public Utilities Commission of London, Ont., which is interested as an amusement operator. No complaint has yet been entered by a theatre or exhibitor organization.

Old Essanay Plant Busy

CHICAGO, Dec. 15. — The old Essanay studio here, where some of the earliest pictures in the industry's history were made, is again in action. Wilding Pictures, which produces commercial films for industrial organizations for the most part, has taken over the studio as its production headquarters, with 50 reels scheduled for production before next March.

Extends Ill. Sales Tax

SPRINGFIELD, Ill., Dec. 15.—Gov. Henry Horner has signed the five companion bills which extend the state's three per cent sales tax to May 1, and determine the manner in which the taxes shall be paid. The tax has been netting the state $3,000,000 a month in revenue.

Daylight Saving Is Defeated in Ontario

TORONTO, Dec. 15.—In the municipal elections throughout Ontario the electorate gave increasing indication of disapproval of daylight saving time. In the five cities where a referendum on changing the clocks was put to a vote of the people it was defeated by a substantial margin and, as a result, there will be no "fast time" in these and other cities next June.

Places where the question was defeated were London, Goderich, Kitchener, Galt and Waterloo, and, naturally, the theatre owners are elated. It is expected that towns adjacent to these centers will not adopt daylight saving in order to avoid confusion.

Rhoden Buys Property

KANSAS CITY, Dec. 15.—Fee ownership of the ground under most of the Downtown Theatre, and a small portion under the first run Tower, has been purchased by Elmer C. Rhoden, president of Fox Midwest. Several months ago, Fox Midwest bought a part interest in the Rewot Corp., which operates the Tower and Downtown, and is now a partner with William Reinke in the theatre operating company.

To Open Four in Canada

TORONTO, Dec. 15.—Boxing Day, the day after Christmas, looms as "opening day" in western Ontario with four new houses scheduled to open. They are the Royal, at Woodstock and Capitol at Sarnia, both Famous Players houses; the Princess at Chatham by Hanson Theatres Corp., and the Palace at Essex by the Hogarth interests.

Brandt Takes Over Ritz

Harry Brandt has taken over the Ritz from Edmund Mantell. Up to last Sunday Brandt held a small interest in the theatre, but under the new arrangement assumes all obligations.

Sterling Franchises Await Turn of Year

Franchise holders for Sterling Pictures will be lined up after the first of the year, W. Ray Johnston, president, stated yesterday following his return from the coast and several key cities where he contacted independent distributors.

Although preliminary plans called for the production of four serials in addition to a program of 34 features, Johnston said that the short chapter subjects may be dropped because of the many on the market. Louis Weiss of Stage & Screen Prod. is making four for Columbia with Frank Buck starred in one.

Production on the first Sterling feature will start at either the Talisman or RKO Pathe studios in Hollywood around April 1. A number of Monogram directors are due in town tomorrow for a meeting Friday to decide on merging the company with Sterling.

Johnston will make another trip to the coast in February.

Greene Appeals Sale Of St. Louis Stock

ST. LOUIS, Dec. 15.—Arthur Greene has appealed to the U. S. District Court to set aside approval of the sale of St. Louis Amusement Co. stock owned by Skouras Brothers Enterprises to a bondholders' protective committee. He asks the court to declare him the successful bidder in case no new sale is ordered.

Greene contends the referee in bankruptcy had no authority to refuse to permit a review of the order of sale.

Tieup with Amateurs

M-G-M has made a tieup with *Liberty Magazine* whereby amateur cameramen using either eight or 16 mm film can submit from 200 to 300 feet of film—either fact or fiction—to Pete Smith up to Feb. 27. Six prizes ranging from $500 down will be given. The material will be judged by Pete Smith and Fred C. Quimby of M-G-M and Fulton Oursler of the McFadden Publications on the basis of audience interest, originality of subject matter and effectiveness of technique.

If M-G-M decides to use any of the material in a Pete Smith short or otherwise it will pay $500 for the films selected.

Hits Game Insurance

SPRINGFIELD, Ill., Dec. 15.—Attorney General Otto Kerner of Illinois has advised an insurance company which sought to issue Bank Night insurance policies that such policies would be lottery tickets in effect. He held that Bank Night is an appeal to "the cupidity of the public, and the spirit of gambling and speculation, and is contrary to public safety."

Bank Night Up Jan. 7

JEFFERSON CITY, Mo., Dec. 15.—Final argument on Bank Night is expected to be heard by the state Supreme Court here on Jan. 7.

Mrs. Jacob Shapiro Dead

BOSTON, Dec. 15.—Mrs. Jacob Shapiro, mother of William and Celia Shapiro who are connected with booking offices here and in New York, died today in Chelsea.

Purely Personal

SAM GALANTY, district manager for Columbia in Washington, and Branch Managers PHIL FOX of Albany, JOE MILLER of Buffalo and ALLAN MORITZ of Cincinnati visited the home office yesterday.

•

MAX SLOTT, former member of the Warner theatre department in Chicago, has left the company to open the Park, Oakwood Blvd. and South Parkway, Chicago.

•

SAM E. MORRIS returned to his office yesterday, fully recovered from a recent nose operation which has kept him away for a few weeks.

•

PAUL SOSKIN, head of Soskin Prod. in England, will sail for home on the *Normandie* on Dec. 26. SOL LESSER will be on the same liner.

•

MEYER BECK will take over AL MARGOLIES' duties at U. A. when the latter leaves on Jan. 1 to join G. B. as publicity head.

•

LOU GOLDSTEIN, booker for the Schine circuit, joins the proud daddy division. The arrival is a boy, KENNETH SIDNEY.

•

TYRONE POWER, featured in "Lloyds of London," will come to New York for a vacation shortly after the Christmas holidays.

•

MARK BLOCK says Theatre Trailer Service last week enjoyed its greatest seven days' business since the company started.

•

ROY H. HAINES, Warner district manager, returned yesterday from a short visit to the Schines at Gloversville, N. Y.

•

Hal Horne is in town for a week or 10 days to look over plays and perform other chores for WALTER WANGER.

•

MACK D. WEINBERGER, sales manager for General Pictures, left yesterday for a tour of midwest exchanges.

•

HUGH WALPOLE, CHANNING POLLOCK and MARIANNE DAVIS, British actress, depart today on the *Queen Mary*.

•

MAX A. COHEN, head of Cinema Circuit, will leave tomorrow for Pinehurst for the weekend.

•

GERTRUDE LAWRENCE has leased a duplex apartment at 1 Beekman Place.

•

SIDNEY R. KENT is expected back here from the coast late this week.

•

DAVE SNAPER, New Jersey circuit owner, has returned from Florida.

•

CARL LESERMAN is down Miami way. He's due back next week.

•

HAROLD RODNER left last night for Saranac and is due back tonight.

•

BILL PIZOR is acquiring more space at 729 for Imperial Dist. Corp.

•

C. C. WILKENNING will leave for the coast this Saturday, according to present plans.

•

MARY PICKFORD is in town for a 10-day stay.

•

. . . Cincinnati

IKE LIBSON and MAURICE WHITE are at Hot Springs, Ark.

MAURICE CHASE of Big Feature Rights is in New York for a visit with his daughter.

MILTON JACOBS is covering the West Virginia territory for M-G-M. He formerly operated out of Columbus.

NAT LEFTON, Cleveland, was a recent visitor here for conferences with WILLIAM ONIE, local Republic franchise holder.

•

. . . Indianapolis

GEORGE HOLTREY is manager of the Hollywood, recently reopened neighborhood house.

MRS. HELEN B. KEELER, secretary of the Associated Theatre Owners of Indiana, is contacting members and other theatre men in the state in several weeks of touring to extend the association's activities and gain support for its work with the session of the legislature in January.

•

. . . London

HERBERT WILCOX, ANNA NEAGLE, KAY FRANCIS, ZASU PITTS, JIMMIE and MRS. CAMPBELL (BETTY BALFOUR), ALBERT LEWIN in on the *Normandie*.

FRED WHITE and GILBERT CHURCH resigned as joint managing directors of A.P.D.C.

VILMA BANKY here in her private capacity of MRS. ROD LA ROCQUE.

MARLENE DIETRICH and DOUGLAS FAIRBANKS, JR., among guests at the banquet of the Wyre Drawers Co. at which ARTHUR JARRAT of G. B. presided as Master.

LEON SALBERG seriously ill in Birmingham.

MAXIE THORPE, back at Columbia offices, lyrical about American hospitality.

•

. . . Salt Lake City

HEATON RANDALL, local manager for National Theatre Supply, is in Los Angeles on a business trip. He will return before Christmas.

LEO ADLER, United Artists' traveling auditor, is in town.

EARL D. SMITH, operator of the Tower, is renovating the house.

Critics Ride

Pittsburgh, Dec. 15.—For "Three Men on a Horse," Joe Feldman, advertising manager for Warners, managed to get the critics of the city's three dailies, Karl Krug of the *Sun-Telegraph*, Kaspar Monahan of the *Press* and Harold W. Cohen of the *Post-Gazette*, to mount an old nag and have their collective pictures taken.

He then used the photograph with an ad quoting from their reviews of the picture.

Grainger in Portland

PORTLAND, Ore., Dec. 15.—James R. Grainger, Universal general sales manager, arrived here today for a conference with the exchange sales staffs from this city and Seattle.

Legislative Threat Stirs Oklahomans

(*Continued from page 1*)

T. O. A., spoke on the subject of his 10-point program. He urged exhibitors not to fight civic groups but to seek civic tieups with theatres and open the theatre to community benefits. The people who make up these civic groups, said Kuykendall, are of a very high type. While their schemes may cost the exhibitor money at times, he said, the exhibitor will be amply repaid for his cooperation through the good will and understanding established.

It was also brought out at the meeting that theatres are losing child patronage because of the sophistication of product. Delegates were urged to plan programs suitable for child consumption.

J. C. Hunter, of Ralph Talbot Theatres, Tulsa, recommended that all exhibitors read the article in the current issue of *Better Theatres* on public liability insurance. He is currently fighting a suit against his company by a woman who fell down the stairs.

Palfreyman, on Conciliation

Dave Palfreyman, speaking on arbitration and conciliation, explained the workings of the boards which will be put into operation Jan. 1. He said that the boards will have no authority to make decision, but will seek only to bring about mutual agreement between the parties concerned and that contractual matters will not be handled. Rather, the boards will give their attention to over-buying of product, settling of clearance disputes between prior and subsequent runs and designation of playdates for pictures unsuited to Sunday exhibition. While the exact procedure has not been determined, said Palfreyman, the work of the boards will need the cooperation of all to be successful.

M. A. Lightman, president of Tri-States Theatres of Memphis, and past president of M. P. T. O. A., attacked the policy of selling double feature pictures at retail prices, only to have a block of pictures at wholesale prices dumped, into an exhibitor's lap at a later date.

Lowenstein Reelected

Morris Lowenstein, operator of the Majestic here and secretary of M. P. T. O. A., was reelected to serve his third term as president of the organization. He was presented with a gold wrist watch.

Leonard White of Weatherford was named vice-president and O. E. Enloe of Elreno, secretary. All directors were reelected by acclamation. Fred B. Pickrel of Poca City was chosen as a new director for the northeast district. The others are: L. C. Griffith of Oklahoma City for the metropolitan section with J. C. Hunter of Tulsa as an alternate; Max Brock of Lawton, southwestern section; Homer Jones of Alva, northwestern district, and Harry Lowenstein of Ardmore, southeastern.

Kuykendall and Palfreyman left for Dallas following the close of the meeting today for additional conferences.

M-G-M Party Friday

Employes at the M-G-M local exchange will hold their annual Christmas party at the New Yorker on Friday evening. Other local exchanges are planning similar affairs next week.

Bureau Shows Violations of Copyright Cut

(*Continued from page 1*)

non-theatrical infringing exhibitors, and cited the testimony of distributor representatives at the hearings of the House Patents Committee in Washington during consideration of proposal to revise the copyright laws.

An investigation of films shown under non-theatrical auspices, conducted during the summer to determine the source from which the prints were obtained, revealed that in many cases of bicycling and subrenting the source of the print was a theatrical exhibitor in the locality. "In some instances, the audience was 'bicycled,' so to speak, to the infringing performances." Between July 1 and Oct. 31, 1,010 non-theatrical places were investigated, as well as 520 towns.

Following the investigation of a particular instance of bicycling of prints from a theatre in the United States to a theatre in Mexico, the report indicated the matter was taken up with the Mexican authorities and is pending before the Customs Enforcement Service in Washington, with a view to a general order to customs agents at all border points of entry carefully to scrutinize all films and film containers.

The work of the bureau for the coming year will be discussed at a meeting to be held today at the Astor. The bureau has been in operation for 10 years.

Policies Fixed for Minneapolis Houses

(*Continued from page 1*)

show is set for New Year's week. The State will show twin bills first run; the Century will carry over "A" features from the Orpheum and Minnesota; the Lyric will be second run with a single feature, and the Astor will feature a split week policy, second run single and dual features for the weekend and two first runs for midweek dates.

The plan goes into effect Christmas Eve.

All Warner Officers Reelected for 1937

(*Continued from page 1*)

assistant treasurers; Robert W. Perkins, secretary and general counsel; Harold S. Bareford, Edward K. Hessberg, Cyril H. Wilder, Herbert Fresston, assistant secretaries; Carlisle, comptroller; Thomas J. Martin, auditor.

Albert Warner presided yesterday in the absence of Harry M. Warner who is now on the coast for a lengthy stay.

Named Malco Manager

NEW ORLEANS, Dec. 15.—Alger Lancaster, former stage producer and booker for the major circuits in the south and later assistant manager and treasurer for Klaw & Erlanger here, has been named city manager for the Malco Theatres, Inc., in Stuttgart Ark.

The Leading Daily Newspaper of the Motion Picture Industry

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Moves Begun To Draw New Italian Pact

State Dept. Denounces Treaty of 1871

By BERTRAM F. LINZ

WASHINGTON, Dec. 16.—Denunciation yesterday of the 1871 commercial treaty between the United States and Italy, by mutual agreement, was announced today by the State Dept., paving the way for a discussion of a new pact.

The denunciation will become effective in one year, and during the intervening period the 1871 treaty will continue to apply to commercial relations between the two countries.

Involved in the discussions which have already been started is the question of Italian treatment of American films and of the control to be exercised over funds accruing in Italy to American companies. An arrangement on the latter was undertaken last month by Will H. Hays and is now being worked out.

In the new negotiations it is under-

(*Continued on page 4*)

FWC Employe Bonus Will Total $175,000

LOS ANGELES, Dec. 16.—Additional compensation of $175,000 today was voted by Fox West Coast Theatres Corp. to employes of the organization. Distribution will be made during the week ending Dec. 19. All employes of the home office and theatre personnel, including union employes and janitorial staffs are to be included.

The extra compensation ranges downward from two weeks' salary, with a maximum of $250 to any one person. Home office employes of more than six months receive two weeks' salary; those of less receive one week's wages. Theatre employes will receive one week for six months and half a week for less.

The circuit has already distributed $75,000 in additional salaries through quarterly drives during the past year.

Decision Reserved On RKO R. I. Houses

Decision was reserved yesterday by Federal Judge William Bondy on a petition of the Irving Trust Co., trustee in reorganization for RKO, under which leases on the Albee and Victory at Providence could be retained by RKO Rhode Island Corp. through revised terms for the retirement of

(*Continued on page 10*)

Central Agency Seen Likely For Federal Film Producing

WASHINGTON, Dec. 16.—The formation of a central agency for the production of all films by the various departments and bureaus of the Federal Government may be proposed at the next session of Congress. The suggestion developed out of the study being made by the special Senate Committee headed by Senator Byrd of Virginia into the matter of departmental expenditures. The Brookings Institute is cooperating, inquiring into all production by the Government units.

It is said in favor of the plan that the concentration of production would permit better control of costs. Critics, on the other hand, point out that production by the permanent establishments is controlled by Congress, which earmarks appropriations for the purpose, and should know what each department is getting for films.

It is declared further that once such a centralized film unit was organized, it would be necessary to keep it busy continually, and that it would go to Congress each year for funds,

(*Continued on page 10*)

UMPTO Says Date Strike Plans Hold

PHILADELPHIA, Dec. 16.—No settlement of the prospective strike on playdates against M-G-M has been reached with William F. Rodgers, general sales manager, it was stated today.

It is understood that the U.M.P.T.O. has agreed to inform Rodgers on the issuance of statements, and announcements on the organization's plans are expected shortly. The board today approved picket sign copy and discussed plans to hold a joint meeting with exhibitor groups from Ohio, New York and Connecticut in the

(*Continued on page 10*)

Geese Meander

Universal tried to make 100 geese, chaperoned by Ruth Lincoln, cross Broadway at 45th St. yesterday as a scene for "Class Prophesy."

Cameras were lined up and so were the police, but several thousand New Yorkers who had never seen a goose outside of a rotisserie before crowded in.

Sixty-seven geese got across all right, but 33 are missing. The Bureau of Missing Geese of the Police Dept. figures they'll be accounted for a week from Friday.

Condor Formed in Producer Merger

Amedee J. Van Beuren, president of the Van Beuren Corp., has formed Condor Pictures, Inc., with George A. Hirliman and Albert H. Lieberman, which will embrace the production activities of George A. Hirliman Prod., Inc.; Regal Prod., Inc.; Metropolitan Pictures, Inc., and Pacific Prod., Inc.

According to Van Beuren, Condor is a Delaware corporation with a paid in capital of $1,250,000. Lieberman negotiated the financial backing for the new company. He is a Philadelphia financier and real estate operator, and has been associated with Hirliman in the latter's production enterprises.

Van Beuren will be chairman of

(*Continued on page 10*)

Military Play Is Juvenile in Content; Otherwise Amusing

"Brother Rat" carries a persistent fragrance of scamp-like days on the campus. Any campus and this time he post and the parade grounds, the barracks and so on of the Virginia Military Institute, locale Lexington down Shenandoah Valley way.

In its Varsity eight—senior prom—cotillion—moonlit night—puppy love manner, George Abbott's show which opened at the Vanderbilt last night under the benign influence and financial endowment of the Warners is rollicking, hearty and entertaining if you don't mind the extreme juvenile complexion of its story pranks.

It has its bad boy cadet, Frank Albertson, who is known after a fashion in Hollywood. He's hot stuff with the girls and, more specifically, with Joyce Winfree, daughter of a true blue V.M.I. graduate. There is Eddie Albert, the slow-witted, but honest, Kentuckian who has married in wedlock alright, but out of the post's bounds; his wife is about to have a child. The he-man and slightly in-

(*Continued on page 9*)

U. S. Names Distributors In Trust Case

Dallas Suit Also Cites Two Circuits

DALLAS, Dec. 16.—An anti-trust suit was filed in the U. S. District Court here today against six major distributors, Interstate Circuit and Texas Consolidated Theatres at the direction of the U. S. Attorney General.

The action alleges restraint of trade and commerce and seeks an injunction to prevent the defendants from carrying out contracts with the circuits under which the distributor agrees not to service a subsequent run which fails to maintain a specified minimum admission for a picture which has played one of the defendant circuits' houses at a designated admission price.

Named as defendants in the Government action in addition to the two circuits are their operators, Karl Hoblitzelle and R. J. O'Donnell and the following distributors: Paramount Pictures Distributing Corp., Columbia Pictures Corp., United Artists Corp., Universal Film Exchange, M-G-M Distributing Corp. of Texas, 20th Century-Fox Film Corp. of

(*Continued on page 10*)

Warner Refinancing May Require Weeks

Indications are that plans for refinancing Warners will not be completed for some time. Executives of the company are studying several proposals and it may take weeks, if not months, before a decision is reached.

Stockholders in Wilmington on Monday were told by Ivan Culbertson, chairman of the session, that one of the reasons for not declaring a dividend at this time was because of negotiations now under way for refinancing.

Film Trade Invited Into Roper Council

WASHINGTON, Dec. 16.—The film industry, or any other industry not now represented, today was given a blanket invitation by Secretary of Commerce Daniel C. Roper to propose members of his business advisory council.

Asked why it is that the film industry has no representation in this group at the present time, although George

(*Continued on page 10*)

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Selznick Acquires "Zenda" for Colman

HOLLYWOOD, Dec. 16. — Selznick International acquired "The Prisoner of Zenda" from M-G-M as the first starring picture for Ronald Colman. Colman will have a dual role as a King of a mythical Balkan state and as a commoner.

Production is scheduled to get under way about Feb. 1 as the start of the 1937 expanded program announced recently by John Hay Whitney.

Lloyd Drops Royal Yarn

HOLLYWOOD, Dec. 16.—Harold Lloyd has abandoned a story upon which he has been working for four months because it has a royal family background. Lloyd says that the story had no direct or indirect connection with King Edward's romance and that no pressure was brought upon him to drop the story.

MPPDA Bans Edward Films

HOLLYWOOD, Dec. 16.—The M. P. P. D. A. will not approve the production of any film based on the romance between former King Edward of England and Mrs. Wallis Simpson, it was revealed here yesterday.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"College Holiday"

(*Paramount*)

HOLLYWOOD, Dec. 16.—With the breezy tempo of a Jack Benny broadcast, this laugh show jogs along with scarcely a dull moment. A collection of top-rate comedians and lavishness of production indicate top returns may be expected. Marquee names such as Benny, Burns and Allen, Mary Boland, Martha Raye and Ben Blue give exhibitors something to plug in addition.

The picture is more in the nature of a revue than a musical comedy; the plot is tossed aside repeatedly to make way for gags or specialties and is finally discarded completely at the finish. But the excellence of individual performances more than compensates for this. The dance ensembles directed by LeRoy Prinz are novel and pick up interest whenever there is danger of lagging.

The musical numbers are the joint contribution of Ralph Rainger, Leo Robin and Burton Lane and Ralph Fried, while the screen play is credited to J. P. McEvoy, Harlan Ware, Henry Meyers and Jay Gorney. Frank Tuttle directed and Harlan Thompson produced.

Supporting players whose performances run a good second to the stars include Marsha Hunt, Eleanore Whitney, Johnny Downe, Etienne Giradot and Leif Erikson. Properly handled, the picture should fill seats during the holidays in any theatre.

Production Code Seal No. 2,828. Running time, 85 minutes. "G."

"Way Out West"

(*Hal Roach-M-G-M*)

HOLLYWOOD, Dec. 16.—Laurel and Hardy turn back the pages of time as they resort to the old silent day technique in delivering a load of comic nonsense that is unalloyed fun. Novelty is not ignored, however, since the funsters recreate the value of pantomime as they sing in barbershop chord style and toss in a swing dance for good measure. The film is probably their best since "Beau Hunks."

The story is not much, being merely a vehicle for the team to indulge in a welter of foolish, but artistic, clowning. In the beginning the romantic lotharios are ordered to leave town—or else. They deliver the deed of a gold mine to the wrong girl and follow this with some whirlwind action in their attempts to recover the papers. The discovery of the mistake gives Sharon Lynne and James Finlayson the opportunity to add to the hectic hilarity.

Bent on cracking a safe, with silence as their watchword, the comedians make more noise than a world war and cause more laughter in the audience than a cage full of monkeys. Finally succeeding in rectifying the mistake, they deliver the papers to Rosina Lawrence, a waif.

An all-laugh feature, the film should click with the youngsters and provide happy amusement for grownups seeking relief from everyday cares and troubles. James Horne's direction brings out the best that is in Laurel and Hardy. The motivation is by Jack Jevne and Charles Rogers with James Parrott and Felix Adler doing the screenplay.

Production Code Seal No. 2,653. Running time, 65 minutes. "G."

(Additional Review on Page 10)

Wanger's Corporate Lineup Is Completed

HOLLYWOOD, Dec. 16. — Walter Wanger has completed his corporate setup and talent lineup. Wanger's title is president and treasurer and James R. Cowan is general manager.

The rest of the executive lineup includes: Hal Horne, executive producer; Lloyd Wright, secretary; George W. Johnson, business manager; Alexander Tolubuff, art director; Helen Taylor, costumes; Percy R. Guth, acting comptroller, and Dan Thomas, publicity.

The talent lineup includes Sylvia Sidney, Henry Fonda, Charles Boyer, Joan Bennett, Madeleine Carroll, Frances Langford, William Gargan, Pat Paterson, Alan Baxter, Lili Zehner and Tom Rutherford, with Frank Borzage, John Ford, William K. Howard, Fritz Lang, Anatol Litvak and Lewis Milestone as directors.

Pick Committee for Film Editing Award

HOLLYWOOD, Dec. 16.—Harold J. McCord, chairman of the Academy Film Editors' Section, has appointed the following committee to consider the rules for the film editing award and to recommend any improvements which may seem advisable for governing the coming year's award:

Anne Bauchens, Martin Cohn, William Holmes, Harold J. McCord, Eugene Milford, Maurice Pivar, Murray Seldeen, I. James Wilkinson and Gordon S. Mitchell, manager of the Academy Technical Bureau.

The first meeting of the committee was held this noon in the Academy offices.

"Janosik" at Filmarte

"Janosik," foreign film, will replace "Carnival in Flanders" at the Filmarte next Wednesday.

Cullman Says Roxy Has 30-Day Profit

On Dec. 12 MOTION PICTURE DAILY published a report from the U. S. District Court reading in part:

"Howard Cullman, trustee of the Roxy, yesterday filed his report in Federal Court for the period from Oct. 30 to Nov. 26. Cash receipts were $150,916.25 and disbursements were $198,144.68, or $47,228.43 over receipts."

Cullman takes exception to the headline reference to this as a loss. His letter follows:

"Your statement is incorrect, for during the period mentioned the Roxy Theatre showed a profit of $10,096.79 after taxes, interest on receiver's certificates, lobby rent and other charges, but before interest on funded indebtedness.

"The monthly statements to the court are based on receipts and disbursements in a 30-day period, and do not indicate earnings. If substantial payments are made during a given period for taxes or other charges, naturally the outgo is greater than the income and vice versa. In other words, a 30-day statement of income and outgo does not accurately reflect the position of any enterprise, and the Roxy Theatres Corp. is no exception."

Copyright Bureau's Work Is Described

The work of the Copyright Protection Bureau in proceeding against unauthorized exhibition of films by non-theatrical agencies in competition with established theatres was outlined to general sales managers of major distribution companies at the annual meeting of the bureau held at the Astor yesterday.

Jack Levin, executive director of the bureau, said that activities against non-theatrical agencies had been a feature of the organization's work during 1936 and would be continued. As all major distributors have stated policies against servicing non-theatrical accounts which operate in competion with established theatres, exhibitors have been asked to report instances of non-theatrical sponsored film shows to the bureau for investigation.

Annual reports of the bureau's operations were presented to the sales managers by Gabriel L. Hess, general attorney for the bureau, Levin and Edward A. Sargoy and Joseph L. Stein, legal assistants. The meeting marked the 10th anniversary of the bureau.

Ostrers Will Depart For Home Next Week

Isidore Ostrer, chairman of the G.B. board, and his brother, Maurice, who shortly will become production head for the company, will sail Dec. 26 on the *Normandie* for home. The Ostrers last week conferred with Joseph M. and Nicholas M. Schenck and Sidney R. Kent on a deal involving the sale of G.B. stock.

Nicholas M. Schenck, accompanied by Al Lichtman, his executive assistant and vice-president of Loew's, is due from Hollywood Monday or Tuesday.

There is little doubt that the matters taken up on the coast will be again discussed following the return of Schenck and Kent.

The Perfect Type

FOR CHRISTMAS AND NEW YEAR'S!



"'Gold Diggers of 1937' should be a gold-digging picture for those exhibitors who are lucky enough to have it on their schedules. Lavishly produced, flashy, and endowed with a cast of bang-up performers, it stands out as one of the most entertaining musicals of this or any other year!"--Daily Variety

"Warners have a grand comedy-musical in 'Sing Me a Love Song'. With shrewd showmanship, producers have surrounded the personable James Melton with a cast of established troupers who build pic into class entertainment. Full of gags, real uproarious comedy, plus good tunes, 'Sing Me a Love Song' should set exhibs singing!"
--Daily Variety

Dick Powell
Joan Blondell
in
"GOLD DIGGERS OF 1937"
with
VICTOR MOORE
GLENDA FARRELL • LEE DIXON
OSGOOD PERKINS • ROSALIND MARQUIS • Directed by LLOYD BACON
Music and Lyrics by Harry Warren & Al Dubin, and Harold Arlen and E. Y. Harburg • Musical Numbers Created and Directed by Busby Berkeley
A First National Picture

"SING ME A A LOVE SONG"
with
JAMES MELTON
PATRICIA ELLIS
HUGH HERBERT
ZASU PITTS
ALLEN JENKINS
NAT PENDLETON
ANN SHERIDAN • WALTER CATLETT • HOBART CAVANAUGH
Directed by RAYMOND ENRIGHT • Music and Lyrics by Harry Warren & Al Dubin • A Cosmopolitan Production
A First National Picture

Warner Bros.

Holiday-Hit Headquarters!

Bar Lawyers, Judges From Air "Court"

Attorneys and judges who participate in radio "court" broadcasting will be subject to disbarment under an amendment adopted by the Appellate Divisions of the First and Second Departments, Manhattan and Brooklyn, yesterday.

The approval of the amendment followed repeated attacks by bar associations on the "Good Will Court," air program sponsored by Chase and Sanborn, and conducted by A. L. Alexander. According to Louis Nizer, attorney for Alexander, the programs will be continued, despite the ruling, judges and attorneys from states over which the order can have no effect, being scheduled to participate in the future. "The rule will be complied with," said Alexander, who called the program a great public service.

Without specifically naming the program, the amendment clearly had reference to it. Participation is classed as "professional misconduct," which may bring disbarment.

The bar organizations which had registered strong objections to the program last month, charged it is "exploiting the miseries of the poor," and that the advice given is often erroneous.

The program is heard each Sunday night from 8 to 9 over the NBC-Red network and over WMCA locally every Wednesday night and extends from 10 to 11.

An action brought by Emanuel Redfield, an attorney, to restrain the broadcasts on the ground that they amount to the illegal practice of law has been set for hearing before N. Y. Supreme Court Justice McCook on Dec. 22.

In another case, Municipal Court Judge Nathan Sweedler of Brooklyn lost a motion for an injunction restraining the broadcasts on the ground that the title "Good Will Court" could not be used because of the previously existing title of an arbitration court he conducts in Brooklyn. The motion was denied by Justice Albert Conway in Supreme Court on argument by Nizer. The trial of the action is expected in Supreme Court today.

Standard Brands, Inc., controls Chase and Sanborn, sponsor of the program.

Ratner Goes to Frisco

HOLLYWOOD, Dec. 16.—Victor Ratner, sales promotion manager for CBS, who has been here for the past week, has left for San Francisco to supervise the promotional work on the CBS switch from KFRC to KSF. Dave Carter, local publicity head, and Donald Thornburgh, vice-president, accompanied Ratner. Ratner will go east later this week.

CBS Advances Cormack

HOLLYWOOD, Dec. 16.—Alan M. Cormack, technical director of KFRC, San Francisco, has been named division traffic manager of CBS, and will take over his new duties immediately. Cormack has been with KFRC since 1928, and will continue to make San Francisco his headquarters.

Roosevelt Christmas Talk to Blanket U. S.

President Roosevelt's Christmas greetings will be broadcast to the nation over the combined NBC, CBS and Mutual networks on Christmas Eve, from 5 to 5:30 P. M., E. S. T. NBC will also feed the broadcast to WMCA and the stations comprising the Inter-City network.

The greetings will hit the air channels at a time which will not conflict with theatre business.

Harper Goes to WNEW

Earl Harper, who recently resigned his post as sports and special events announcer at WINS, has joined WNEW in a similar capacity and will take up his new duties on Jan. 4. He will handle the announcing of the station's sports shows.

This summer, Harper will act as commentator and will supply play-by-play descriptions of the baseball games of the Newark International League Baseball Club for General Mills.

Pontiac Renews CBS Show

The Pontiac Motor Co., through MacManus, John & Adams, Inc., yesterday renewed the CBS "News Through a Woman's Eyes" program until April 9, 1937. The program is broadcast Mondays, Wednesdays and Fridays at 2 P. M., E. S. T.

Pontiac, incidentally, is understood to be seeking evening network time for a proposed new musical series which is now being assembled. A confirmation from the agency probably will be forthcoming shortly.

Wilson Gets Promotion

Herbert L. Wilson, consulting engineer at WBNX, was elected yesterday as vice-president in charge of engineering and a member of the board of directors of WBNX Broadcasting Co., Inc. W. C. Alcorn is general manager of the station.

Also elevated to the board of directors was William I. Moore, secretary and assistant commercial manager.

New WOR-Mutual Series

"Hope Alden's Romance," is the title of a new script series which will be heard in a five-time-a-week schedule, Mondays through Fridays on WOR and the Mutual network beginning Jan. 4. The program was placed through Blackett-Sample & Hummert.

The "Hope Alden" script is the work of Margaret Sangster, novelist, and is her first radio effort.

Nagel and Brian Next

Jackie Cooper, "em cee" on WOR's "Lessons in Hollywood" program will feature Conrad Nagel and Mary Brian in guest roles next week. On Monday, Dec. 21, Miss Brian will be interviewed and will be followed on Wednesday, Dec. 23, by Nagel, who is now a west coast radio artist.

Guesting Gertrude Michael

Gertrude Michael will be the guest of Radie Harris on the latter's WHN "Radio Movie Club" program this Friday at 8 P. M., E. S. T.

Royal, Montgomery, Et Al

Short Shots: John Royal, NBC vice-president, now on the last lap of an 18,000 mile air tour of Central and South America, will arrive in New York on Sunday. . . . Douglass Montgomery and Shirley Booth have been added to tonight's Vallee Variety Hour cast. . . . Ward Blaine, brother of Joan Blaine of the networks, will make his debut on his sister's program next week. . . . Willard Farnum, NBC character actor, who collapsed in the studios recently, leaves for a Florida rest on Saturday. . . . Lanny Ross will guest sing for the Charity Organizations of New York this Saturday in a special program to be heard over the NBC-Blue at 5:30 P. M., E. S. T. . . . The Real Silk program will change its time schedule with the broadcast of Jan. 3. The program will then be heard Sundays from 9:45 to 10:15 P. M., E. S. T., over the NBC-Blue. . . . Dr. John Erskine will "em cee" the Metropolitan Opera Auditions of the Air program Sunday Dec. 20. . . . Lee Wiley screen tests this week for a role in the new Kay Francis picture "Street of Chance." . . . Paul Whiteman will depart on a concert tour after he vacates the Musical Varieties program on Jan. 3. . . . Lenny Hayton's orchestra will have a Mutual-WOR wire beginning Dec. 25. . . . A thousand sales managers of the Real Silk Co., now in New York, will be entertained by the organization following the Real Silk broadcast on Sunday night. The party will be staged in the NBC studio from which the program emanates. . . . Nat Brusiloff now in the Beth Israel Hospital recuperating from an operation. . . . Grady Cole, WBT (Charlotte, N. C.) news caster, yesterday became a Benedict, marrying Miss Helen Sisson.

And from Hollywood

Short Shots: Wayne Griffin, KHJ producer, was married to Eleanore Warren Huntsberger at Riverside over the weekend. Miss Huntsberger is a pianist with the station. . . . Walter Winchell does his first broadcast over NBC on Dec. 20 with Ben Bernie inaugurating his coast airer Dec. 22. . . . Contracts have been signed for Dick Powell and Joan Blondell to do a radio version of Warners' "Golddiggers" on the Lux program next Monday. . . . John F. Doyle, formerly sales manager for the Mississippi Valley Broadcasting Co. with headquarters at WTMV, has joined the KHJ sales staff.

Yudian Changes Post

STAMFORD, Conn., Dec. 16.—Theodore Yudian, for the past eight years radio editor of *The Advocate*, has resigned to become managing editor of the *News-Graphic* at Greenwich. He has been succeeded in the newspaper radio post by E. R. McCullough.

A Mousey Tale

A live mouse—and purported to be a rival of Mickey Mouse—will be the star of a specially arranged NBC program tomorrow night at 10:30 P. M. over the Blue network.

It seems that the mouse, captured last Friday by the inmates of a children's home, amazed his captors by singing. The news reached the ears of the special events crew at NBC, and tomorrow night a microphone will be placed near the mouse's cage to catch his warblings—if any.

This is NBC's story. From the press department, of course.

Moves Begun To Draw New Italian Pact

(*Continued from page* 1)

stood that the United States will demand most-favored-nation treatment from Italy, which it is not now receiving, and in the granting of which changes will be necessary in the Italian currency control program. Unless these requirements are met, it will be impossible to negotiate a reciprocal trade agreement, and if no commercial treaty can be developed Italy will lose the most-favored-nation privileges which she now enjoys here.

Theatres in Spain Busy—de Alberich

Theatres in Barcelona are operating on a 24-hour basis and playing to standing room only as a result of the influx of an estimated 500,000 refugees from Madrid, Salph de Alberich, former M-G-M representative in Spain, reported yesterday following his arrival here from Barcelona.

All branch offices of American film companies in Spain are still open, de Alberich reported, despite the fact that no new films have gone into the country in many months. Theatres in all principal cities with the exception of Madrid are open and, in refugee centers such as Barcelona, are doing record business with films that are months old, he said. The theatres are virtually the only form of public recreation left to the war-ridden Spanish populace.

De Alberich, who went to Spain for M-G-M two years ago to take charge of the company's dubbing here, also represented the company in Paris for a time and was in charge of M-G-M's Spanish publicity for several years. He had been a producer for Selecciones Capitolio in Barcelona until forced to evacuate about 10 days ago. He was taken out of the war zone on the *U. S. S. Raleigh* and returned to America on the *Hamburg*. De Alberich was at one time foreign editor of *Motion Picture News*.

"Theodora" Hearing Set at Springfield

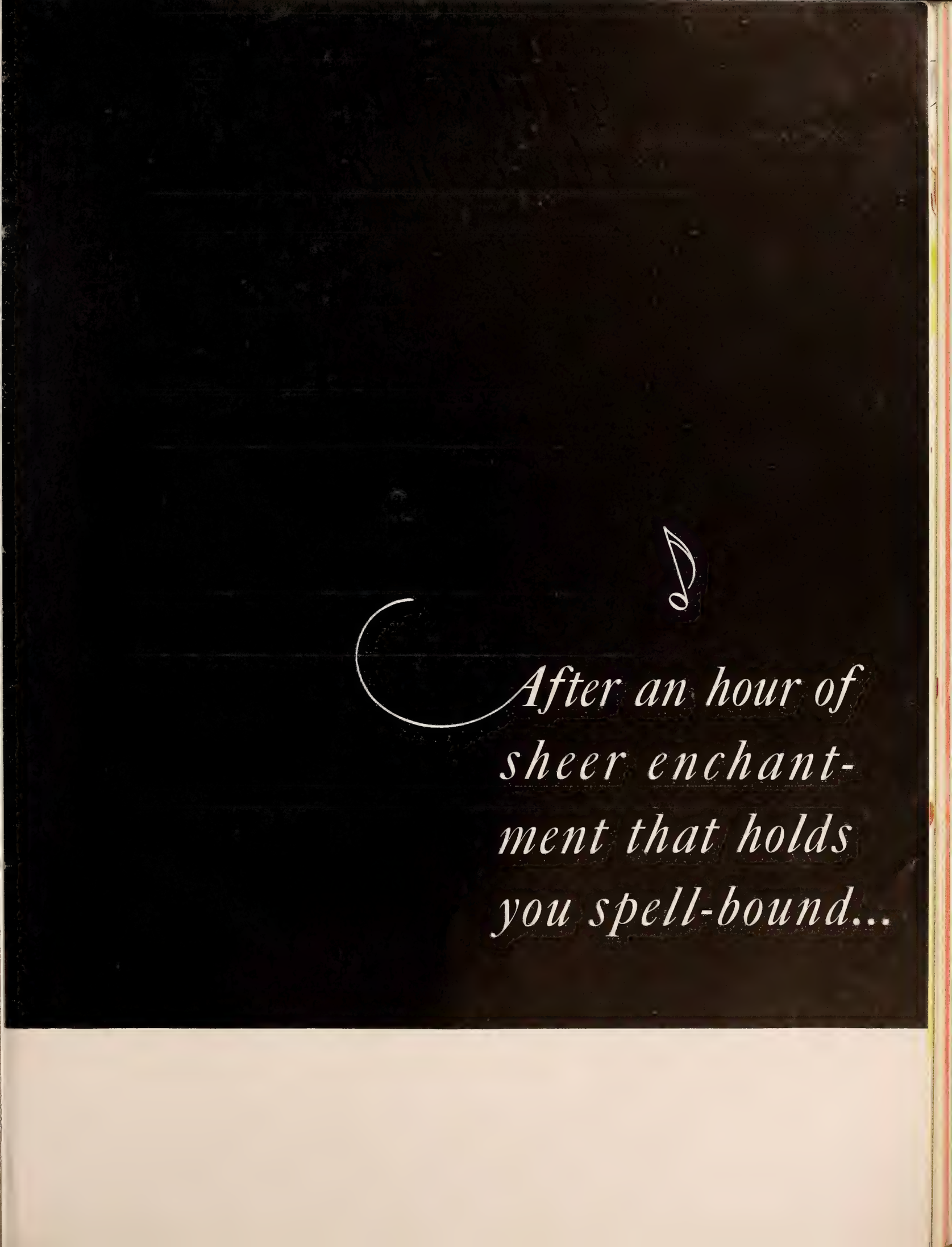
SPRINGFIELD, Mass., Dec. 16.—A hearing is scheduled here this morning on the injunction obtained by Sam and Nathan Goldstein against Herman Rifkin to prevent the showing of "Theodora Goes Wild" in a Northampton house.

The Goldsteins contend "Theodora" is a part of the 1936 lineup of Columbia which they bought for showing at the Academy.

Rifkin is talking a suit for damages against Western Massachusetts Theatres, Inc., the Goldstein-Paramount company, on the theory that he is entitled to damages because he had advertised the picture for several days before an attempt was made to obtain a stay.

Miriam Hopkins Hurt

BEVERLY HILLS, Cal., Dec. 16.—Miriam Hopkins suffered minor injuries when her car collided here yesterday with one driven by Mrs. Fred Astaire, who also was slightly injured.


After an hour of
sheer enchant-
ment that holds
you spell-bound...

The picture finishes...
You sit there in a trance...

You have never had an experience just like it...

You wish it might go on forever...

That's how EVERY ONE *of your patrons will feel when they see...*

Deanna Durbin

in

"Three Smart Girls"

with

Binnie Barnes ★ Alice Brady
Ray Milland ★ Charles Winninger ★ Mischa Auer

PROUDLY PRESENTED
BY THE *new* UNIVERSAL



Directed by Henry Koster
Associate Producer, Joseph Pasternak

CHARLES R. ROGERS *Executive Producer*

Smart Showmen

READ IT!

‹ *Purely Personal* ›

About everybody and read by everybody; chit-chat about the names you know as well as your own—where they go and what they do.

"Purely Personal" is the "town pump" department of Motion Picture Daily and one of its most popular features because it is attuned to the lighter side of the business. Breezy, intimate and up-to-the minute, it tells where who is and what who does.



No exhibitor should be without it

MOTION PICTURE DAILY

SUBSCRIPTION RATES $6.00 ONE YEAR $10.00 TWO YEARS

ROCKEFELLER CENTER NEW YORK

Purely Personal

JOE MANKIEWICZ left via American Airlines last night for the M-G-M studios. His brother, HERMAN, will head for the same destination, via the same medium on Sunday.

•

A. COBIAN, head of United Theatres, Puerto Rico, is in town completing arrangements for the building of a new 900-seat theatre. JOE HORNSTEIN will equip the new structure.

•

J. J. MILSTEIN is on the coast and will make an extensive tour of Republic exchanges before returning the latter part of the month.

•

GLADYS SWARTHOUT left for Chicago yesterday to substitute for WILLIAM FRAWLEY as player-sponsor in the Zukor Jubilee Drive.

•

LEOPOLD FRIEDMAN, secretary of Loew's, and HARRY BERNSTEIN, head of the circuit's real estate, left for Toronto last night.

•

PAUL KESTEN, vice-president of CBS, will leave via American Airlines for the coast Saturday. Ditto for MIKE MARCO.

•

FLORENCE BROWNING, secretary to J. ROBERT RUBIN, will head for the coast today to visit friends at the M-G-M studios.

•

SIDNEY SKOLSKY left for the coast yesterday to resume his daily Hollywood column in the *New York Daily News*.

•

CHARLES KOERNER will return to Boston today after a short visit here with RKO home office circuit executives.

•

GEORGE BATCHELLER is due from Hollywood tomorrow, providing he doesn't spend a day in Chicago.

•

EDWARD SCHNITZER, eastern district head for Republic, returned yesterday from a midwest trip.

•

BILL PINE left for Hollywood last night via American Airlines. He's due back shortly.

•

IRVING BERLIN is due at Newark Airport this morning. He will spend the holidays here.

•

THOMAS BELL, novelist, will leave for the M-G-M studios tomorow.

•

CLIFF REID, RKO producer, is in town. At the Waldorf.

•

DICK WALLACE leaves for Hollywood today. By rail.

•

WILLIAM GRADY left for the coast last night, via train.

•

WILLIAM WYLER left for the coast last night by plane.

•

DAVE CHATKIN returned from the coast yesterday.

•

FELIX FEIST, JR., will leave for the Hollywood tomorrow.

•

TOM MURRAY is in from Fort Worth, Tex.

Military Play Is Juvenile in Content; Otherwise Amusing

(*Continued from page 1*)

sufferable stuffed shirt who lives up to all the regulations and, for a time, threatens to mootch Albertson out of Miss Winfree's gushing affections is represented by Richard Clark. Others include the meticulous commandant who finds slight and large irregularities "very unorthodox"; his bacteriology-complexed daughter who falls for Albertson's room-mate. Not to overlook Lieutenant "Lace Drawers" Rogers, which gives you an idea.

Good old V.M.I., among other matters, is faced with the season's supreme baseball test, pitting its best against the Cavaliers. The cadets' leading pitcher, worried about his about-to-be-born child, is in quite a dither and loses the game. Sabers and watches are hocked to square wagers on the conflict. Yet, through thick and thin, the boys come through to honor good, old V.M.I. and walk off with graduate diplomas under their arms.

In "The Rover Boys" Style

The cadets call each other Brother Rat in the hallowed precincts of V.M.I. and—you get it now—that is how the play was christened. It is typical Brown of Harvard, Dick Merriwell stuff and what makes it as diverting as it proved to be is more the briskness of Abbott's stage direction and the fast tempo he pumped into it than the plot manouevres. The performances, in the main, helped a lot.

As the popular type of hurrah films goes, this is tailor-made and hand-stitched. It can be played as is, or it can be swung over into a musical with no trouble whatsoever. Warners can cast it in a couple of minutes flat from its own stock company. There is also Dick Powell.

LaGuardia Signs New Long Reel Ordinance

The last major obstacle involved in the industry's changeover to the 2,000-foot reel was eliminated yesterday with the signing of the New York City ordinance legalizing the use of the large size reels. The changeover is now complete and the new reels are in general use throughout the country.

A Chicago ordinance still limits reel widths to 14 inches, whereas industry specifications call for a 14½-inch reel. The restriction has not barred the use of the new reels there, however, and the local system of complying with the ordinance is described as being "entirely satisfactory" to the industry.

Mayer Purchasing Head

HOLLYWOOD, Dec. 16.—Jerry G. Mayer, brother of Louis B. Mayer, has been appointed head of the M-G-M purchasing department, replacing Frank Rath, who has been in this department for 14 years.

Col. Buys Kelland Yarns

HOLLYWOOD, Dec. 16. — Columbia has purchased three short stories by Clarence Budington Kelland which appeared recently in the *Saturday Evening Post*.

Opposition Gets Son

Elkins, W. Va., Dec. 16.—It's one of those things that happen once in a lifetime and it's the true story of an exhibitor who should have bought Movietone newsreel and didn't.

Marshall Goldberg, crackerjack halfback on the University of Pittsburgh team, is the son of the owner of the Roosevelt here. Papa tried in vain to get 20th Century-Fox to give him a certain issue of the newsreel in which Goldberg's son was featured.

Goldberg had to be content with reading elaborate signs at the Hippodrome, the opposition house, which read:

"See Goldberg beat Notre Dame by 26—0."

A. L. Stone Signed As a G.N. Producer

Andrew L. Stone has been signed by Edward L. Alperson, Grand National head, as producer. This brings the company's producer roster to 10.

Stone's first will be an original, "Broadway Chiselers," with Gilbert and Sullivan music.

Producers previously signed by the company are Douglas MacLean, Bennie F. Zeidman, George A. Hirliman, Edward Finney, Raymond Friedgen, Victor Schertzinger, Richard A. Rowland, Zion Myers and Boris Petroff.

Cagney in Deal for Play

James Cagney is due in town this week to complete negotiations for a play to be used by his "round robin" theatrical troupe which he hopes to have started by spring. He is seeking "Playboy of the Western World," first presented in this country several years ago by the Abbey Players.

Arranges South American Sales

Jack Barnstyn, foreign department head for Grand National, has closed a deal with Jacobo Glucksman, representing Compania Commercial Radiolux, S. A., to distribute Grand National product in Argentina, Uruguay, Paraguay and Chile.

Flash Previews

"Trail Dust"—Another Hopalong Cassidy, well acted and tastefully directed, a story involving livestock shipments from the cattle country.

"Four Days' Wonder" — Jeanne Dante offering an excellent performance in a comic edition of the murder mystery.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Lavine Is Party Guest

BOSTON, Dec. 16.—A stag party was held Monday for Sigmund A. Lavine, who is to be married tomorrow to Gertrude Kramer. Lavine is the son of Phillip Lavine, general manager of the Smith circuit.

Ferguson Names 21 M-G-M Exploiteers

William R. Ferguson, head of M-G-M exploitation, has set 21 of his field force and several other designations will be made later. This is in line with the company's policy to concentrate activities of the exploitation force in the field.

The men and the territories they will cover are as follows: W. G. Bishop, Detroit; C. C. Deardourff, Cleveland; E. B. Coleman, Dallas; Morris Abrams, Minneapolis; J. E. Watson, Cincinnati; John Walsh, Pittsburgh; Fred Bartow, Chicago; Claude Morris, Kansas City; Jack Gilmore, Buffalo and Albany; James Ashcraft, Philadelphia; Norman W. Pyle, Washington and Charlotte; Bert McKenzie, Boston and New Haven; Louis Orlove, Milwaukee; Bill Parker, Indianapolis; Clinton Bolton, New Orleans; James Thames, Atlanta and Memphis; Jim Schiller, Los Angeles; Ken Renaud, Seattle and Portland; Omar Kenyon, Des Moines; Oscar Kantner, San Francisco; Carlton Duffus, special educational work.

All of the men were assigned their territories at a meeting in Cleveland on Tuesday. Ferguson, Eddie C. Carrier and Charles Sonin of the home office returned yesterday.

Raise Sterling Capital

DOVER, Del., Dec. 16.—Sterling Pictures Corp. of Los Angeles has increased its capital from $260,000 to $290,000. The U. S. Corporation Co. is agent.

Millerfilm Corp.., Wilmington, increased its capital from $1,000,000 to $2,000,000. The Corporation Trust Co. was agent.

Brandt Opens New House

Harry Brandt has opened a new 600-seat theatre in Brooklyn, named the Jewel. He is building two other houses, the Peted Stuyvesant on W. 14th St. and the Plaza in White Plains.

Wall Street

Recessions General on Board

	High	Low	Close	Net Change
Columbia, vtc ...	35	34⅜	34⅜	— ⅝
Columbia, pfd. ...	41	41	41	— ⅛
Eastman Kodak .	176	176	176	+1
Gen. T. Equip....	30¼	30	30	— ¼
Loew's, Inc.	64½	64	64	— ¼
Paramount	22	21⅜	21⅜	— ½
Paramount 1 pfd..	153	150	150	—4½
Paramount 2 pfd..	20	19¾	19½	— ⅛
Pathe Film	10¼	9⅞	10	— ⅛
RKO	8⅜	8	8	— ⅛
20th Century-Fox.	36⅞	36½	36¾	+ ¼
20th Century, pfd.	45¼	45¼	45¼	— ¾
Universal, pfd. ..	103½	103½	103½	—1½
Warner Bros.	18⅛	17¾	17⅞	+ ⅛
Warner, pfd.	69	69	69	+ ½

Technicolor Lone Curb Gain

	High	Low	Close	Net Change
Grand National	3⅝	3½	3⅝	...
Sonotone	2	2	2	...
Technicolor	22¼	21⅞	22¼	+ ⅛
Trans-Lux	4⅝	4½	4½	— ⅛
Universal Pict....	12½	12½	12½	—1⅜

Warner Bonds Up Slightly

	High	Low	Close	Net Change
Keith B. F. 6s '46	98¾	98½	98½	— ⅜
Loew's 6s '41 ww deb rights	101	101	101	.....
Paramount B'way 3s '55	72½	72½	72½	.....
Paramount Pict. 6s '55.....	100¼	100¼	100¼	— ⅛
Warner Bros. 6s '39 wd	100⅛	100	100⅛	+ ⅛

(Quotations at close of Dec. 16)

U. S. Names Distributors In Trust Case

(*Continued from page* 1)

Texas and 20th Century-Fox Film Corp.

The petition was filed by U. S. District Attorney Clyde Eastus and alleges that the defendants control the licensing and distribution in interstate commerce of 80 per cent of the films in violation of an act to protect trade and commerce against unlawful restriction and monopoly. It alleges that theatre operations apart from the group have in some instances been forced to close or else have had price and operating policies forced on them.

The contracts between the Hoblitzelle theatres and major distributors were attacked in an action filed in state court here last year which resulted in their being upheld.

Rubin Issues Statement

The outcome of the Federal action involving the control of admissions in subsequent runs through contracts made by a first run "is awaited with interest," J. Robert Rubin, vice-president and general counsel of M-G-M, one of the defendant companies named in the Texas suit, said in a statement issued here yesterday.

Rubin says that he "is informed" that the Government's action does not charge that the distributors conspired "among themselves" in the making of the contracts. His statement follows:

"The Government has gone into the equity court primarily to seek a cancellation of contract provisions which Interstate Circuit, Inc., the operator of the first run theatres in several principal cities in Texas, made with each of practically all the companies distributing motion pictures nationally.

Stipulation on Subsequent Runs

"These provisions are to the effect that pictures exhibited first run by Interstate Circuit's theatres in such cities at an admission price of 50 cents shall not be shown subsequently by any other theatres in the same area at a night orchestra admission price to adults of less than 25 cents. Interstate Circuit has insisted on such provisions as reasonable and necessary in view of the large expenditures it makes in the advertising of such pictures and the very high rentals it pays for the right to exhibit them in contrast with rentals paid by the subsequent run theatres.

"Since Interstate Circuit contracts with the leading national distributors, the Government, in order to have such provisions canceled, has had to join in the suit each of the national distributors with which Interstate Circuit has contracts.

"I am informed that the Government does not charge that such distributors conspired among themselves in violation of the anti-trust laws, but only that under the circumstances described, the agreement Interstate required with each national distributor is a violation of the Federal anti-trust laws and should therefor be canceled.

"The issue of law presents problems quite similar to those presented in the recent resale price maintenance cases before the Supreme Court of the United States in connection with the statutes of California and Illinois, which legalized the maintenance of resale prices and provided for punishment of those who knowingly sought to violate such contract provisions.

"The legal question in the present suit has never before been passed on in a case in the Federal courts involving pictures and its outcome is awaited with interest. A previous suit in Texas state courts upheld the right of Interstate Circuit to make such contracts with distributors."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Stolen Holiday"

(*Warners*)

HOLLYWOOD, Dec. 16.—Capably directed for Kay Francis' particular brand of performance, this film has been directed toward the feminine contingent in particular, but has considerable mass appeal at the same time.

It moves swiftly and is enhanced by an elaborate production background which lifts it above the usual run. The film should do well with almost any type of audience. The story centers around Miss Francis, a model who is financed in a Paris dress salon by Claude Rains, a swindler posing as a wealthy broker. He preys on her sympathies and in a climax denouement, when his bond-juggling is about to be exposed, entices her into a loveless marriage, believing her innocence and respectable social position will protect him.

With a full confession from his men, the police close in on Rains and he commits suicide, freeing her for a marriage with a young English diplomat, Ian Hunter, whom she had met while on a holiday in Switzerland.

The three leads handle their roles expertly. Alison Skipworth stands out in a comedy part as a modern cupid who tries to bring Miss Francis and Hunter together. Good support is offered by Alexander D'Arcy Walter Kinsford, Charles Halton, Frank Reicher and Frank Conroy. Credit is due Warren Duff and Virginia Kellogg for the original, and Casey Robinson for the adaptation. The photography by Sid Hickox and Fred Jackman and the art direction by Anton Grot are good. Orry-Kelly's fashions are sure to attract the women.

Production Code Seal No. 2,503. Running time, 85 minutes. "G."

UMPTO Says Date Strike Plans Hold

(*Continued from page* 1)

near future. The strike date still stands as Jan. 2.

A wire was received today by the organization from Harry Brandt assuring cooperation and stating that the New York I.T.O.A. would do all in its power to "help fight alleged unfair selling practices."

Members of the I.T.O.A., meeting at the Astor yesterday, joined forces with the U.M.P.T.O. of Philadelphia on the latter's stand against alleged unfair practices by distributors, which were not mentioned by name.

A mass meeting will be held shortly, on a date to be decided later, at which at least 50 delegates from Philadelphia are scheduled to be present, it was stated following the session.

Harry Brandt, president of the local unit, last night sent a telegram to the U.M.P.T.O. in which he said the I.T.O.A. was in accord with the protests registered by the Philadelphia group and that "the I.T.O.A. will do all in its power to help." The telegram also attacks major company activities in operating theatres.

Decision Reserved On RKO R.I. Houses

(*Continued from page* 1)

defaulted mortgages. No opposition to the proposed settlement was made at yesterday's hearing.

The effect of the proposed agreement is to eliminate a liability of $287,500 arising from RKO's guarantee of the theatre leases, retention of the leases by its Rhode Island subsidiary and extension to 1956 of a mortgage amortization agreement. Laura F. Albee, to whom the mortgage has been assigned, would be allowed in consideration for the agreement to file a claim against RKO in the reorganization proceedings and have it allowed at $187,500.

Southern RKO Deals Set

Two southern circuits, the Wilby-Kincey and Interstate, have closed for all of RKO's product this season. Jules Levy, general sales manager for the distributor, and Cresson E. Smith, southern and western division sales head, returned yesterday after signing up the circuits. They were gone two weeks.

Giveaway Awards Not Subject to Suit

CLEVELAND, Dec. 16.—Bank Night awards are gifts and not subject to suit for collection, Municipal Judge Stacel has ruled here. He dismissed the suit brought by George Kvasty, Jr., to collect $300 from the Broadvue.

The suit came from the fact that both Kvasty and his father signed the Bank Night register. The son attended a show when the father's name was called. The son claimed that "George Kvasty" was called and he claimed the award. When he tried to collect he found the money was intended for his father.

Propose One Unit for All U. S. Filming

(*Continued from page* 1)

which are seen as probably increasing annually.

The great number of films against which complaint has been made has come from the various Government emergency agencies. It is expected that with the gradual decrease in the number of these units, their film production will also decrease. Officials generally do not look with favor on the production of too many Government films, seeing a future difficulty in placing them in theatres. The President is not likely to favor such legislation as is proposed, however, since he appears anxious now to reduce rather than increase the number of Government units.

Condor Formed in Producer Merger

(*Continued from page* 1)

the board of Condor. Hirliman will be president and Lieberman treasurer. Van Beuren will continue as president and general manager of the Van Beuren Corp., which will continue to produce shorts for RKO as a separate entity. Condor will have offices in the RKO Bldg. It is planned to make a public stock issue and to apply for listing on a "major security exchange."

Hirliman will be in complete charge of coast production and will have as his associate M. H. Hoffman. Hirliman is now producing for RKO, Grand National, M-G-M and 20th Century-Fox. Metropolitan and Regal produce color pictures with the Hirlicolor process, which they own.

Film Trade Invited Into Roper Council

(*Continued from page* 1)

L. Berry, Coordinator for Industrial Cooperation, had given it every consideration in the development of his Council for Industrial Progress, the secretary said there was no reason why the producers should not participate in the deliberations of his council. He stated that he would be glad to put a representative of any important industry on the council and would ask for suggestions from the present membership regarding men whom they thought should be added.

Einfeld Going to Coast

S. Charles Einfeld will leave for the coast Saturday to confer with Harry M. and Jack L. Warner on new pictures. Both Einfeld and Warner are due to return either Jan. 8 or Jan. 10.

Gradwell L. Sears, general sales manager, is due back from Hollywood next Wednesday.

Phillipson Sails

Percy Phillipson, president of General Register Corp. of New York and managing director of Automaticket, Ltd., of London, sailed on the *Queen Mary* yesterday. He expects to return the end of January for two months.

The Keller-Dorian Colorfilm Corp.
is pleased to announce that its

KELLER-DORIAN COLOR PROCESS

Endorsed By All Leading Technicians

IS NOW AVAILABLE FOR USE
BY PRODUCERS

Outstanding advantages of the system are:

Substantial savings in production costs.

Speedy availability of prints.

Prints can also be used for black and white projection.

Only addition to projection equipment is filter at a nominal cost.

No special players' makeup required.

Other information concerning the merits of the Keller-Dorian system may be obtained at the offices of the

KELLER-DORIAN COLORFILM CORPORATION

522 FIFTH AVENUE NEW YORK CITY

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Held Over 3rd Week as Thousands pack the big Capitol on Broadway.

M-G-M HITS CRASH THE XMAS CASH!



SMASH!

"BORN TO DANCE"
HAPPY HOLD-OVERS!

3rd WEEK at Capitol, N. Y.
3rd WEEK: Pittsburgh
3rd WEEK: Seattle
3rd WEEK: San Francisco
3rd WEEK: Chicago
2nd WEEK: Baltimore, Richmond, Albany, Philadelphia, Norfolk, Milwaukee, Denver, Los Angeles, Portland, San Diego, Atlanta, New Orleans, Dayton, Harrisburg, Reading, Wilmington, New Haven, Cleveland, Cincinnati.

Isn't it lovely to get HITS when you need 'em most! You'd think Leo would let up after delivering "Great Ziegfeld", "Gorgeous Hussy", "Libeled Lady", "Love On The Run", "Tarzan Escapes" and other early season hits. But he's practically put Santa Claus out of business by bringing out "BORN TO DANCE" right now!

NOBODY CAN TOP THIS!

Pre-Holiday: "BORN TO DANCE"
Xmas: "AFTER THE THIN MAN"
New Year's: "CAMILLE"
1937: "You ain't seen nothin' yet!"

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

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Regulation of Star Air Time Due-Schulberg

Believes Broadcasts an Aid to Theatres

The regulation by producers of the hours during which film players may broadcast must come, in the opinion of B. P. Schulberg, expressed in an interview yesterday. He agreed with the complaint of exhibitors that stars should not be permitted on the air during what are generally known to be the best theatre hours in the evening, but he declared that such broadcasts have no adverse effect on theatre business.

The hour conflict should be avoided, he declared, because there are "more

More on radio—page 11

good air hours than theatre hours" during the day. The producer, who releases through Paramount, likened star broadcasts to personal appearances in theatres, expressing the belief that similar to personal appearances, the broadcasts should improve

(*Continued on page* 11)

Mexican Producers Asking Federal Aid

By JAMES LOCKHART

MEXICO CITY, Dec. 14.—The Mexican M. P. Producers' Union has asked the Government for aid in meeting the overwhelming competition of foreign product, chiefly American. Claiming that imported films control 96 per cent of domestic market, the producers are seeking legislation which will require more extensive use of domestic product by theatres. It is claimed that of 500 features exhibited annually here, only 20 are Mexican.

The unit also asks tax reductions, contending that at present taxes are heavier on the native branch of the

(*Continued on page* 15)

New Tax Moves Stir Exhibitors in Mass.

BOSTON, Dec. 17.—Exhibitors are pondering the possible effects of a move to pass a law limiting the tax on real estate to $25. They see an admission tax looming in the background as one-way to meet the deficit which would result.

The tax move initiative petition has already been signed by enough voters to insure its consideration by the legislature.

G. B. Holders' Revolt Beaten By Directors

Proposals Voted Down, Then Won in Poll

By BRUCE ALLAN

LONDON, Dec. 17.—The anger and indignation of the stockholders of Gaumont British was expressed today in a stormy meeting at the New Gallery, when all five important proposals of the directorate, headed by Mark Ostrer, were voted down by a show of hands among stockholders present, but passed in a poll by virtue of the proxies and personal holdings controlled by the directors.

The board scored a victory on the poll conducted on a share basis, called for by Ostrer after sharp defeat on a show of hands. Major triumph of the board was on the proposal to accept the financial report and accounts of the company.

The show-of-hands vote ousted Sidney R. Kent, president of 20th Century-Fox, from the directorate, but the poll vote on the share basis reelected him. The directorate apparently controls approximately 3,000,000 shares to the approximate 12,000 held

(*Continued on page* 14)

Bank Night Files 2 Suits in Bay State

BOSTON, Dec. 17.—Bank Night representatives in this territory have filed suits in the Bristol Superior Court and the East Boston District Court against two theatre companies to collect alleged delinquent royalty payments. It was stated that similar actions will be filed wherever payment is withheld.

George S. Ryan, attorney for Bank Night, stated that the Denver decision

(*Continued on page* 12)

Reelect Maxwell

London, Dec. 17.—Indicative of the important place John Maxwell may be expected to fill in the future activity of G.B. was the reception he received by the stockholders today, when he unanimously was reelected to the directorate.

While the meeting was characterized by indignant protest against the directors, Maxwell's name was called from the floor repeatedly, until he finally responded with a speech of thanks.

Para. Votes Bonus Payment For Employees

Paramount officials have authorized payment of a bonus to employes, it was learned yesterday.

Details of the payment, such as the amount and the classifications of employes who will be eligible for the bonus, were not made known in the absence from the city of Barney Balaban, Paramount president, but may be officially disclosed with his scheduled return from Chicago today. Unofficial reports were that employes in the

(*Continued on page* 14)

Court Disallows 4 Paramount Claims

Judge Alfred C. Coxe in Federal Court yesterday disallowed and expunged four claims against Paramount Publix amounting to $1,155,712 which had been filed by subsidiaries. The claimants were Paramount Famous Players, $10,000; St. Francis Amusement Co., $229,518; Granada Realty Co., $68,356. A joint

(*Continued on page* 14)

"In the Bag" Mirrors B'way For Any Liking It Mirrored

"In the Bag" catches the spirit of the Broadway scene—its bluff, its gambles, its laughs and a swift glimpse of its heartaches—and it furnishes more than a few laughs. The play moves rapidly, holds the interest and probably can be developed into screen material.

Its hold on Broadwayites probably will be weak, however. Holding the mirror up to life as it is lived only a half block away is not apt to thrill those whose only relief from it is gained during sleeping hours, and it is these who make up the first night audiences that start the word-of-mouth advertising.

As a stage play, the weakness of last night's offering at the Belmont lies in the fact that it takes so much dialogue to describe the off-stage

(*Continued on page* 12)

Dual Billing Regulation Up In Texas Suit

Contract Restrictions In Anti-Trust Test

A new test of the regulation of double featuring by means of contract provisions is involved in the Government anti-trust action filed against all major distributors and the Hoblitzelle theatre interests in Federal court at Dallas on Wednesday, it was disclosed with the arrival here yesterday of copies of the Attorney General's complaint.

Under the contracts made by the Interstate and Texas Consolidated circuits with the eight major distributors subsequent runs in the Hoblitzelle situation were not permitted to double feature or to charge an admission of less than 25 cents for any picture which the Hoblitzelle first runs exhibited at 40 cents or more. The contracts are the basis of the Government's action and both preliminary and permanent injunctions to restrain the defendants from entering into such agreements are petitioned.

The contract provisions are petitioned by the first run exhibitor who selects the picture which will be exhibited at a minimum admission of 40 cents, usually booking them consecutively into one theatre for which an extended run, high admission policy has been established. The practice is made possible only by the

(*Continued on page* 15)

No Revival of NRA Major Berry States

By BERTRAM F. LINZ

WASHINGTON, Dec. 17.—All idea of resuscitation of the NRA has been abandoned by the National Council for Industrial Progress, it was announced by Industry Coordinator George L. Berry, and legislation for industrial control to be submitted to Congress next month will be confined to extension of the anti-trust laws on unfair competition.

"I, personally, believe it would be

(*Continued on page* 15)

M-G-M Will Start Extensive Building

HOLLYWOOD, Dec. 17. — M-G-M within two weeks will launch a $2,000,000 building program under the direction of William Koenig, it was stated today by Louis B. Mayer. The company, said Mayer, has pur-

(*Continued on page* 12)

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Monogram Meets Today

The stockholders of Monogram Pictures Corp. will meet at the company's offices this morning to consider the sale of Monogram assets to the recently organized Sterling Pictures Corp. W. Ray Johnston, president of both companies, will preside. Following the stockholder session, the board of directors will meet this afternoon to ratify the action of the stockholders.

Safier to Distribute

LOS ANGELES, Dec. 17.—Morris Safier, formerly with United Artists and Warners, has closed a contract with Burroughs-Tarzan for the distribution of "Tundra" and "The Phantom of Santa Fe" on a roadshow basis in the northwest. Safier will leave for Seattle this week to establish headquarters.

Hubbard to Paramount

HOLLYWOOD, Dec. 17.—Lucien Hubbard will join Paramount as a producer upon the expiration of his M-G-M contract in January. Paramount will assign him some of its largest subjects.

Insiders' Outlook

By RED KANN

HELEN of Troy was the far-famed gal whose face launched a thousand ships. Gypsy Rose Lee is the strip-teaser whose chassis is launching a flock of columns.

Herewith correspondence, starting off with a letter from "Jock" Lawrence, guardian of the public prints for Sam Goldwyn:

"When the man bites the dog, it still apparently is news. Because all the nice comments we had on Mr. Goldwyn's *New York Times* Magazine article paled into obscurity beside your very definite dislike for it.

"However, the Romans had a phrase for it—DE GUSTIBUS NON DISPUTANDAM, meaning 'Every Man to His Own Taste.'

"I would like to take issue with you on one point, though. The fact that you didn't like the article, that you thought Mr. Goldwyn insincere in his statements, that you kidded the article, are matters that we cannot help. When a producer writes an article, it is exactly as if he does a picture—its release is for public consumption and for critical review. And if a critic disagrees, we hope in the future to create a work that will please that critic.

"But—I can't see why you condemn Mr. Goldwyn because Gypsy Rose Lee takes off *her* clothes.

"In the first place, if our New York office did test Miss Lee, it was done without Mr. Goldwyn's knowledge or orders. He has never seen the gal, sans clothes or otherwise, in the flesh or not. Yet, if some one in our New York office considered her possible screen material (which fact I have yet been unable to ascertain) they, too, ought not be condemned because that is their job, to 'discover' screen potentialities no matter where they may be.

"To infer that it is bad taste to test an actor or actress in burlesque would go hard with a number of our present-day biggest stars who started that way.

"My main point, however, is this—to find out when you consider that Mr. Goldwyn has ever offended from the standpoint of poor taste. I've been with him two years now and looking back at 'Dark Angel,' 'Barbary Coast' (certainly a tough subject), 'These Three' (an even tougher subject), 'Dodsworth,' 'Come and Get It' and now our new 'Beloved Enemy,' I wish you'd point out wherein Mr. Goldwyn has offended the public morals or the tenets of good taste. In fact, I'd say that he and the late Irving Thalberg were always the only two who fought bitterly to elevate the standards of motion pictures.

"In any case, if we started to boycott all people who have taken off their clothes, private or publicly, we'd have a terrific list to start with right now. I hold no brief for Gypsy Rose Lee. I think her 'grandfather,' General Robert E. Lee, was a great general. I think the sauce her family makes, Lee and Perrins, is swell. I think she must have something to have all ships name the sheltered side of their vessels after her.

"But if you think Mr. Goldwyn would have her 'strip tease' in one of his pictures, I'm afraid you're a bit on the wrong side.

"In any case, Merry Christmas."

▼

And the reply, courtesy of Miss Secretary and hastened west via air mail:

"I found your letter of the 14th extremely interesting, but it will come to you as no surprise, of course, to learn that I do not entirely concur.

"There was no effort to damn Mr. Goldwyn or any other producer considering Gypsy Rose Lee because of the fact that she takes her clothes off in public performance. That's her business. For all I know, she may be a very charming person in private life and that, too, is her business and, certainly, none of mine.

"I am inclined to believe that you must be kidding me when you think that anywhere along the line I thought your company, or any other, would attempt to get on celluloid Miss Lee in her various nature poses. It's rather obvious that nothing of the kind existed in my mind.

"The arch of the entire argument about Miss Lee is a very simple, but strong, one and is built on the very apparent fact that producers are interested in acquiring her far less for whatever ability she may possess than in the direct or indirect publicity attached to her first appearance. It is because I concur so heartily with your main point that Goldwyn has so scrupulously, and perhaps more so than any other producer, observed the tenets of good taste that all the activity about Miss Lee aroused my editorial ire. I know nothing about that activity from the angle of official Goldwyn sanction or no. If you tell me that negotiations with her were carried forth without his knowledge, I am entirely willing to accept your statement.

"Let me give you assurance, however, based on very concrete knowledge that New York is actively proceeding with the matter. How far negotiations have progressed is something with which I am not familiar.

"In any case, Merry Christmas to you."

▼ ▼

And now what would you think is going on? Mervyn LeRoy has joined the hunt. He wants Miss Lee for a forthcoming picture which he thinks he's going to call "The Body Beautiful." It's the truth, so help us! . . .

No Special Security Payroll Is Required

WASHINGTON, Dec. 17.—No special form of payroll record will have to be kept by employers in the film or other industries under the Social Security Act, it was disclosed in regulations just made public by the Treasury Dep't. Employers subject to the act, however, will be required to keep an individual record, in such form as is most convenient to them, of each employe, showing his name, address and Special Security account number; occupation and total amount and date of each remuneration payment and the period of service covered thereby; the amount of remuneration subject to tax, and the amount of the employes' tax withheld or collected on each payment.

Three returns will be required under the act, one to be filed monthly, being a tax return. The others will be information returns, to be filed initially for June 30 next, and thereafter quarterly, one giving the date with respect to wage payments and the other covering employes attaining the age of 65 or dying before they reach that age.

Full information regarding the keeping of records and the filing of reports may be secured in Treasury Regulations No. 91, now available at the offices of the collectors of internal revenue throughout the country.

Imperial Takes Hub Academy Exchange

BOSTON, Dec. 17.—Imperial Pictures Corp. of New England has taken over the Academy Pictures Exchange in this territory. Phil Smith, former manager of the latter office, told MOTION PICTURE DAILY that he no longer has any interest in the independent exchange and in the future will devote himself to his theatre circuit and other interests.

E. J. Smith of the Imperial exchange stated that the present Academy office staff will be retained. Leo Britton, formerly a salesman, has been promoted to the post left vacant by Phil Smith. Academy handles Chesterfield and Invincible among other product. Previously Imperial had negotiated with Roy Heffner's Specialty Pictures exchange here.

Union Meeting Monday

The meeting of representatives of Local 306, the Allied Union and the I.T.O.A., with Mayor La Guardia's survey board on the local union situation will be held Monday afternoon in the Roxy office of Howard S. Cullman, a member of the board. Originally scheduled for early in the week, the meeting, designed to settle differences in the agreement being negotiated for the merger of Allied by 306, was postponed because of the illness of Cullman.


One in a
million

IF YOU LIVE TO BE A MILLION, YOU'LL NEVER SEE ITS LIKE AGAIN!



entertainment...breath-takingly lavish with spectacle...bristling with

and laughter...and ever-sparkling with that priceless ingredient, SURPRISE!

to completely eclipse 20th's record-breaking "Pigskin Parade," "Sing,



One in a

20th's showmanship strides to new triumphs with this unique



box office money names...crackling with zest and zip...gay with song



Aimed at your biggest show date, "One in a Million" is smartly designed



Baby, Sing," and "Thanks a Million"!



(We've just begun...See next page)

THE SHOW IN A MILLION FOR YOUR BIG NEW YEAR'S DATE! Spectacle:

gliding, whirling in rhythmic ice revels amid soaring Alpine peaks! Romance:

Songs: Six melody-glorious hits they'll remember as 1937's tops! Laughter:

brilliant galaxy with Sonja Henie, lovely Queen of the Silvery Skates, now



One in a



Hundreds of glamorous girls...toes tipped with mirror steel...skimming,



glowing with wind-free fervor in a gorgeous, cloud-swept winter wonderland!



madly merry with the Ritz Brothers at their nit-wittiest! Stars: A name-



an exciting Queen of the Silver Screen...setting the ice afire, hearts aflame!



Million

(Now's no time to stop!)

THE CAST OF A DOZEN DAZZLING STARS



One in a

Introducing

SONJA HENIE with ADOLPHE MENJOU

Queen of the Silvery Skates

DON AMECHE • RITZ BROTHERS

DIXIE DUNBAR • LEAH RAY • SHIRLEY DEANE



and beautiful Sonja Henie, darling of five continents, in her triumphant screen debut!



Million



JEAN HERSHOLT • NED SPARKS



ARLINE JUDGE • BORRAH MINEVITCH AND HIS GANG

A 20th Century-Fox Picture • Darryl F. Zanuck in Charge of Production • Directed by Sidney Lanfield
Associate Producer Raymond Griffith • Story and screen play by Leonard Praskins and Mark Kelly
Music and Lyrics by Lew Pollack and Sidney D. Mitchell • Skating Ensembles staged by Jack Haskell

THE SONGS: "One in a Million" • "Who's Afraid of Love?" • "The Moonlit Waltz" • "We're Back in Circulation Again" • "Lovely Lady in White"



20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

(May we make a suggestion?...)

CELEBRATE THE NEW YEAR WITH

HOLD-OVERS!



AND RING IN 1937 ON

YOUR CASH REGISTER!

20th CENTURY FOX

THE KEYSTONE
OF YOUR FUTURE

Regulation of Star Air Time Due-Schulberg

(*Continued from page* 1)

theatre business, if they are well done.

Schulberg said he has a two-year contract for release of his product through Paramount, with an option coming up in February. "Paramount will exercise the option," Schulberg declared confidently. The first year of his deal will be up in May, he said, and the action on the option in February will be governed by the return on the first three pictures. Only two will be applicable to the decision, however, he indicated.

His contract calling for eight pictures a year, Schulberg has five to make between now and next May. Three stories have been set already, he said. Just completed is "A Doctor's Diary," with George Bancroft and Sylvia Sidney. Planned are "Flower of France," with Fred MacMurray and Luli Deste, new Austrian player signed recently; "Loves and Life of Alexander Dumas," with Edward Arnold, and "That's What Little Girls Are Made of," with Miss Sidney and perhaps, John Trent, transport pilot recently signed by Schulberg, and about whom he is vociferously enthusiastic as a future star.

Will Avoid Color Films

Schulberg plans no color films, declaring that although color eventually will be a common screen medium, it "is not right yet." Color, he said, is an eye strain, it destroys the illusion and all comedy effect, and in his opinion, thus far, "all color pictures have starred color."

He expressed the belief that audiences have "grown up" in the past five years. They are able to appreciate better material now, and at the same time have become more critical, he said. Smaller theatres, with less operating expense, are needed to permit theatre operators to profit from word-of-mouth advertising on films, by holding them more than one week, he believes.

Schulberg will return to the coast by plane next Thursday, following a press luncheon Wednesday for Miss Deste, who will arrive on the *Aquitania* on Tuesday. The actress probably will remain in New York for several days before going on to the coast, he said.

Ascap Board Meets

Only routine business was transacted at a meeting of the board of Ascap yesterday, officials of the organization said. Although indications are that Ascap will have a dividend of more than $1,000,000 to distribute to members for the fourth quarter the exact amount is still undetermined because of incomplete financial reports to date, directors were told at the meeting.

Mrs. A. H. Dunne Dies

BEVERLY HILLS, Dec. 17.—Mrs. Adelaide Henry Dunne, mother of Irene Dunne, died today at Miss Dunne's home from a cerebral hemorrhage.

WTCN, Minneapolis to NBC; Chain Steps on All Fronts

KSTP, Minneapolis-St. Paul, an NBC station since 1928—at which time it became a member of the Northwestern Group of the network, switches over to the basic Red network Jan. 1. At the same time NBC adds a new station to its basic Blue network, WTCN, also located in Minneapolis. WTCN formerly was an independent station.

The switch and addition will enable NBC to cover the entire northwest area with both the Red and Blue service. Previously the area had been served optionally with programs from either one of the networks.

The addition of WTCN will bring the total number of NBC stations to 111 as of midnight, Dec. 31. Three additional stations are already contracted to join NBC within the next few months, which will bring the total to 114.

Stations which are scheduled to come into the fold on Dec. 29 include KFBK, Sacramento; KWG, Stockton; KMJ, Fresno, and KERN, Bakersfield, all in California.

The Jan. 1 additions include KGFH, Pueblo, Colorado; WEAN, Providence; WICC, Bridgeport; KGNC, Amarillo, Texas; and KARK, Little Rock, Arkansas.

The 1937 additions include WFEA, Manchester, New Hampshire (March 1); WSPD, Toledo (May 2), and WOWO, Fort Wayne (May 1).

KSTP, 25,000 watts by day; 10,000 night, is owned and operated by the National Battery Broadcasting Corp. WTCN is owned by the *Minneapolis Tribune* and *St. Paul Dispatch-Pioneer Press*. The station has a day time power of 5,000 watts and a night power of 1,000 watts.

May Drop "Court"

A report, authoritative but unconfirmed, is that the sponsors of the "Good Will Court," met with their agency representatives in the offices of J. Walter Thompson Co. until a late hour last night and that the upshot of the conclave was a decision to abandon the program effective as of this Sunday and to substitute the California program titled "So You Want to Be an Actor."

A confirmation to this effect is expected to be released some time today.

Out Hollywood Way

HOLLYWOOD, Dec. 17.—MARY ROGERS, daughter of the late WILL ROGERS, today signed by 20th Century-Fox to a long term contract. Cast for feminine lead in "The Last Slaver."

DAVID O. SELZNICK signs HENRY C. POTTER to direct "The Adventures of Tom Sawyer," now definitely scheduled to start in April.

NELSON EDDY to leave on concert tour Jan. 5. . . . He plans 43 concerts and 11 radio broadcasts. . . . WILLIAM POWELL and MYRNA LOY to be costarred in "Great Love," M-G-M. . . . DAN WOLHEIM, brother of the late LOUIS, has role in GEORGE O'BRIEN'S "Park Avenue Logger," Hirliman production for Radio. . . . WILLIAM A. WELLMAN expected to resume work on "A Star Is Born" for Selznick-International next Wednesday or Thursday after siege of the flu. . . . WILLIAM GRAY to be film editor on "To the Victor," M-G-M.

DR. WILLIAM AXT assigned to do music on "The Last of Mrs. Cheyney," M-G-M. . . . FRANCIS LEDERER starts collecting records of news broadcasts. . . . First King Edward's farewell; next will be President Roosevelt's inaugural address. . . . FRANCIS X. BUSHMAN signed for a serial at Republic. . . . FAY BAINTER off to New York. . . . W. S. VAN DYKE will attend the inauguration at Washington.

MERRITT HULBERT back from Bermuda vacation. . . . LEOPOLD STOKOWSKI house guest of BORIS MORROS. . . . MILLY MONIT, Italian actress, here to start her contract with EMANUEL COHEN. . . . Paramount exercises options on three assistant directors and three stock company players—HAL WALKER, JOE LEFERT and JOE YOUNGERMAN, directors, and LEE BROWN, PRISCILLA MORAN and IRENE DALE, players. . . . Warners to start "Marry the Girl," with WILLIAM MCGANN directing, next Wednesday.

✚

Casting—PETER LORRE in "The Last Slaver," 20th Century-Fox. . . . MURRAY ALPER, WALLY MAHER and PAT GLEASON in "23½ Hours Leave," Grand National. . . . COLIN CLIVE, OWEN DAVIS, JR., and STERLING HOLLOWAY in "Escadrille." DICK ELLIOTT, JOYCE COMPTON and FRANK M. THOMAS in "Miss Customs Agent," Radio. . . . WALTER KINGSFORD and HENRY KOLKER in "Robber Barons," same studio. . . . SHAW and LEE in "The King and the Chorus Girl," Warners.

✚

Title Changes—"The Mighty Treve" will be the release title of Universal's "Treve." . . . "Breezing Home" will be the final title of Universal's PHILIP and PETER FINLEY DUNNE, JR., story.

✚

Writers—MALCOMB S. BOYLAN on the screenplay of "Sound Your A," FERDINAND REYHER adapting "Gold Bullets," WANDA TUCHOCK adapting "Artists and Models," Paramount. . . . BASIL DICKEY signed by SAM KATZMAN of Victory Pictures to do "Cheyenne Rides Again." . . . AL MARTIN signed by TREM CARR to do the screenplay of "I Cover the War," next for JOHN WAYNE at Universal. . . . DUNCAN MANSFIELD and CARROLL GRAHAM assigned to do additional dialogue on "Two Shall Meet," B. F. ZEIDMAN for Grand National.

Alexander, King, Et Al

Short Shots: Durelle Alexander, petite network warbler, leaves for the coast shortly for a fling in pictures. . . . Jean Paul King has been assigned the announcing berth on Jessica Dragonette's forthcoming program, which begins Wednesday, Jan. 13. . . . Two new commercials have been signed by WHN to start Jan. 4. Barney's Clothes will present an hour of music Mondays through Saturdays, 11 to 12 midnight, E. S. T., while Canadian Fur Trappers will present six 15-minute periods a week (midnight to 12:15 A. M.). Both accounts were placed through Schillin Adv't Corp. . . . Judy, Anne and Zeke Canova have been renewed for a year by Woodbury Soap. . . . Morton Bowe, radio's sensational new tenor, will take a week's leave of absence from his many commercials and spend the Christmas vacation with his family in Florida. . . . Clem McCarthy has just signed a long-term contract renewal with the Christy Walsh Syndicate for his daily articles. . . . NBC's Questioneers (Parks Johnson and Wally Butterworth) who, for the past year, have been heard on the NBC basic Red, will soon have a west coast outlet. Molle Shaving Cream, sponsors of the program, recently purchased the additional station facilities. . . . Kelvin Keech has been renewed as announcer on the Warden Lawes series. . . . Louis Jackobsen, WBBM (CBS-Chicago) producer, celebrates a birthday Christmas day. . . . Paul Gallico, sports writer and ex-columnist, will be Ed Thorgersen's interview subject on the Elgin Football Revue this Saturday. . . . Eddie House, WBBM organist, leaves for the coast tonight for a three-week vacation. . . . Victor van der Linde, general sales counsel for NBC, accompanied by Mrs. van der Linde, yesterday sailed for a month's vacation in Europe. Mrs. van der Linde was formerly director of radio for Donahue & Coe, advertising agency. . . . Eve Symington, socialite who turned blues singer, will be Major Bowes' guest star on the "Capitol Family" broadcast this Sunday.

Crosby Sues on Recordings

LOS ANGELES, Dec. 17.—Bing Crosby, through the law firm of Omelveny, Tuller and Meyers, today filed suit against Ben S. McGlashan, owner and operator of KGFJ, asking an injunction to prevent the station from playing Crosby recordings without his consent. Contending that the station plays his records every day from 9 A. M. until 5 P. M., the singer claims unfair opposition to his national network sponsors.

Combine Preview, Broadcast

HOLLYWOOD, Dec. 17.—A press preview and a national broadcast from a sound stage will be combined for the first time at the 20th Century-Fox studio tomorrow night on the "Hollywood Hotel" program over the CBS network from 9 to 10 o'clock, E.S.T.

KXO Joins Don Lee

HOLLYWOOD, Dec. 17.—Station KXO, El Centro, today joined the Don Lee Mutual network to bring to 10 the total of Don Lee stations for the Mutual swingover on Dec. 29.

Lewis Allen Weiss, formerly manager of KHJ and more recently with WJR of Detroit, returns to the Lee network on the first of the year as general manager.

Purely Personal

LEON J. BAMBERGER, RKO sales promotion manager, will address the Peoria Advertising and Selling Club on Jan. 11 in Peoria.

•

BEULAH LIVINGSTONE of Universal's publicity department leaves today on a three-week tour in behalf of "Three Smart Girls." She will return in time for the opening at the Roxy, Jan. 8, and then will go to Universal City.

•

JAMES MELTON, featured in "Sing Me a Love Song," will broadcast several tunes from the production for the Stage Relief Fund over WJZ next Monday at 6:25 P. M.

Quip of the Day

Ali Gaga dropped in without his snowshoes yesterday and told of the two men who found themselves engaged in working out a film deal. One said he lived on Simpson St. in the Bronx and the other on Kings Highway in Brooklyn.

JANET REISENFELD'S Spanish war experiences will be published by Random House, by a deal negotiated by MRS. SEWELL HAGGARD of the William Morris Agency.

•

MAX COHEN, Universal sales manager at the local exchange, will leave tomorrow for Miami. LEO ABRAMS will take his respite when COHEN returns.

•

LIONEL TOLL has been named publicity director for the I. T. O. A. and will edit *The Independent*, organization publication to appear Jan. 23.

•

ROBERT SCHLESS, Warners' general manager in Europe, is aboard the *Normandie* New York-bound. He is accompanied by MRS. SCHLESS.

•

SONJA HENIE is scheduled to arrive in town by air Monday. She has just finished work in "One in a Million" for 20th Century-Fox.

•

FRANK FIELDING is in Chicago arranging school tieups for RKO in connection with the March of Time and *Photo Reporter*.

•

MRS. WILLIAM AXT will leave tomorrow for the coast to join her husband, musical director at the M-G-M studios.

•

FLORENCE BROWNING, J. ROBERT RUBIN'S assistant at M-G-M, left yesterday for a three-week visit to the studios.

•

GEORGE BATCHELLER, SR., is due in from the coast today on the Century to spend the holidays with his family here.

•

BILL HOWARD in town again from Hollywood. It seems he just left.

•

HORTENSE SCHORR has lost weight, but says she feels well again.

•

W. G. VAN SCHMUS has returned from the coast.

"In the Bag" Mirrors B'way For Any Liking It Mirrored

(Continued from page 1)

action. A film could overcome this defect and leave room for the bright lines and the development of sequences leading up to a fuller appreciation.

The story is about a producer and his press agent and secretary who can't find a backer until a hick magazine salesman walks in and declares himself a partner with the promise of raising $5,000 in 60 minutes. He begins by getting $2,000 from the bootblack and another $3,000 from the owner of the spaghetti restaurant downstairs. The would-be leading man faints when kissed by the prospective leading lady and a murder mystery develops. This is used as a publicity stunt. They call it "The Lipstick Murder Mystery."

Complications pile up until opening night when a lipstick maker turns what looks like a flop into a success by buying it to save the lipstick business from damage.

Frank McCormack as a dumb police lieutenant with a clue a minute and a droll manner furnishes a goodly share of the entertainment, and Dudley Clements, as the volunteer angel, presents a breezy characterization full of vitality.

It's Don Carle Gillette's first effort as a playwright. He may wind up in Hollywood with scenario tucked under his arm.

"Mr. Jiggins of Jigginstown"

The benign hand of Uncle Sam, in its W.P.A. Federal Theatre, spreads widely. In this instance, the Irish unit of the project makes its bow, in the first production in this country of "Mr. Jiggins of Jigginstown," by Lady Christine Langford. It is an Irish folk play and is quite completely as innocuous, occasionally pleasant and unimportant as might be expected.

Immediately and without further explanation it may be said that as far as the screen is concerned there is no need of rushing for the film rights, since there is no picture in this play at the Labor Stage, formerly the Princess and now modernistically housing a very unmodernistic play.

It should be noted that the play is rather well cast, the best performance far and away being that of William Hallman as the old and beneficent, if slightly eccentric Mr. Jiggins, who in lengthy beard and white hair, meanders through the play, soliloquizing, philosophizing and generally annoying the sundry expectant heirs who arrive for the picking of the bones.

Each shows his or her true colors, including the woman from London with her son, daughter, ambitious and gabbling tongue, the local minister, and the excitable Irish cousin. The old man fools them by willing his property to the board of education for a school and, as they squabble, they learn of a fox rushing through the kitchen. Recalling the old man's fear of reincarnation as a fox, they are all properly frightened, in the proper old Irish fashion, and the curtain comes down.

Hellman Play Short-Lived

"Days to Come" by Lillian Hellman, which opened at the Vanderbilt Tuesday evening, closes next Tuesday, according to present plans of Herman Shumlin, its producer.

"Two Hundred Were Chosen," which opened at the Forty-Eighth St. Nov. 20, closes Saturday night.

Deny Connection

Chicago, Dec. 17.—Officials of B. & K. today declared the organizers of Balaban Theatres, Inc., were unknown to them.

Balaban Theatres, Inc., was formed in Delaware earlier this week, listing capital stock of 10,000 shares and Vincent Candice, Edna Goldman and Agnes Lay, all of Chicago, as incorporators.

M-G-M Will Start Extensive Building

(Continued from page 1)

chased 30 acres of land west of the lot recently leased for "The Good Earth" and all sets will be moved to the new acreage.

The building program calls for six new stages, bringing the total to 29; a five-story office building, new camera department, still section, a laboratory designed for experimental color photography, a sound building, gymnasium, six projection rooms, garage, 24 cutting rooms, new make-up and dressing rooms, special effects department and property department.

The present offices are being remodeled.

Flash Previews

"Mysterious Crossing"—A good dual bill program feature, a murder mystery story in a comic vein, with James Dunn, Andy Devine and Jean Rogers.

"They Wanted to Marry"—Here is an interesting production despite the fact that the cast offers little of name value. The story concerns photography with the aid of carrier pigeons.

"A Man Betrayed"—Premised on a suicide which is mistaken for a murder, an average cast, directed at a good pace, makes this entertaining fare.

These films will be reviewed in full in a coming issue of MOTION PICTURE DAILY.

Avert Theatre Bombing

MEXICO CITY, Dec. 17.—A third attempt to wreck the new de luxe Cine Teatro Alameda here was averted by an alert policeman who discovered a dynamite bomb close to the entrance in the early hours of the morning. A mysterious fire and serious damage to the seats marked the previous attempts.

Heffner Motoring West

BOSTON, Dec. 17.—Roy Heffner, Specialty Pictures exchange owner and Bank Night distributor here, is motoring to Oklahoma, where he owns several theatres. Mrs. Heffner and their daughter are following in a trailer.

Bank Night Files 2 Suits in Bay State

(Continued from page 1)

is binding only in the Colorado territory. To substantiate his contention Ryan referred to the case of the International Visible Systems Corp. against Remington Rand in 1934 where a U. S. Circuit Court of Appeals in the Second District, declined to agree with a previous decision by the U. S. Circuit Court of Appeals in the Sixth District.

Ryan further stated that state and municipal courts, even if they are in the district where any decision is made, are not obliged to abide by a U. S. District Court decision. Roy Heffner, local Bank Night distributor, is en route to Oklahoma.

Stops Games Voluntarily

NEW ORLEANS, Dec. 17. — The Liberty here will close its Broadway Handicap Saturday and Bank Night on Monday. The management has stated that the games are not helping business.

Heads New Erpi Post

C. L. Stong, former division superintendent of Erpi field organizations, has been named sales promotion manager of the company. He heads a new department which will be active in sales control activities, including advertising and publicity, and linking field sales personnel and the home office. The department will be under C. W. Bunn, Erpi general sales manager.

Musicians' Union Elects

Local 802, A. F. of M., held its annual election yesterday. The voting was heavy until a late hour last night. Results will not be known until this morning. Vigorous electioneering was in progress throughout the day in front of the local's headquarters at 6th Ave. and 50th St. Members wore placards bearing candidates' names and party propaganda.

Wall Street

Columbia Gains on Board

	High	Low	Close	Net Change
Columbia	34½	34	34⅜	+ ¼
Columbia pfd	41⅜	41¼	41¼	+ ¼
Consolidated Film	5¼	5	5⅛	+ ⅛
Consolidated pfd..	17	17	17	.....
Eastman Kodak	175½	175	175	—1
Gen. Thea. Equip	31¼	29⅞	29⅞	— ⅛
Loew's Inc	64⅝	63⅞	64	.....
Paramount	21⅞	21¼	21¼	— ⅛
Paramount 1 pfd.	150	150	150	.....
Paramount 2 pfd.	19¾	19½	19½	.....
Pathe Film	9⅞	9¾	9⅞	— ⅛
RKO	8⅛	7⅞	7⅞	— ⅛
20th Century-Fox.	36½	46¼	36½	— ¼
20th Century pfd..	45	45	45	— ¼
Warner Bros.	18	17⅛	17⅛	— ¾
Warner Bros. pfd.	68½	68½	68½	— ½

Curb Off Slightly

	High	Low	Close	Net Change
Grand National	3⅝	3⅜	3½	.....
Sentry Safety Con.	¾	¾	¾	.....
Sonotone	2⅛	1⅞	1⅞	.....
Technicolor	22⅜	21⅛	22⅛	— ⅛
Trans Lux	4¼	4¼	4¼	— ⅛

Bonds Decline; RKO off 2 points

	High	Low	Close	Net Change
Loews 3½s '46	101	100⅝	101	.....
Paramount Pictures 6s '55	100¼	100⅛	100⅛	— ⅛
RKO	117	116	116	—2
Warner Bros. 6s '39 wd	100	99¾	99¾	— ¼

(Quotations at close of Dec. 17.)

TOPPING ALL FOR LAUGHS GAY WITH SONG AND DANCE

You hear them saying everywhere: "Educational's Comedies are the best in years." No better laughs anywhere. But all these new one and two-reel pictures sparkle, too, with music or dancing, or both. Play the new Educational Pictures to make any bill a better show.





Coming... NIELA GOODELLE and Bob Nolan
A radio honeymoon contest that hits high C for melody and fun.

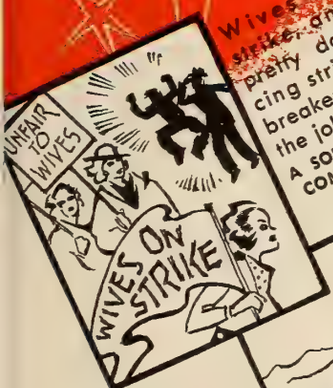


JEFFERSON MACHAMER with his "Gags and Gals" in a Musical Comedy that tops his sensational debut hit.



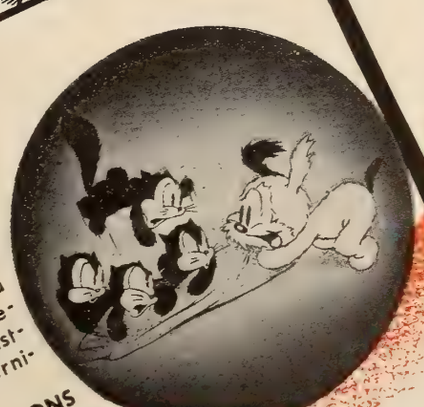
SYLVIA FROOS and James Brierly
Rivals in flying and in singing—until they sing together.

"STRIKE! YOU'RE OUT"
Wives on strike, and pretty dancing strike-breakers on the job.
A SONG AND COMEDY HIT





"LEGEND OF THE LEI"
The romantic story of the Hawaiian lei ...in natural color.
A TREASURE CHEST Production



"CAT'S IN A BAG"
Puddy the Pup and a bagful of kittens in a Night-Before-Christmas Carnival.
TERRY-TOONS



"JUST THE TYPE"
PAT ROONEY Jr. and HERMAN TIMBERG Jr.
This new pair of dancing comics are just the type to click anywhere.



"THE SCREEN TEST"
BUSTER WEST and TOM PATRICOLA
Favorite team of hot steppers bid for the year's record in belly laughs.

Presented by
E. W. HAMMONS

Educational Pictures
"THE SPICE OF THE PROGRAM"

DISTRIBUTED IN U. S. A. BY
20TH CENTURY-FOX FILM CORPORATION

G. B. Holders' Revolt Beaten By Directors

(*Continued from page* 1)

by the militant, but helpless minority of holders.

So many polls were taken that all the results were not available at the conclusion of the session, when Ostrer promised they would be published not later than Saturday.

The session was the resumption of the annual stockholders' meeting of Nov. 2, which was abruptly adjourned after a castigation of the directorate which specifically cited the inadequacy of the financial report of G.B. and the manner of handling the American negotiations for control of the company.

Today's meeting rivalled the first session in its expression of intense feeling, the proceedings being splashed across the front pages and on the posters of the leading evening papers here tonight.

Ostrer opened the meeting by replying to an attorney's letter demanding certain information in the interest of the stockholders. He declined to state the company's gross receipts from theatres, the receipts from film rental, and the proportion of the gross paid to the directors.

Answers Questions

Asked what proportion of the receipts here were sent to 20th Century-Fox, Ostrer declared the American company's product is booked on a competitive basis. He said no consolidated profit and loss statement has been prepared. A representative of the auditors, replying to a question from the floor about the £16,250,000 valuation placed on the fixed assets in the latest statement, admitted the figure represented the writing up of the assets to the maximum.

Charles Nordon, a stockholder, moved that the report be not received, and asked the appointment of a committee of stockholders to investigate the accounts and obtain whatever information necessary from the directors.

"This would prevent washing the dirty linen in public," he said. "The company technically is highly efficient and received enormous revenues," he continued. "It is the duty of the directors to show how they were disposed of. The directors' bad practice of conducting operations through subsidiaries meant opportunities for undesirable manipulation." He made a comparison with the thimble riggers on a race course, saying, "You don't know under which thimble the pea is and you don't know who owns any particular Gaumont asset."

Comparison Made With A.B.P.

He compared the £16,000,000 of Gaumont valuation of theatres to A.B.P.'s £8,000,000 for approximately the same seating capacity. The £1,600,000 deficit in the balance sheet should be increased by the amount by which the assets of the company were written up, Nordon insisted. He protested that the article forbidding foreign directors had been nullified by a one-line amendment. He called Metropolis and Bradford Trust, the holding company for G.B., a subterfuge whereby an English company is nominally the biggest shareholder in G.B., but under which the real owners are elsewhere.

Nordon threatened that if the chairman, Ostrer, refused approval of the shareholders' committee as suggested, the next step would be a request for an extraordinary general meeting.

Nordon's proposal was carried by about 80 to 40, Ostrer demanding a poll, saying that 80,000 shares at the meeting and the proxies in the directors' hands amounted to 127,000 shares, apart from his own shares.

Answering questions, Ostrer declared Lord Lee was never in control of the company, and that he had parted with his two per cent, which actually was the balance of power, four years ago.

A shareholder asked, "Who does control the company?"

Ostrer replied, "If you mean voting control, I think Metropolis and Bradford. They hold 3,000,000 shares."

Asked if the £4,000,000 or £5,000,000 in American business appeared in the balance sheet, Ostrer said, "The figure refers to business contracted, not money received, and does not appear in the accounts."

After Ostrer had refused to accept a motion for a further adjournment, the shareholders unanimously re-elected John Maxwell as a director.

Maxwell at last responded to repeated calls for him, saying, "I thank you for your expression of confidence. At the moment my lips are sealed. I am only just becoming acquainted as a director with the details of the business, and could not give you any useful advice."

G. B. ordinary shares fell one shilling and three pence to £8 1½/ from the figure of £11 prior to the first stockholders' meeting.

Plenty of Agents

Los Angeles, Dec. 17.—The State Labor Commissioner issued licenses to 198 theatrical agents during 1936, according to figures just made public. This is a new high in the Los Angeles district, and authorities believe the figure will pass 200 early in 1937. The increase is partly due to radio agencies which have opened offices here during the year.

Eastman Keeps Insurance

ROCHESTER, Dec. 17.—Eastman Kodak has decided to continue its own old age retirement benefits in addition to the Social Security payments required under the new law. The company also will continue its life insurance and disability benefits.

British Honor Zukor

LONDON, Dec. 9.—The members of the Kinema Veterans, all of whom claim a connection with the industry going back to 1903, have signed an illuminated address congratulating Adolph Zukor on his Silver Jubilee.

Para. Votes BonusPayment For Employees

(*Continued from page* 1)

lower salary groups would receive one week's pay.

The Paramount board recently disbursed about $3,400,000 in dividends on its first and second preferred stock. The latter issue is still in arrears 60 cents per share for 1936. Indications are, however, that the company's earnings for the current quarter will exceed those for any three-months period in the past five years. Earnings for October and November are estimated at about $2,000,000 and net for the current month will exceed that. Indications are that the pre-Christmas slump will be less than anticipated and earnings for the Christmas to New Year's week will more than recover the seasonal recession. Net for the quarter will be swelled materially by dividends from theatre subsidiaries declared during December.

Rapid progress is being made by the company in refunding long term obligations at lower interest rates. Paramount's entire British mortgage indebtedness, amounting to approximately $5,000,000, which was carrying interest of approximately six per cent, was refunded during the week at three per cent. Similar interest reductions on a studio debt of $3,000,000 were accomplished earlier. The company's objective during the next six months is to reduce interest rates to three per cent on approximately $50,000,000 of outstanding obligations. The bulk of this will be accomplished by private financing, it is planned.

Balaban and Stanton Griffis, chairman of the executive committee, who assumed their Paramount posts last June without compensation, are still serving without pay despite the company's improved financial position, it was ascertained. The two executives recently declined several considerations proffered by the board of directors in recognition of their services to date with no other explanation than that they both had independent incomes and did not desire to burden the company.

Court Disallows 4 Paramount Claims

(*Continued from page* 1)

claim was filed by Granada and the San Francisco Paramount Corp. for $747,837. This claim was based on a lease made March 1, 1926, from Granada to Paramount covering the Paramount in San Francisco. The lease was disaffirmed by the trustees on Aug. 31, 1933.

Paramount-Famous Lasky assigned its claims to the Lares Theatre Corp. which upon dissolving last Oct. 5 gave over to Paramount all its assets. St. Francis Amusement Co. and Granada which were dissolved on March 18 and 24, respectively, also assigned their claims and property to Paramount. The first three claims were based on receivable accounts.

Gail Patrick Marries

HOLLYWOOD, Dec. 17.—Gail Patrick was married in Tia Juana last night to Robert Cobb, Brown Derby manager.

Letterhead Proves Maxwell Was G.B. Director

President
ISIDORE OSTRER
Vice-President:
THE RT. HON. VISCOUNT LEE OF FAREHAM, P.C.

DIRECTORS
MARK OSTRER. Chairman & Managing Director
MAURICE OSTRER. Assistant Managing Director.
COL. H. A. MICKLEM, C.B., C.M.G., D.S.O. C. H. DADE.
S. R. KENT. (U.S.A.) DIXON BOARDMAN. (U.S.A.)
IAN P. LITTLE. O. H. C. BALFOUR, C.M.G.
JOHN MAXWELL.

THEATRE MANAGEMENT OFFICES:
NEW GALLERY HOUSE,
REGENT STREET, LONDON, W.1.
TELEPHONE: REGENT 8080 (27 LINES)
TELEGRAMS: PROCINTHE, PICCY, LONDON.

TRANSFER OFFICES.
25-31, MOORGATE,
LONDON, E.C.2.
TELEPHONE: METROPOLITAN 0855-7
TELEGRAMS: SUBSTANCE, AVE, LONDON

Gaumont-British Picture Corporation Ltd

Your Ref.
Our Ref

Telephone.
SHEPHERDS BUSH 1210 (19 Lines)
Telegrams.
PROLOGUE, PHONE, LONDON
Reg. Office
142-150, WARDOUR STREET
LONDON, W.1

Studios,
Lime Grove, Shepherds Bush,
London, W.12.

Facsimile of current letterhead of Gaumont British Pictures Corp., Ltd., of London which lists the name of John Maxwell as one of its directors. This refutes the statement made by Isidore Ostrer upon his arrival in New York on Nov. 23 at which time he flatly denied Maxwell was on the board.

"He is a minority stockholder like anyone else. He has 240,000 of the 1,000,000 outstanding 'B' shares; doesn't have a single vote and is not a director in either M. & B. [Metropolis and Bradford which controls 57 per cent of G.B. stock] or G.B.," Isidore stated. Yet his brother, Maurice, upon his arrival here on Nov. 30 declared Maxwell was a director and had been on the board for the past two months.

Dual Billing Regulation Up In Texas Suit

(Continued from page 1)

large selection of product available to the first run, which, in the case of the defendant Texas circuits includes Paramount, Vitagraph, M-G-M, United Artists, Columbia, RKO, Universal and 20th Century-Fox, all of whom are made defendants in the Government's action.

Any pictures from the distributors who are parties to the contract which are not designated for the advanced admission house's use are not subject to the contract's provisions requiring subsequent runs to maintain a minimum admission of 25 cents and a single feature program. The prevailing subsequent run admission in the situations affected by the Hoblitzelle circuits' contracts is 20 cents, the Government's complaint states. It alleges that some subsequent run exhibitors have been driven out of business and other have operated at a loss as a result of the contracts used by the Hoblitzelle first runs.

"Conspiracy" Charged

Situations affected are listed in the complaint as Dallas, Houston, San Antonio, Fort Worth, Austin, Galveston, Waco, Wichita Falls, Abilene, Amarillo, El Paso and Albuquerque.

The complaint charges that "the defendants since April, 1934, have been and are now engaged in a combination, conspiracy and agreement to restrain trade and commerce and to monopolize and attempt to monopolize exhibition" through enforcement of the contracts. The defendants have been given 20 days in which to file answers to the complaint, but no hearing date has been set yet.

The contracts were the subject of an action brought by Robert Z. Glass, in independent exhibitor, in the Texas state court a year ago. The court found that no conspiracy was involved in the use of the contracts but ruled that the subject of the action was in interstate commerce and, therefore, within the jurisdiction of the Federal courts.

Weiss-Columbia Serial Deal Nears

Protracted negotiations between Louis Weiss and Columbia are now in the lawyers' hands and, when signed shortly, will provide for production of four serials a year. The first will be made by Frank Buck for release next season.

Delay McVickers Lease

CHICAGO, Dec. 17.—Action on the McVickers lease has been deferred by the Board of Education for another week. Bids will then be sent back to the Committee on Leases for further consideration, with a decision expected next week.

Order Beekman Details

Federal Judge Caffey yesterday ordered the Beekman Film Corp. to submit a verified bill of particulars in its suit against Warners. Beekman charges that "The Yanks Are Coming" plagiarized "This Is America."

No Revival of NRA Major Berry States

(Continued from page 1)

a real catastrophe to the country to repeat the errors and rebuild the Frankenstein of the NRA," Berry declared.

The coordinator's statement was issued with an announcement of the membership of a correlating committee which will whip the reports of the eight council committees into shape for submission to President Roosevelt. John G. Paine, chairman of the board of the Music Publishers' Protective Ass'n, will head the committee, which will consist of eight labor leaders and 10 industry representatives.

"There is now no need of emergency legislation such as the Recovery Act," Berry said. "What we suggest in the way of industry legislation would be done under the existing anti-trust laws. The purpose actually is to clarify the general language of the Sherman and Clayton Acts with regard to 'restraint of trade' and 'unfair methods of competition' by specifying certain practices which thereafter shall or shall not fall within the provisions of these acts."

These changes would make unreasonably low wage levels, long working hours, etc., 'unfair methods of competition.'"

Mexican Producers Asking Federal Aid

(Continued from page 1)

industry than on the product from foreign sources.

* * *

The firm attitude of the new national censor board in Mexico was indicated in its action on "El Rosal Bendito." Finding the film not in accord with the ideals of the Federal Government and several articles of the regulations they ordered extremely expensive cutting and readaptation before approving the film.

Elena Sanchez Valenzuela, local newspaper woman, has been named a member of the national censor board.

Chinese here have requested the censor to take action relative to the American Film, "The General Died at Dawn," claiming it is unfair to China and its people.

Lee Heads Salesmen

Joseph J. Lee was unanimously re-elected as president of M. P. Salesmen, Inc., yesterday. Close contests marked some of the balloting. The meeting was held in the 20th Century-Fox exchange projection room.

Others named were: First vice-president, Jerry Wilson (reelected): second vice-president, Matthew Cahan; treasurer, Morris Sanders (reelected); financial secretary, Charles Penser (re-elected); recording secretary, Morris Fraun; sergeant-at-arms, Louis Kutinsky; historian, Jacob Hartman; trustees, Saul Trauner and S. R. Schussel; directors, Harry H. Buxbaum, A. Greenblatt, Max Fellerman and Dick Gledhill.

Theatre Manager Fined

Hyman Greenberg, manager of the State, De Kalb Ave., Brooklyn, has been fined $250 for overcrowding in the Municipal Term Court. Fire Lieut. Kelly charged 250 children were permitted to stand in aisles and on stairways.

WITH THE IMPENDING LEGISLATIVE SITUATION AND AGITATION FOR TRADE PRACTICE REFORM WITHIN AND WITHOUT THE INDUSTRY, EVERYONE IN THE BUSINESS NEEDS TO

K N O W

EXACTLY WHAT CONFRONTS THEM

The "Lowdown" on Trade Practices and Legislation in the Motion Picture Industry

By S. R. KUNKIS

(Member of the New York Bar)

Conductor of "THE LEGAL ANGLE IN SHOWMANSHIP" appearing regularly in BOXOFFICE

R E A D

About the following important subjects

Proposed Patman Bill
Block Booking
Clearance and Zoning
State Legislation to Divorce Distribution from Exhibition
Limitation of Theatre Construction
Designated Play Dates
Censorship

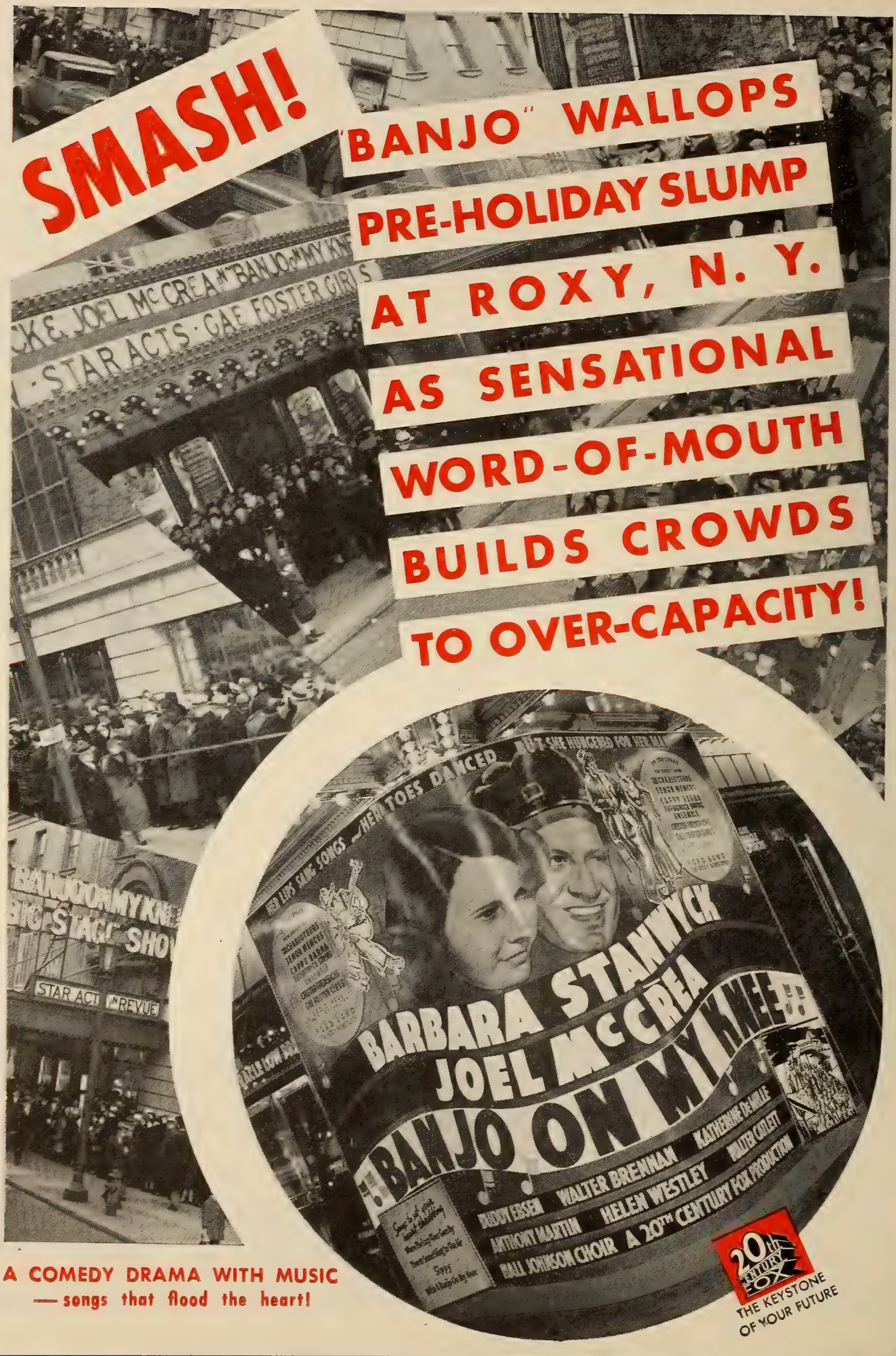
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MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

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Quick Hearing Is Sought for Suit in Texas

Court to Be Asked to Fix Date in January Term

DALLAS, Dec. 18.—Federal Judge William Hawley Atwell will be asked to set the Government's anti-trust case against eight major distributors and the Hoblitzelle theatre circuits during the January term of the U. S. District Court here in an effort to have the case called for trial around Feb. 1, it was indicated here today.

It was learned from official sources that both the defendants and the Government are agreed on a prompt trial of the case and no unreasonable delays are expected. The action is generally regarded as a test case which will determine the right of exhibitors and distributors to enforce trade practice regulations, particularly those involving minimum admissions, and double featuring, through contract provisions.

The outcome is held to be of major

(*Continued on page 4*)

China Ban on Para. Stirs Distributors

By J. P. KOEHLER

SHANGHAI, Nov. 22.—The sudden decision of the Central Film Censorship Committee in Nanking to withhold all censoring of Paramount pictures in China came without warning and placed two first runs here in difficulty for a short time. The censor action was taken on a report from the vice-consul in Los Angeles that Paramount had refused to make cuts in "Klondike Annie" and to withdraw "The General Died at Dawn" from world release.

The Paramount contention was that

(*Continued on page 4*)

Goldsteins-Rifkin Suit Is Postponed

SPRINGFIELD, Mass., Dec. 18.—The equity suit of Sam and Nathan Goldstein to prevent showing of "Theodora Goes Wild" by Herman Rifkin at Northampton was continued today until next Monday. The temporary injunction granted several days ago was dissolved by the court, but the picture has not been booked.

Columbia offered to post a bond of $3,000. The Goldsteins demanded a $75,000 bond, but the court called this ridiculous, and no bond was required.

Radio News—Page 3

Revival of Monogram Seen As Stock Buy Is Approved

The return of Monogram to the production field was indicated yesterday following a meeting of the stockholders and the board of Monogram Pictures Corp. The stockholders agreed to the repurchase by the company of the outstanding capital stock, except that held by W. Ray Johnston, president of the company. The repurchase plan was revealed at the close of the board meeting, which followed the stockholders' session earlier in the day.

It was indicated that the action taken yesterday was another step in the course of negotiations for the reappearance of Monogram. "It is expected that Johnston's new company, Sterling Pictures Corp., shortly will acquire by purchase the goodwill and assets of Monogram and will use the Monogram trademark for its new product," a company statement declared.

A special meeting of the board of directors of Sterling will be held,

(*Continued on page 4*)

Rosenberg Elected To Head Local 802

The present administration was re-elected to head Local 802 of the American Federation of Musicians for a two-year term by a sweeping majority, in the election which ended late Thursday night. Jacob Rosenberg, present secretary, was elected president, and his entire ticket with him. Two years ago the first election of the union was held, with the president an appointee of the major organization. Thursday's election was the first in which all officers were elected. Rosenberg said yesterday that the union's theatre picketing campaign will be continued following the members' endorsement.

Other officers are: Richard McCann,

(*Continued on page 4*)

Claims N. E. Support For Pettengill Bill

BOSTON, Dec. 18.—"Seventy-five per cent of the senators and representatives in Massachusetts, New Hampshire, Vermont, and Maine have pledged their support to passage of the Neely-Pettengill Bill," states the Independent Exhibitors, Inc., in the organization's house organ.

"Rhode Island and Connecticut exhibitors have been particularly lax in contacting their congressmen," an article by Arthur K. Howard states. These latter exhibitors are urged to lay their booking complaints before their congressmen before they leave for Washington.

Fabian Has Plan

Si Fabian may yet present a reorganization plan for the Roxy, Federal Judge Francis G. Caffey was advised yesterday by C. Frank Reavis, attorney for Fabian, who said that the latter's "final proposals" had not been completed yet.

Stating that some members of the bond and noteholders' committee were "interested" in the prospective Fabian plan, the attorney asked the court to direct that the bondholders' plan be withheld from Roxy creditors until his client's final proposals had been readied. The petition was refused by the court.

Start 11 Features; 38 Before Cameras

HOLLYWOOD, Dec. 18.—Eleven new pictures were started last week, but the total shooting remained at 38, the same as the preceding week, as 11 were sent to the cutting rooms. Twenty-three features and eight shorts will go into work within the next two weeks, according to major and independent studio schedules. Fifty-four features and 13 shorts were in cutting rooms.

The films which started shooting were: "Freedom for Sale," Columbia; "To the Victor," M-G-M; "Old

(*Continued on page 4*)

Berry Names Group To Study New Laws

WASHINGTON, Dec. 18. — Major George L. Berry, industrial coordinator, today named a committee to draft legislation for industrial self-rule to be presented to the President and Congress during the course of the coming session.

Berry indicated that the plan was

(*Continued on page 4*)

Pallos Not Seeking Financing—Giannini

HOLLYWOOD, Dec. 18.—Questioned today regarding the current visit here of Stephen Pallos, Dr. A. H. Giannini, president of United Artists, denied the report that Pallos is seeking American financing for London

(*Continued on page 4*)

20th-Fox Gets 83% of Stock In Roxy Plan

Bondholders Get 100%; Common Wiped Out

Twentieth Century-Fox is guaranteed a minimum of 83⅓ per cent of the combined outstanding new Class A and common stock of the reorganized Roxy under the plan of reorganization presented to Federal Judge Francis G. Caffey by the committee for first mortgage gold bondholders in U. S. District Court here yesterday. A hearing on the plan was set for Jan. 15.

The reorganized Roxy company will receive a 20-year film franchise from 20th Century-Fox and $650,000 in cash. All of the theatre company's new common stock will be issued to 20th Century-Fox, and although the number of shares of both common and Class A to be issued has not been determined yet, assurances are included in the plan that 20th Century-Fox will have 83⅓ per cent of the combined total of both issues.

The plan proposes to give to first mortgage bondholders, for each $1,000 of their claims, a new $1,000 first mortgage bond and an undetermined amount of cash, representing their

(*Continued on page 3*)

Roxy Had Loss One Week Since Aug. 13

The Roxy showed an operating loss in only one week from Aug. 13 last to date, according to a schedule of operation results appended to the plan of reorganization for the theatre.

The losing week came Nov. 5 when a loss of $1,432 was chalked against GB's "East Meets West." The highest weekly operating profit was returned during the first week for 20th Century-Fox's "Sing, Baby, Sing,"

(*Continued on page 3*)

Morton Van Praag Quits National Post

Morton Van Praag, for six years general sales manager of National Screen Service, Inc., yesterday resigned, effective Jan. 1. He plans a vacation thereafter and stated yesterday he has not determined his future plans.

Herman Robbins, president of the company, who is back from Hollywood, added no plans had been made for a successor. In the meantime, more of Van Praag's duties will be taken over by George F. Dembow.

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McElligott Will Ask Theatre Smoking Ban

An ordinance banning smoking in theatres and department stores is to be sought by Fire Commissioner John J. McElligott.

McElligott said he had received requests for such an ordinance from department stores, because women customers had developed a habit of walking around with lighted cigarettes and resented any effort to stop the practice. The danger was greater from panic in both theatres and stores, he said, than from actual damage to property.

Rites for Dr. Moskowitz

Funeral services for Dr. Henry Moskowitz, prominent in civic, political and labor affairs for many years, who died Tuesday night at his home, will be held tomorrow afternoon at Temple Emanu-El at 2 o'clock.

Dr. Moskowitz was head of the League of N. Y. Theatres. He has figured in recent years in solving censorship problems, ticket speculation and other angles of the amusement industry. He is survived by two stepsons, Josef and Carlos Israels.

Theatre Unit Wants To See Guild Books

Bondholders of the West 52nd St. Theatre Co., a subsidiary of the Theatre Guild, began a fight yesterday to examine the books and accounts of the Guild for the past five years in the subsidiary's reorganization proceedings before Federal Judge John C. Knox.

Max J. Reuben, attorney representing Jascha Heifetz, the violinist, and largest single bondholder of the theatre company, and two other bondholders, demanded the information. The motion is based on the unusual lease held by the Guild on the theatre property under which the income of the subsidiary and the return on its bonds depends entirely on the earnings of the Guild.

The bondholders claim they are entitled to examine the books before they can consider consenting to modifications of the mortgage under which their bonds were issued. The modifications are part of the plan of reorganization for the subsidiary sponsored by the Guild. In includes the elimination of the cumulative feature from the present six per cent cumulative bonds of which $592,000 are outstanding and an agreement by bondholders to accept less than six per cent if the full interest is not earned. It also includes the reduction of the five-year lease on the theatre to one year.

Hays' Itinerary Set

Will H. Hays plans to leave for his Sullivan, Ind., home next Tuesday to spend Christmas. He will return here for a few days before leaving for the coast in time to attend the silver jubilee dinner for Adolph Zukor in Hollywood, Jan. 7, and will remain on the coast for about a month thereafter, returning here in advance of the annual meeting of the M.P.P.D.A. in March.

Set Next C. E. A. Meet

LONDON, Dec. 10.—Next year's summer conference of the Cinematograph Exhibitors' Ass'n. will be held at Harrogate, the Yorkshire spa, with the Hotel Majestic as headquarters.

Enforce Ohio Curfew

Miamisburg, O., Dec. 18.—A curfew ordinance, passed in 1897, but neglected for 25 years, now is being enforced in this town of 5,000 population.

The curfew rings at 9 o'clock each night by which time all children under 16 must be off the streets unless accompanied by their parents or guardians.

This will somewhat affect theatre attendance, exhibitors believe.

Toronto's Downtown Houses Go to Duals

TORONTO, Dec. 18.—First runs have finally succumbed to the double bill trend, leaving very few spots in Canada with single features. The new policy has been adopted by the Imperial and Uptown, operated by Famous Players, and at Loew's, the technical exception being Shea's Hippodrome where a combination film and vaudeville offering has been in effect for many months.

The gossip is that the downtown houses had to come to it because of the popularity of duals at neighborhood theatres all over town. Another angle to the situation has been what is described as an increasing shortage of high class shorts to build up programs.

Paramount Bonus Paid

Bonus checks were issued yesterday to Paramount employes. Payment of one week's salary was made to all employes of the home office and in the exchanges of the United States and Canada receiving salaries of $40 per week or less.

Republic in Export Deal

Republic has closed a deal with RKO Export Corp. for the distribution of Republic's 1935-36 product in the Dutch East Indies.

Out Hollywood Way

HOLLYWOOD, Dec. 18. — RUTH ROBIN, for several years in Broadway night clubs, will make her screen debut as a singer in JOE E. BROWN'S "When's Your Birthday?" DAVID L. LOEW.

HAZEL BROOKS, American Air Line stewardess on the plane used for the "Gold Diggers" tour, gets screen test at Universal Tuesday. . . . The SPENCER TRACYS back from New York. . . . GRACE FORDE to appear in FRED PERRY'S first M-G-M short. . . . ROUBEN MAMOULIAN host to the JEROME KERNS, OSCAR HAMMERSTEINS, ARTHUR HORNBLOWS and others at a Victor Hugo dinner. . . . CLARK GABLE may get Rhett Butler role in "Gone with the Wind."

JANE BARNES, who has played leads in two M-G-M shorts, has just been given her first feature role in "To the Victor." . . . M-G-M completes transformation of eight cameras into new aluminum blimp models developed by the studio staff.

Casting—GEORGE SANDERS in "The Last Slaver," 20th Century-Fox. . . . CAREY WILSON and CORA WITHERSPOON in "Dangerous Number," ANNA DEMETRIO in "Maytime," M-G-M. . . . At Paramount, LOUISE BEAVERS and THOMAS MITCHELL in "The Years Are so Long," MONTE BLUE, STANLEY ANDREWS and GRAYCE HAMPTON in "Souls at Sea." . . . PAUL GUILFOYLE and MARY PHILLIPS in "Escadrille," Radio. . . . Republic castings include, MARVIN STEPHENS and BUSTER SLAVIN in "Old Lady Ironsides," and WILFRED LUCAS, HAL PRICE and HARRY STRANG in "Dick Tracy." . . . JOHN BOLES in "As Good as Married," MARJORIE GATESON in "We've Had Our Moments," Universal. . . . HENRY STEPHENSON in "The Prince and the Pauper," Warners.

Title Change — Columbia has changed "Interlude" to "When You're in Love."

Purely Personal

SIDNEY R. KENT is expected in from the coast early next week, the exact day of his arrival being indefinite, according to his office.

•

JAMES A. FITZPATRICK will return next week on the *Normandie* from a 10-week European trip. He will be accompanied by NORMAN G. W. LAUDON, managing director of Sound City Films, Ltd., in England.

•

N. A. REICHLIN, newly appointed South American representative for J. H. Hoffberg Co., Inc., sails today on the *Pan America* for Rio de Janeiro, where he will remain several months.

•

J. J. UNGER, CHARLES REAGAN and MILT KUSELL plan to fly to the coast on Jan. 2. LOU SMITH has reservations to leave by plane the following day.

•

GEORGE R. BATCHELLER, SR., arrived from the coast yesterday to spend the holidays here. He went to his home at Pelham immediately.

•

EDWIN M. HARTLEY, RCA Photophone sales head, is back in Camden from Chicago conferences with central division district managers.

•

JAMES E. FRANCIS, RCA western division manager, is en route to the coast after two weeks at the Camden home office.

•

JACK COHN will leave for Miami on Dec. 24. NATE SPINGOLD will take a plane to the winter resort on Christmas Day.

•

BOB GILLHAM is in Detroit. Due back here Tuesday. ALEC MOSS and CHRIS DUNPHY are also on the road.

•

DAVE PALFREYMAN returns Monday from a cycle of exhibitor organization meetings in the midwest and south.

•

AL CHRISTIE, Educational producer-director, is on his way to the coast for a holiday visit.

•

GILBERT MILLER will open HENRY BERNSTEIN'S play, "Promise," at the Little on Dec. 30.

•

ALLEN VAUGHAN ELSTON'S "The Belled Palm" has been acquired by Monogram.

•

BARNEY BALABAN returned yesterday from a brief trip to Chicago.

•

H. J. YATES, SR., returned yesterday from a brief coast trip.

•

KATE G. BONDY, mother of AL, left for Calexico yesterday to spend the winter.

Ontario Bans King Reel

TORONTO, Dec. 18.—The Ontario censor board has banned scenes in Fox Movietone News showing former King Edward and Mrs. Simpson on a holiday, following public protest. Other scenes of Parliament, Prime Minister Baldwin and the like have not been banned. The public complaints have led the newspapers to restrict further use of the pictures.

20th-Fox Gets 83% of Stock In Roxy Plan

(*Continued from page* 1)

share of distributable sums held by the fiscal agent for the mortgage bonds and the reorganization trustee.

Holders of 5½ per cent sinking fund gold notes are offered, for each $1,000 of their claims, an undetermined number of shares of new Class A stock and $23.79 in cash.

Equity receivership creditors are offered a 50 per cent dividend on their claims.

General creditors and old Class A stockholders will not be entitled to participate and no provision is made for them in the plan.

There are $3,595,208 of old first mortgage 6¼ per cent gold bonds outstanding; $1,548,000 of five-year, 6½ per cent gold notes; $250,000 of prior lien receiver's certificates; $52,345 of equity receivership accounts payable participating in the plan, and $70,663 of general creditors' claims. One hundred and twenty-five thousand shares of old Class A and 350,000 shares of old common stock are not entitled to participate under the plan.

Capitalization Described

The capitalization of the new Roxy company will consist of $3,595,208 of new first mortgage 20-year 3½ and 4 per cent bonds and an undetermined number of shares of new no par common and Class A stock. All of the new Class A will be issued to the present noteholders and all of the common to 20th Century-Fox, but the number of shares of new common will be issued in a ratio to the number of Class A shares issued to preserve the 83⅓ per cent of the combined total for 20th Century-Fox.

The new bonds are to be secured by all of the real estate and personal property of the new company and will bear interest of 3½ per cent for the first three years and interest of 4 per cent thereafter. Amortization is provided for either by purchase of the bonds in the open market or by redemption by lot. In the event of the latter procedure, redemption is to be in lots of $54,000 a year during the first three years; $60,000 a year during the next seven years and $65,000 a year during the final 10 years.

Product Deal with 20th-Fox

The 20-year film franchise covers all features, shorts and newsreels distributed by 20th Century-Fox except those excluded by special deals or rejected by the Roxy. The $650,000 in cash to be paid the new company by 20th Century-Fox is to provide funds for taxes due and receiver's notes outstanding, to pay administration and reorganization expenses, to pay the 50 per cent dividend to the equity receivership creditors, to provide $50,000 of working capital for the new company and to meet expenses of remodeling, refurnishing and repairing the Roxy.

The plan already has the approval of the bondholders' committee and of a committee representing more than 75 per cent of the junior noteholders. A petition to send out copies of the plan to creditors was granted yesterday by Judge Caffey.

H. P. Seligson, attorney for holders of $200,000 of Roxy notes, told the court that his clients were not completely satisfied with the plan and urged delay in sending it out to creditors in view of the possibility of a better offer being received later. The attorney was advised that the court had "adequate powers" to insure consideration for any better plan subsequently presented.

Arthur May Operate Roxy

Indications are that Harry Arthur will operate the Roxy for 20 Century-Fox in the event the bondholders' reorganization plan for the theatre is approved by the court which now has it under consideration.

Although the plan does not include any reference whatever to the operation of the house after reorganization, indications are that negotiations now in work between Arthur and 20th Century-Fox will be closed as soon as the plan now under consideration has been approved.

'Good-Will Court' Dropped; Lawyer Opposition, Reason

The "Good-Will Court" cauldron ceased boiling officially as of yesterday morning when the J. Walter Thompson agency substantiated Motion Picture Daily's exclusive report of the previous day by admitting that the program would not be heard on the network this Sunday or at any time thereafter. The WMCA "court" program also was removed from the schedule. Both programs were sponsored by Chase and Sanborn.

Successors to both "Good-Will Court" programs have not been engaged as yet, although it is expected that the network program will be replaced this Sunday by the popular west coast feature, "So You Want to Be an Actor," Haven MacQuarrie's KFWB air show. The deal is now close to consummation, the only hitch being the demand of Warners, owners of KFWB, that their name and the name of their station be mentioned in the broadcasts. Conferences along these lines were in progress last night on the coast and it is reported that Herman Starr, vice-president in charge of KFWB, closed the deal at an early hour this morning.

The WMCA "court" sessions will be replaced by a new Chase and Sanborn series beginning Saturday, Dec. 26.

The demise of the "Good-Will Court" brings to an end radio's most hectically publicized program. Lawyers opposed it passively at first, but when it was transplanted to the networks the passive resistance crystalized into definite hostility, with many bar associations passing motions making it impossible for their members to act as counsellors on the program on threat of disbarment.

Just what disposition the sponsor made of the contract held by A. L. Alexander, who ruled the destiny of the program, is not known at the moment. Alexander could not be reached for a statement, and all other sources professed ignorance of the matter.

Rosenblum Out; Woods In

David Rosenblum yesterday resigned as vice-president and treasurer of NBC and was succeeded as treasurer by Mark Woods, assistant executive vice-president.

Rosenblum joined NBC in September, 1934, and was elected treasurer in January 1935. Before coming to NBC he was executive vice-president of Tradeways, Inc.

Wood has been identified with radio since 1922 as an employee of A. T. & T., then operators of WEAF. When the network was formed in 1926, Wood became one of its executives. Subsequently he established NBC offices in Washington, San Francisco, Chicago, Cleveland, Pittsburgh and Boston. At various times during the past 10 years he has served NBC as assistant treasurer, treasurer, assistant to executive vice-president and in various other executive capacities.

Sonja's "Hotel"

"Hollywood Hotel" last night presented another imposing array of film stars who re-enacted several scenes from their forthcoming picture, "One in a Million." The broadcast, we were informed several times during the course of the one-hour session, was emanating from a sound studio on the 20th Century-Fox lot in Hollywood. According to the announcer, this was something to get excited about. Personally, we're glad we were kept informed as to the program's point of origin because it would have taken sharper ears than ours to detect the difference existing in a program aired from a film sound studio and one broadcast from a regulation radio studio. However there is little doubt that the stunt had great promotional value.

The film emoters included Sonja Henie, Jean Hersholt, Alice Faye, Adolphe Menjou, Arlene Judge, the Ritz Brothers, Tony Martin and Borrah Minnevitch. Heard also were the "Hollywood Hotel" standbys, Dick Powell, Frances Langford, Ann Jamison, Igor Gorin and Raymond Paige's orchestra. The program was excellent musically and vocally and slightly more than adequate dramatically. Sonja Henie, in particular, was a pleasant surprise. The lass apparently is almost as good an actress as she is a figure skater—which is saying plenty.

"Hollywood Hotel" is presented weekly by Campbell's Soups.

BANNER

Upton Close Talk on China

Upton Close, who lived in China for 20 years, takes to the air tonight at 9:15 P.M., E.S.T., on WOR, just one year from the date when he predicted that in 1936 British prestige would decline in the Orient and Japan's would rise. Mr. Close, friendly with the principals in the present Chinese kidnapping incident, is the author of "The Land of the Laughing Buddah," "Revolt in Asia," and "The Challenge Behind the Face of Japan." He will attempt some more prophecies anent the Orient.

Jack Warner to Talk

Jack Warner, vice-president of Warner Bros., will be interviewed between acts of the Lux Radio Theatre play, "Gold Diggers" on Monday's broadcast. Cecil B. De Mille will conduct the interview.

Stewart, Thomas, Et Al

Short Shots: Bill Stewart, of the local Young and Rubicam publicity staff shifts to the Hollywood Y. & R. office next week where he will succeed Ev Meade, who has been promoted to assist Tom Harrington in production . . . Bill Thomas, of the NBC press division, resigned yesterday to take over Stewart's post at the agency's office here . . . Capt. A. C. Pritchard, manager of WLW, leaves for England this week to spend the Christmas vacation with his relatives. Pritchard was an officer in the British army during the war . . . John O'Connor and Ronnie Ames, manager and publicity representative to Fred Waring, off to Washington . . . Morton Downey has been signed by General Motors for a series of personal tours in connection with auto shows . . . Phil Baker abruptly cancelled his vaudeville tour . . . Talent agent Ed Wolfe and daughter sailed yesterday for a vacation in Europe . . . Nelson Eddy will leave Hollywood Jan. 10 on a concert tour that will bring him into New York by Feb. 18. He will broadcast en route and after his arrival here will remain until March 21 . . . Alice Frost, radio actress, is sick abed . . . Gang Busters, Phil Lord's network program, has been renewed through Young and Rubicam for an additional 52-weeks . . . Gene Austin has been signed permanently on the Joe Penner program . . . Phillip Morris cigarettes, through the Biow agency, has signed for a new CBS musical series . . . Don Wilson has been signed as permanent announcer on the Oldsmobile "Paducah Plantation" program.

Caryl Coleman Joins Agency

Hollywood, Dec. 18.—Caryl Coleman, NBC San Francisco executive, has resigned and will organize and head a radio production department here for Botsford, Constantine & Gardner, advertising agents. It is the agency's first venture into the radio field. The account of a coast oil company will be handled.

"Strange As Seems" Shifted

Hollywood, Dec. 18.—"Strange As It Seems" will transfer from KHJ to KNX on the CBS network starting Dec. 29 with two broadcasts weekly. Gilmore Oil Co. is sponsor.

Roxy Had Loss One Week Since Aug. 13

(*Continued from page* 1)

which brought in a net of $14,117. The bulk of the pictures played since Aug. 13 have been from 20th-Fox.

Appraisals made during 1935 placed a value of $3,300,000 on mortgaged Roxy property, and of $4,933,545 as a "going concern" appraisal.

Quick Hearing Is Sought for Suit in Texas

(Continued from page 1)

importance in that a vindication of the type of contract in question by the Federal court would undoubtedly be followed by the employment of the same form of contract in numerous other situations throughout the country. Local theatre men assume that the case is of great enough significance to warrant its being carried up to the U. S. Supreme Court.

Filing of the suit by B. W. Henderson, special assistant to the Attorney General, followed only a few days after Karl Hoblitzelle and R. J. O'Donnell closed a new 10-year operating agreement with Paramount for the Interstate and Texas Consolidated circuits. A feature of the new agreements was the relinquishing by Paramount of its option to repurchase from Hoblitzelle his 50 per cent stock interest in the circuits.

Berry Names Group To Study New Laws

(Continued from page 1)

for more power to trade associations and extension of the anti-trust laws.

The committee includes:

John G. Paine, chairman Music Publishers' Protective Assn.; William Green, president American Federation of Labor; Flint Garrison, director-general Wholesale Dry Goods Institute; Frank Morrison, secretary-treasurer A. F. of L.; F. A. Cosgrove, secretary Johnson & Johnson; A. O. Wharton, president International Assn. of Machinists; William A. Hollingsworth, president W. A. Hollingsworth, Inc.; Sidney Hillman, president Amalgamated Clothing Workers of America; O. M. Porter, secretary United States Pulp Producers' Assn., and John Frey, president Metal Trades Department, A. F. of L.

Also on the committee were Paul Nystrom, president Limited Price Variety Stores Assn.; Thomas Kennedy, secretary-treasurer United Mine Workers of America; Miles Pennypacker, president Voltarc Tubes, Inc.; George Harrison, president Brotherhood of Railway Clerks; Carlton Proctor, Moran & Proctor, consulting engineers; M. J. McDonough, secretary-treasurer Building Trades Department, A. F. of L.; Paul Hanway, secretary-treasurer National Fibre, Can and Tube Assn., and J. S. Keir, director Dennison Manufacturing Co.

Rosenberg Elected To Head Local 802

(Continued from page 1)

vice-president; William Feinberg, secretary, and Harry A. Suber, treasurer. The officials will take office Jan 1. Executive board members elected were: Mario Falcone, David Freed, George Koukly, William Laendner, John Long, John Manuti, Robert Sterne, Samuel Suber and Samuel Tabak.

Trial board members are: Max L. Arons, Emil Balzer, Sidney Feldman, Frank Garisto, C. G. McGibney, Edward Horn, Albert Modiano, George Shector, Gino Tirelli. Delegates to the A. F. M. convention are Rosenberg, Sterne and Tabak; to the State Federation of Labor, Balzer, McCann and Rosenberg, and to the Central Trades and Labor Council, Feinberg, Freed and McCann.

Rosenberg declared the union today has a bank balance of $287,266. A total of 7,346 votes was polled.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Stowaway"

(20th Century-Fox)

It would appear that Shirley Temple has done it again, which means that in "Stowaway" the exhibitor has a lively, entertaining picture, with which he can, with very little effort, bring out the entire family. He may be assured they will have an enjoyable time, and the youngsters will tell all their friends.

It is, of course, Shirley's picture, but she has been surrounded with an able cast, and the story might well hold up by itself as a pleasant romantic film. With Shirley, it is a long step beyond that as entertainment any showman, anywhere, can sell. If any more proof were needed of the little star's versatility, here it is. She not only sings several popular numbers in enticing fashion, but glibly speaks Chinese, rolling Chinese proverbs off her tongue, not precociously, but in wholly charming manner.

The screen play by William Conselman, Arthur Seekman and Nat Perrin, from the story by Sam Engel, has Shirley landing homeless and alone in Shanghai, when a raid in an inland town causes her friend to send her there. The orphan of missionaries, she comes upon playboy Robert Young, they become great pals, and when she falls asleep in his car before it goes aboard a steamer, she finds herself a stowaway.

Through a series of amusing, romantic complications she makes her way, as Alice Faye also befriends her on the ship. Shirley is the cupid who ties the knot between the two, despite the engagement of Miss Faye to Allan Lane. The marriage is first to save Shirley from an orphanage, via adoption, and next for romance.

A word for the song numbers sung by Shirley and Miss Faye, and for the spontaneous laugh-provoking efforts of Arthur Treacher as Young's valet. William A. Seiter directed.

Production Code Seal No. 2,849. Running time, 85 minutes. "G."

"Rainbow on the River," now playing at the Music Hall, was previewed by wire from the coast Dec. 3.

"Accused," now being shown at the Criterion, was reviewed by cable from London Aug. 4, while "Captain Calamity" at the same theatre was previewed by wire from Hollywood April 20.

"Born to Dance" at the Capitol, "Pennies from Heaven" at the Paramount, "Rembrandt" at the Rivoli and "Three Men on a Horse" are holdovers.

"Night Waitress," now current at the Palace, was reviewed Nov. 4 by wire from Hollywood.

Pallos Not Seeking Financing—Giannini

(Continued from page 1)

Films. Giannini stated that Pallos is merely representing Alexander Korda in product conferences on the coast and is also making preparations for the opening of "Rembrandt" on Dec. 23.

George J. Schaefer, vice-president and sales director of United Artists, left for New York today by plane following completion of Welles-United Artists product conferences. The meetings will continue next week.

Name Allied Nominators

BOSTON, Dec. 18.—A nominating committee to pick a slate of officers for the coming year was picked today at a special meeting of Independent Exhibitors, Inc. The meeting was called by Vice-President Frank Lydon.

The committee includes Richard Rubin and William McLaughlin, exhibitors at Saugus and Stoneham, respectively. Reelection of Nathan Yamins as president is expected.

To Vote on Board Change

ST. LOUIS, Dec. 18.—A special meeting of St. Louis Amusement Co. stockholders will be held Dec. 31 to decide whether the board of directors shall be reduced from nine to five.

China Ban on Para. Stirs Exhibitors

(Continued from page 1)

they had accepted the advice of an alleged representative of the Chinese Government in producing the film. Local comment strongly disapproved the Nanking action without a review of the film involved. It has been reported, however, that the censor may reconsider, and review the film. Foreign distributors here are disturbed at the censor's action in making a decision before completely considering all the facts. It is anticipated that the matter will be satisfactorily settled shortly.

Monogram's Revival Seen in Short Time

(Continued from page 1)

probably some time next week, when a decision relative to the future company name and product trade mark will be made. The statement indicated the possibility of either Monogram-Sterling Pictures Corp. or Monogram Pictures Corp. of Delaware being designated as the company's new name.

Yesterday's action was seen as clearing the way for use of the Monogram name in whatever manner the Sterling board, headed by Johnston, sees fit.

Start 11 Features; 38 Before Cameras

(Continued from page 1)

Lady Ironsides," Republic; "Robber Barons," "Customs Agent" and "Escadrille," Radio; "Time Out for Romance," 20th Century-Fox; "Left Handed Law," Universal, and "Marked Woman," "The Go-Getter" and "Marry the Girl," at Warners.

Columbia had three features shooting, three preparing and seven editing; M-G-M had five, one and 10; Paramount, four, seven and five; Republic, one, two and five; Radio, six, zero and four; Roach, one, zero and one; Selznick International, one, zero and zero; 20th Century-Fox, five, two and four; Universal, three, three and two; Walter Wanger, one, zero and one; Warners, seven, three and 12; independents, one, two and three.

No short subjects were being filmed. Columbia had one preparing and four cutting. M-G-M, two and five; Radio, four and one; Roach, zero and two; Warners, one and one.

Alexander Closes Deals

William Alexander has closed distribution deals on "Trailing the Seahorse," first release of Nature Film Co., with Advance Film, New York; Capitol Film Exchange, Philadelphia; Olmstead-Stubbins, for California, and Elliott Film Exchange, Minneapolis.

Vote Alabama Sale Tax

MONTGOMERY, ALA., Dec. 18.—The Alabama Senate has passed a one and one-half per cent gross receipts tax on retail sales and amusements. The measure was sent to Gov. Bibb Graves for signing.

Newton Quits Tri-States

DES MOINES, Dec. 18.—Rickey T. Newton, district manager here for Tri-States, has resigned to enter the dry cleaning business in Cedar Rapids.

Wall Street

Small Losses Mark Board

	High	Low	Close	Net Change
Columbia	34½	33½	33½	— ⅜
Columbia pfd.	41	41	41	— ¼
Consolidated Film	5	5	5	— ⅛
Consolidated pfd.	17	16½	16½	— ½
Eastman Kodak	174	174	174	—1
Gen. Thea. Equip.	31¾	30	30⅜	+ ½
Loew's Inc.	64	63¼	63¼	— ¾
Paramount	21½	21	21	— ¼
Paramount 1 pfd.	150	148	148	—2
Paramount 2 pfd.	19¾	19	19	— ½
Pathe Film	9¾	9½	9½	— ⅜
RKO	7⅞	7¾	7¾	— ⅛
20th Century-Fox.	36½	35⅝	36¼	— ¼
Universal pfd.	103½	103	103	— ½
Warner Bros.	17½	17	17	— ⅛

Curb Declines Lightly

	High	Low	Close	Net Change
Grand National	3½	3⅜	3⅜	— ⅛
Sentry Safety	¾	¾	¾	.....
Sonotone	2	2	2	+ ⅛
Technicolor	22¾	22	22	— ⅜
Trans Lux	4¼	4¼	4¼	.....

Bonds Off

	High	Low	Close	Net Change
Keith B. F. 6s '46	98½	98½	98½	.....
Loew's 3½s '46	100⅝	100⅝	100⅝	— ⅜
Paramount Pictures 6s '55	100¾	100⅜	100⅜	.....
RKO 6s '41 pp	115	115	115	—1
Warner Bros. 6s '39 wd	99¾	99½	99½	— ¼

(Quotations at close of Dec. 18.)

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Alert, Intelligent and Faithful Service to the Industry In All Branches

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Major Heads May Be Called In Texas Case

Expect Early Subpoenas For Executives

Numerous home office and sales executives of major companies are expected to be subpoenaed in the near future as witnesses in the Government anti-trust action brought in U. S. District court at Dallas last week. All of the eight major companies are defendants in the action.

The Government suit is viewed by sales executives as a test case on the legality of the contracts made by the defendant distributors with Interstate and Texas Consolidated circuits, which impose minimum admission and single feature restrictions on subsequent run theatres which play pictures which have been exhibited by a first run at a specified minimum admission. Indications are that, if upheld by the Federal courts, the use of this type of contract would be extended widely.

The contract is requested by the

(*Continued on page 7*)

New Universal Unit Acquires "U" Stock

WASHINGTON, Dec. 20.—Acquisition of 2,000 shares of Universal Pictures common stock by the Universal Corp., Wilmington, Del., was disclosed yesterday in the October report of the Securities and Exchange Commission on the transactions of officers, directors and principal stockholders of corporations.

At the same time, the commission announced receipt of a report from the Universal Corp., revealing that on April 1, last, it became a principal stockholder of Universal common with holdings of 223,527 shares. The 2,000

(*Continued on page 7*)

Big Ampa Christmas Party on Wednesday

Ampa's annual Christmas luncheon party is to be held in the College Room of the Astor on Wednesday. Talent for entertainment is now being lined up by Ed Riley.

Among those who have already promised to attend are: Buddy Page and his orchestra, Lynn Kirk, singer; the two Daveys; Dorothy Young, dancer; Ortiz and Margo, Apache dancers, and the Seven Loria Brothers, singers of Mexican songs.

The party wil start at 12:30 and end at 2:15—that is, if the schedule works.

ITOA to Fight Smokers' Ban For Theatres

Proposal by McElligott Stirs Up Exhibitors

The I.T.O.A. will wage a vigorous fight in opposition to the indicated plan of Fire Commissioner McElligott to seek an ordinance banning smoking in New York theatres, it was learned on Saturday, in the event such a proposal is actually placed before the Board of Aldermen.

McElligott indicated on Friday that he would ask such an ordinance to affect both theatres and department stores, explaining that there was considerable danger in smoking in these places, not so much from fires themselves, as from panic.

The commissioner has not yet indicated when he plans to seek the ordinance from the Board of Aldermen, and the I.T.O.A. will take no specific action until a bill is actually proposed.

Executives of the Loew and RKO circuits could not be reached for comment on the proposal Saturday, but it is anticipated that they would join any movement to prohibit smoking in theatres.

Six Are Indicted in Song Copyright Case

HOLLYWOOD, Dec. 20.—A campaign to halt the alleged infringement of song copyrights has been launched here. The Los Angeles Federal Grand Jury has indicted six men on conspiracy charges. They face a maximum of two years imprisonment and $10,000 fine each if convicted.

The accused are John Raymond Hartley, Charles Arthur Ross, Charles Herschel White, Mathias Tschech, alias Mickey Rose of Seattle, and Roger Heacock and Joel Gale Heacock, Los Angeles, publishers. They are accused of combining to infringe upon Federal copyrights and in fur-

(*Continued on page 7*)

Hartley Sees Gains In Sound for 1937

Standardization of sound recording technique with the cooperation of major studios is predicted for 1937 by Edwin M. Hartley, RCA Photophone manager, who sees recent laboratory developments being fully utilized during the coming year with a resultant improvement in theatre sound.

The ideal standard of theatre sound

(*Continued on page 16*)

Cincy Fears Chills

Cincinnati, Dec. 20.—Temperature of local air-conditioned theatres hereafter must not be more than 15 degrees lower than outside temperatures, according to a regulation just approved by the Board of Health.

The measure, which also includes restaurants and public buildings, specifies a fine of from $25 to $100 for the first violation, and not more than $100 for each subsequent violation, with an alternative of up to 90 days imprisonment.

Hope Held for New Film Deal With Italians

WASHINGTON, Dec. 20.—Negotiation of a new trade treaty with Italy as a result of the denunciation of the Treaty of 1871 is expected to bring about concessions for the American industry.

Restrictions imposed on the export of capital and upon imports have caused numerous protests from American distributors during the past year and have been one of the contributing factors in leading up to the treaty denunciation.

On his recent visit to Italy Will H.

(*Continued on page 13*)

Hearing on Orpheum Claim on Tap Today

A hearing on a petition which promises settlement of long standing counter claims of RKO and the Orpheum Circuit is scheduled for today before Federal Judge William Bondy. The approval of the petition is seen as making possible the winding up of Orpheum's affairs with RKO obtaining undisputed title to all of the going assets of Orpheum.

The proposal presented to the court

(*Continued on page 16*)

Murphy in Bright's Post at Grand Nat'l

Timothy F. Murphy was appointed secretary and treasurer of Grand National Films, Inc., at a meeting of the board of directors on Saturday. Murphy also was elected a director of the company. He succeeds Willis Bright as secretary and treasurer.

Murphy was with Hayden, Stone and Co., banking house, for more than

(*Continued on page 7*)

NBC to Drive On Hollywood; Expansion On

Will Double Its Studios From Four to Eight

In order to meet the present public and sponsor demand for more programs from the Pacific coast, which means Hollywood, NBC is now conducting a survey of the situation in the film city and in San Francisco which will result shortly in a sweeping re-adjustment of personnel and artist staffs there.

The prime factor in the proposed Hollywood expansion, stated NBC president Lenox R. Lohr Saturday, is the ever-growing hold of Hollywood

More Radio—Page 8

on the public's interest and the increasing interest among sponsors in Hollywood as a source of broadcast material and talent.

"The Hollywood studio facilities and staff will be doubled," stated Lohr, "in order to meet the needs of

(*Continued on page 8*)

FCC to Start Erpi Probe Here Today

The Federal Communications Commission is scheduled to open its examination of Erpi operations here today as a phase of its inquiry into A. T. & T. which has been under way in Washington for some time.

Murray Becker, counsel for the commission, is slated to examine Walter Gifford, A. T. & T. president; Whitford Drake, executive vice-president of Erpi; John E. Otterson former Erpi president; R. E. Anderson, former Erpi treasurer; H. M. Wilcox, former Erpi vice-president, and George Pratt, head of Erpi's coast office during the local sessions of the commission. The hearings are expected to run through Wednesday and to resume again on Dec. 28.

Memphis Halts All Games As Lotteries

MEMPHIS, Dec. 20.—Bank Night and other giveaways received another setback here when a city official ruled that the issuance of tickets for the drawing of prizes must be discontinued by all business concerns in the city. Violations will be followed by

(*Continued on page 16*)

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Out Hollywood Way

HOLLYWOOD, Dec. 20.—DAVID L. LOEW finishes his first independent feature, "When's Your Birthday?" starring JOE E. BROWN. . . . He will start "Flirting with Fate" about Feb. 1.

ROBERT WRIGHT and CHESTER FORREST complete song called "Burnt Fingers" for STANLEY MORNER to sing in "Ada Beats the Drum". . . . ROBERT TAYLOR loaned to 20th Century-Fox by M-G-M for starring role in "Private Number." . . . HENRY GINSBERG, production manager for Selznick International, will leave for New York Jan. 1 to confer with U.A. executives. . . . JAMES PARROTT signed to one-year director-writer contract by HAL ROACH.

FRANCINE LARRIMORE off to New York for role in untitled play by JOHN FOOTE, M-G-M writer. . . . GAIL PATRICK assigned to role opposite RICARDO CORTEZ in "The Love Trap," B. P. SCHULBERG. . . . J. FARRELL MACDONALD now playing his 1,000th role, "Slim," at Warners. . . . JACK MOSS and his bride take DICK TALMADGE house in San Fernando Valley. . . . LUCIE KAYE latest addition to the Republic talent school. . . . BETTY RUSSELL joins WILLIAM KOENIG'S staff as assistant. . . . S. N. BEHRMANN off to New York for the holidays.

✚

Casting—JACK SMART in "Class Prophecy," Universal. . . . JOHN HAMILTON replaces JOHN HARRIGAN in "Seventh Heaven,' 20th Century-Fox. . . . OLIN HOWLAND, J. C. NUGENT and CLARA BLANDICK in "A Star Is Born," Selznick International. . . . LUIS ALBERNI in "Old Lady Ironsides," and JANE KACHLEY in "Dick Tracy," Republic. . . . KENNETH HARLAN added to "Marked Woman," Warners. . . . RALPH FORBES in "Weather or No," EVELYN VENABLE and WYNNE GIBSON in "Racketeer in Exile," Columbia. . . . WILLIAM RICCIARDI and PAULINE BROOKS in "To the Victor," M-G-M.

✚

Writers—MONTE BRICE assigned to work on script of "My Broadway," Universal. . . . Radio assigns three staff writers—ANTHONY VEILLER to "Clementina," which EDWARD SMALL will produce; MAXWELL SHANE to "Radio City Revels" for JESSE LASKY, and MORTIMER OFFNER to "Vivacious Lady," next for GINGER ROGERS.

Cullman Authorized To Settle on Taxes

Federal Judge Caffey on Saturday authorized Howard S. Cullman, as trustee of the Roxy, to accept an offer made by the New York City Board of Taxes and Assessments to compromise certiorari proceedings and reduce the real estate assessment on the theatre.

The tentative assessment for 1937 is about $100,000 less than the 1936 assessment of $3,425,000. Cullman estimates this will save $2,700 a year on taxes. Previously, Cullman instituted proceedings in the N. Y. Supreme Court to reduce the 1936 assessment. As a result of the adjustment, the former suit will be dropped.

Coast Studio Reopening

HOLLYWOOD, Dec. 20.—Educational's coast studio will reopen this week following two years of inactivity with the first of three Buster Keaton comedies. The tentative title of this first two-reeler is "Jail Bait."

E. H. Allen will resume charge of production at the studio.

Legion Approves 21 Of 24 New Pictures

Of 24 new films reviewed and classified by the National Legion of Decency in its list for the current week, 13 were approved for general patronage, eight for adults and three were classed as objectionable in part. The new pictures and their classifications follow.

Class A-1, Unobjectionable for General Patronage—"Ghost Town," "Happy Go Lucky," "Hats Off," "Johannisnacht" (German), "Klein Dorrit" (German), "Let's Make a Million," "Mysterious Crossing," "Old Corral," "The Pecos Kid," "Racing Lady," "Roses Aus Dem Sueden" (German), "Trail Dust," "Laughing at Trouble."

Class A-2, Unobjectionable for Adults—"Beware of the Ladies," "Career Women," "Criminal Lawyer," "Der Junge Graf" (German), "Gold Diggers of 1937," "Le Prince Jean" (French), "River of Unrest," "That Girl from Paris."

The films called objectionable in part, and the reasons therefore, were: "More Than a Secretary," because of "questionable dialogue and suggested illicit relationships between employer and secretary"; "Strangers on a Honeymoon," because of "light and irreverent treatment of marriage," and "Sinners Take All," because the "plot is solved by suicide."

Gets Eight in Midwest

KANSAS CITY, Dec. 20.—Independent Film Distributors, affiliate of Independent Poster Exchange, has contracted to distribute 18 Reliable pictures in the Western Missouri and Kansas area during the season, according to Homer Blackwell, head of the companies. The lineup includes six Bob Custers, six James Oliver Curwoods, four Richard Talmadge, and two Reginald Dennys.

Robert Jersey, formerly with Tiffany, and organizer of Associated Film Distributors, has joined Blackwell.

N. E. Allied Attacks Conciliation Boards

BOSTON, Dec. 20. — Conciliation boards as proposed by the M.P.T.O.A. are sharply attacked in the latest issue of the bulletin of Independent Exhibitors, Inc., the New England Allied unit.

The bulletin says conciliation requirements could be inserted in distributors' contracts and the boards could be started in a month's time "and they would cost any independent exhibitor more than most arguments would be worth or more money than he possessed to fight the setup in court. We are watching the possibilities and are prepared to fight locally and nationally such a setup."

The bulletin goes on to say that the proposed conciliation boards "sound suspiciously like the old film boards to us.

"How nice it would be to have Mr. Kuykendall's alleged exhibitors' organization obtain some meaningless concessions from distributors with a nigger - in - the - woodpile 'conciliation board' attached. An exhibitor could be tried before a board composed of 'Big Eight' distributors or affiliated M.P.-T.O.A. exhibitors, and the decision could be written at the same time the complaint was filed, for all the 'trial' would amount to!"

New One for Mayer

Arthur L. Mayer, operator of the Rialto, will open the Fulton Playhouse, Fulton and Flatbush Aves., Brooklyn, on Wednesday with "Babes in Toyland." The policy will be week runs in the house, originally opened as a Trans-Lux theatre. It seats 600.

I.T.O.A. Party Jan. 16

The I.T.O.A. will hold its annual midnight supper and dance on Jan. 16 in the grand ballroom of the Waldorf-Astoria. Prominent stage, screen and radio stars are scheduled to attend.

Munro Confident Of a Hit Season

By CLIFF HOLT

MELBOURNE, Dec. 4. (*Via Air Mail*).—Charles E. Munro, managing director of Hoyts and joint managing director of General Theatres Corp., after a careful study of production outlines of American and British producers for 1936-37, declared that he is more confident than ever that next year the industry will turn out a greater proportion of hits than in any previous year of its history.

"It is plain that producers generally have put into practice the realization that big pictures are the stability of the business," he said. "Having emerged from the economic depression, America will continue to improve a product that has improved considerably in the past 12 months. Britain, on the other hand, is now alive to the necessity of eliminating second-rate quota films and is injecting star value into her product."

Munro also noted the advances in Australian exhibition, pointing to modernization of theatres in many ways.

Stuart F. Doyle, managing director of Greater Union Theatres, and joint managing director of General Theatres recently returned from a visit to the United States, declared himself definitely impressed by the air of confidence in film circles in the east and on the west coast in the United States.

These opinions are considered of the highest importance in the trade here, since the two men are managing directors of companies which control, directly or indirectly, 106 theatres in Australia.

* * *

"Show Boat" is cracking all sorts of records at the Liberty in Sydney. Now in its 23rd week, the management expects the film to run until after Christmas, which would give the film a run of nearly 30 weeks.

David N. Martin, manager of the house, said at the end of the 17th week that the film had played to 186,911 paid admissions, for a total gross of £20,563. The house capacity is 653, and the policy three shows a day.

Sears Drive Started

Warners' sales forces get the Gradwell L. Sears Drive under way this week. It will run for 15 weeks, ending April 4.

Releases during the period will be: "Gold Diggers of 1937," "Smart Blonde," "Guns of the Pecos," "Sing Me a Love Song," "God's Country and the Woman," "Once a Doctor," "Black Legion," "Stolen Holiday," "The Great O'Malley," "Green Light" and "Penrod and Sam."

Selznick Gets Medal

HOLLYWOOD, Dec. 20.—David O. Selznick has been officially presented with the League of Nations medal for high film achievement in the production of "Little Lord Fauntleroy." F. E. Evans, English consul, made the presentation here.

Vote For Sunday Films

GRUNDY CENTER, Ia., Dec. 20.—Sunday films won by a 130 majority out of 900 ballots cast in the fourth special election held here in five years on the proposition.

"MOST THRILLING LOVE STORY EVER TOLD ON THE SCREEN...
A SURE-FIRE BOX-OFFICE SUCCESS!" says Sheila Graham, ace writer for North American Newspaper Alliance



SAMUEL GOLDWYN presents

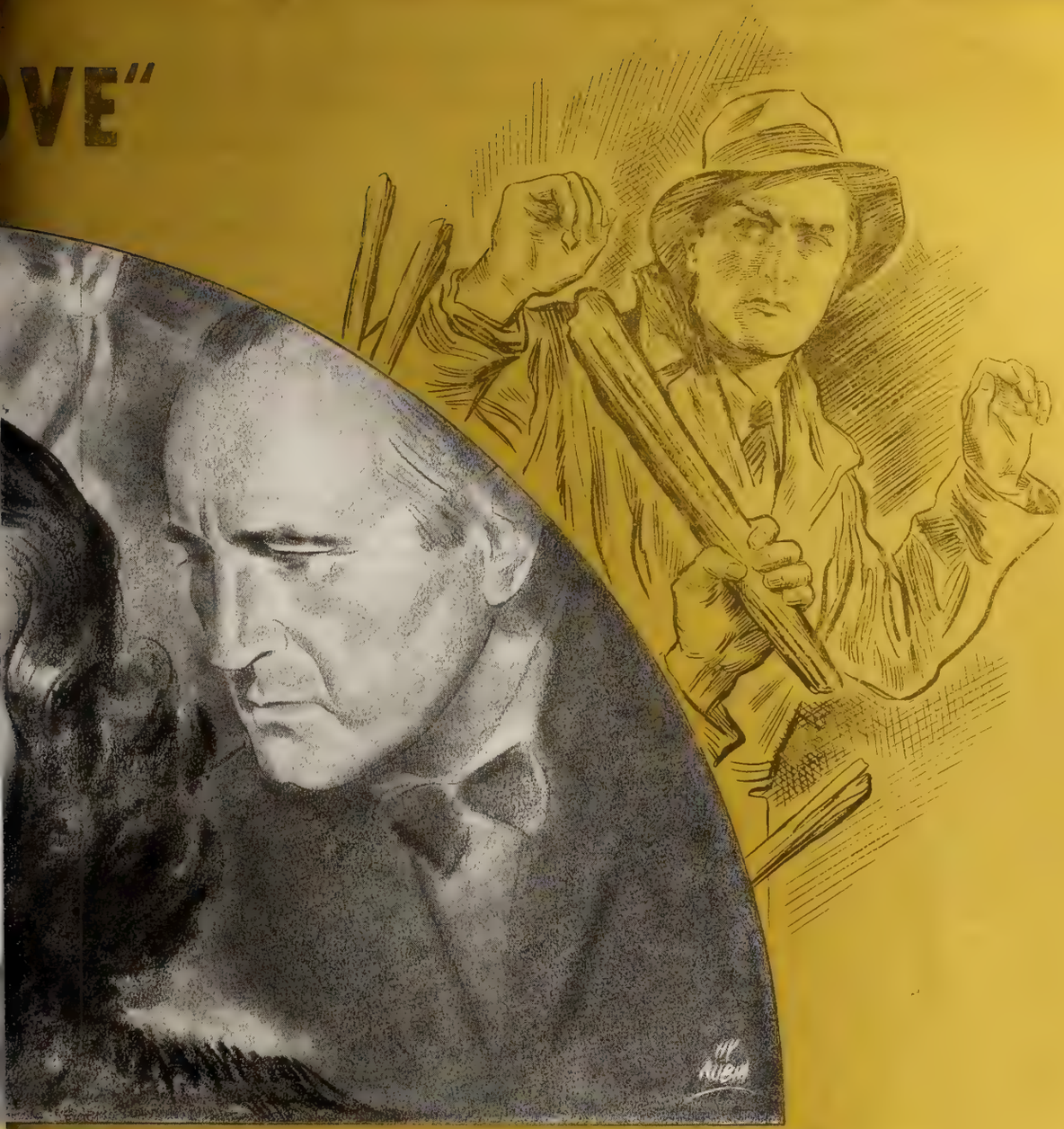
Beloved Enemy

"I'VE BETRAYED THE MAN I



For years you'll remember this mo-
ment...and many other moments in
this story of a man and woman who
sought the love that belonged to
them, though scarlet days and flame-
filled nights threatened them both.

VE"



SAMUEL GOLDWYN *presents*

MERLE OBERON
BRIAN AHERNE

in

Beloved Enemy

WITH

HENRY STEPHENSON • JEROME COWAN

DAVID NIVEN • KAREN MORLEY

Directed by H. C. POTTER

The Samuel Goldwyn organization clicking regularly with outstanding box office pictures . . . Comes through with another in BELOVED ENEMY. Film has all the earmarks for success all the way from first runs down. — *Hollywood Reporter*

A stirring love story. Supported by class production and high calibre acting and direction, the picture has a potent appeal. A worthy addition to the list of Goldwyn productions. — *Motion Picture Daily*

So shrewdly invested with showmanship could scarcely fail of smash box office. The quality of Samuel Goldwyn production spells mass support and prosperous runs. — *Daily Variety*

Again Samuel Goldwyn scores with that type of film in which he excels . . . An outstanding picture of intense emotional dramatic action artistically produced . . . Superbly performed. — *Ralph Wilk, Film Daily*

Samuel Goldwyn produces season's greatest love story superbly played by Merle Oberon and Brian Aherne. — *Elizabeth Wilson, Screenland*

Samuel Goldwyn continues pace set in "Dodsworth" and "Come and Get It"...Delivers third feature with every recognized element for box-office success. —*Ivan Spear, Associated Publications*



"Beloved Enemy" will undoubtedly please majority of public . . . This Samuel Goldwyn production is a creation of distinction. — *Edwin Schallert, Los Angeles Times*

Distinguished by superb Goldwyn production...Oberon dramatically appealing . . . Aherne gives one of season's best performances. — *Clark Wales, Screen and Radio Weekly*

Samuel Goldwyn is no ordinary producer . . . Quality and culture have been his cinematic air with entertainment always in the foreground . . . With "Beloved Enemy" Goldwyn has brought much beauty to screen. — *Jimmy Starr, Los Angeles Herald Express*

SAMUEL GOLDWYN *presents*

MERLE OBERON BRIAN AHERNE

in

Beloved Enemy

with HENRY STEPHENSON · JEROME COWAN · DAVID NIVEN · KAREN MORLEY

Directed by H. C. POTTER

Released thru UNITED ARTISTS

THERE'S NOTHING MORE "BELOVED" THAN A SMASH HIT AT YOUR BOX-OFFICE . . . *and here it is!*

Major Heads May Be Called In Texas Case

(*Continued from page* 1)

first run exhibitor who agrees to exhibit selected pictures at a specified minimum advanced admission. In return, the distributor agrees not to sell such pictures to a subsequent run which charges less than a specified minimum admission or to permit such pictures to be double-featured by the subsequent. Some trade opinion also holds that a vindication by the courts of this type of contract would make it possible, similarly, to ban Bank Night, other giveaways, and all forms of bargain admissions with the playing of any outstanding picture in subsequent runs.

Distributors are awaiting the test of the contracts with interest and indications are that a trial as early as Feb. 1 or thereabouts is possible.

New Universal Unit Acquires "U" Stock

(*Continued from page* 1)

shares acquired in October brought its holdings at the close of the month to 225,527 shares. The company also held 2,000 shares of second preferred.

The SEC report also showed that Carl M. Leserman, New York, disposed of his 2,900 shares of Grand National Films common in October.

Reports of holdings of individuals becoming officers or directors of corporations showed that neither Al Lichtman, New York, nor Edgar J. Mannix, Culver City, Cal., held any equity securities in Loew's Inc., when they became officers, according to returns dated Oct. 7. Sam Katz, Culver City, also made an officer in the company, held 500 shares of common.

Reports dated Oct. 31 showed that the new Atlas Corp. was a principal stockholder in RKO with 212,006 shares of common, while its subsidiaries, Atlas Utility & Investment Company and Yorkport Corporation, held 24,229 and 27,258 shares of common, respectively.

Murphy in Bright's Post at Grand Nat'l

(*Continued from page* 1)

15 years, serving as assistant to John R. Dillon. The appointment becomes effective immediately. Edward L. Alperson, president of Grand National, expressed pleasure at the appointment, saying, "He brings to the organization a background that should prove most valuable."

The board also named Ann Rosenthal as assistant secretary and William Neary, assistant treasurer.

Six Are Indicted in Song Copyright Case

(*Continued from page* 1)

therance of their scheme assertedly sold thousands of copies of the words of such copyrighted songs as "I'll Sing You a Thousand Love Songs," "In Your Quiet Way" and "Empty Saddles."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"They Wanted to Marry"

(*Radio*)

HOLLYWOOD, Dec. 20.—This is a well produced situation comedy that will rank high as average entertainment. Although the cast offers little name value, the story, acting and direction are spirited and the picture holds the interest from start to finish.

Gordon Jones, a news photographer, whose work in obtaining exclusive pictures with the aid of carrier pigeons leads him in and out of hospitals and jails, is the central character. Assigned to cover a society wedding, Jones obtains a shot of Henry Kolker, the bride's father, who abhors publicity. He meets Betty Furness, another Kolker daughter.

As romance develops rapidly between Jones and Kolker's daughter obstacles are injected by Kolker's dislike of cameramen and Jones' devotion to duty. Charles Wilson, Jones' boss, also provides difficulties and E. E. Clive, Kolker's butler, complicates things further by his efforts in behalf of his employer. By the time everything is straightened out the characters and the audience have been led a merry chase and have been handed many laughs.

Paul Yawitz and Ethel Borden wrote the screenplay from a story by Larry Bachman. Darwin Teilhet and Lew Landers directed, getting all possible from a well-constructed script.

As light entertainment the picture should be favorably received by average audiences.

Production Code Seal, No. 2,015. Running time, 59 minutes. "G."

"Mysterious Crossing"

(*Universal*)

HOLLYWOOD, Dec. 20.—With comedy and generally light entertainment predominating, this is a mystery murder yarn which should prove satisfactory fare of its type, suitable for a dual bill program. More or less standard, it nevertheless blends its ingredients well, in the adaptation of Jefferson Parker and John Gray, from the original by Fred MacIsaacs.

When James Dunn, wisecracking reporter out of a job, borrows from Andy Devine on the train ferry across the Mississippi to New Orleans, he acquires Devine as a permanent possession. At the same time he sees what he thinks is a murder as two men disappear from the ferry.

Appropriating the baggage of one man in New Orleans, he discovers him to be prominent, his daughter to be attractive Jean Rogers. Hobart Cavanaugh, bombastic city editor, hires him, and Dunn sets off on the murder hunt, Devine dogging his heels wherever he goes. Suspense and action enter when the two are captured, imprisoned, and make their way out through an underground passage.

Eventually Dunn traps John Eldredge, supposed best friend of the missing man and his daughter, whose motive was the stealing of money from the bank his victim headed. Dunn and Miss Rogers complete the film in the expected fashion.

Production Code Seal No. 2,808. Running time, 60 minutes. "G."

"A Man Betrayed"

(*Republic*)

HOLLYWOOD, Dec. 20.—A novel twist or two in story makes this an entertaining film of good dual quality, having to do with a suicide which is made to look like murder to protect a pair of swindlers who pin the supposed crime on an innocent man. The novelty enters when a group of gangsters, seeking to aid the plot's victim, turn detectives, in effect, and bring a rival gang to book for the crime.

The cast is inconspicuous, and merely satisfactory. Eddie Nugent is the unsuspecting sales manager of a fake oil stock selling agency, Kay Hughes his secretary and fiancee, and Lloyd Hughes his brother, a missionary, who come to the aid of Nugent when he is sentenced to death for the supposed murder of his employer.

Before his suicide, the latter had described his approaching death in the dictaphone. The cylinder was not found, but when the two partners in the crime find it later they destroy it, thinking to thus seal the fate of Nugent. However, when the tables are turned and they in turn are accused of murder, with strong evidence in support of the charge, their perfect alibi would have been that very cylinder.

John H. Auer, who directed, has maintained an active pace in the production.

Production Code Seal No. 2,858. Running time, 58 minutes. "G."

(Additional reviews on page 13)

Short Subjects

"Jungle Jim"

(*Universal*)

Fashioned after the comic strip from the Hearst Sunday supplement, "Jungle Jim" retains all the adventurous events of Alex Raymond's art. A serial, it should prove entertaining to the younger element who are none too critical of dialogue, continuity and sequence development. The excitement and action are well mixed with the psuedo-mysterious goings on of a Lion Goddess in the African jungle and her cohorts.

In its episodic style the story follows Grant Withers, in the title role, and Raymond Hatton, as Malay Mike, in their search for the murderer of their friend, "Red" Callahan. In the jungle they cross the path of Betty Jane Rhodes, the Lion Goddess. When Withers vindicates himself after killing her pet beast, she frees the pair. Later they rescue her from a clique who are seeking to kill her so Bryant Washburn can inherit the fortune which is rightfully hers. Presumably the yarn weaves itself back and forward in this manner in ensuing chapters. It is reliable stuff. The supporting cast, drawing their roles from characters in the cartoon, includes Evelyn Brent, Henry Brandon, Al Bridge, Paul Sutton and Al Duval. Production Code Seal No. 2,549. Running time of each chapter approximately 20 mins. "G."

Sets Security Plan

HOLLYWOOD, Dec. 20.—The Central Casting Bureau will handle social security registrations for film extras, according to Campbell MacCulloch, manager. Some 20,000 persons who find employment through Central Casting will apply for their account numbers through the agency.

Hungarian Musical Here

"Harom Sarkany." (The Three Spinsters), Hungarian musical distributed by Danubia, opened at the Modern Playhouse yesterday.

Wall Street

Board Off; Some Sharply

	High	Low	Close	Net Change
Columbia	32¼	32	32⅛	—1⅜
Columbia, pfd.	39½	39½	39½	—1½
Consolidated Film	5	5	5	.....
Consolidated, pfd.	16⅝	16½	16½	.....
Eastman Kodak	172½	172	172	—2
Eastman, pfd.	163	160½	160½	—3½
General Theatre Equipment	31	29¾	29¾	— ⅝
Loew's, Inc.	63½	63¾	63	— ¼
Paramount	21	20⅜	20½	— ½
Paramount 1 pfd.	146	143	143	—5
Paramount 2 pfd.	18⅞	18⅝	18⅝	— ⅜
Pathe Film	9¾	9⅜	9⅜	— ⅛
RKO	7¾	7⅝	7⅝	— ⅛
20th Century-Fox	35¾	35⅜	35¾	— ½
Warner Bros.	17⅛	16⅝	16¾	— ¼

G. N. Rise on Curb

	High	Low	Close	Net Change
Grand National	3½	3½	3½	+ ⅛
Sonotone	2	2	2	.....
Technicolor	21⅜	21¼	21¼	— ⅛
Trans Lux	4¼	4¼	4¼	— ⅛

Little Bond Movement

	High	Low	Close	Net Change
Paramount Broadway 3s '55	72½	72½	72½	.....
Paramount Pictures 6s '55	100⅛	100¼	100¼	.....
RKO 6s '41	115	115	115	.....
Warner Bros 6s '39	99½	99½	99½	+ ⅛

(Quotations at close of Dec. 19.)

NBC to Drive On Hollywood; Expansion On

(Continued from page 1)

the new set-up. This will permit greater variety in programs."

Aside from the commercial aspects, one of the chief results of the expansion will be a new schedule of sustaining programs from Hollywood. At present NBC's sustaining shows originate only in San Francisco. Don E. Gilman, vice-president in charge of the western division of NBC will play an active part in the expansion.

Construction plans now being drawn call for a complete rearrangement of the present Hollywood quarters, built only a year ago, and for an increase in the number of studios from four to eight. Two more stage studios, each with an audience capacity of 250 people will also be added.

The revised plant is expected to be in operation by Sept. 1, 1937, at which time NBC's Hollywood production schedule will be stepped up to almost twice its present output.

Fannie Brice on Leave

Fannie Brice, star of radio's "Revue de Paree" heard Wednesdays at 8 P.M., E.S.T., over the NBC-Blue, will obtain a two-week leave of absence from the program and will be replaced by Bea Lillie.

Miss Brice, who has been appearing in the "Ziegfeld Follies," leaves the program on Dec. 23, when the "Follies" start a road tour that will reach Chicago by Jan. 13, at which date she will return to the program. Miss Lillie has agreed to replace her during the intervening two weeks.

"Revue de Paree" is a Blackett-Sample and Hummert program, sponsored by Sterling Products.

Caravan Series Ending

Ruth Chatterton has been set for the Camel Caravan over CBS tomorrow. She will do an air version of "A Marriage Has Been Arranged." Cary Grant will be co-featured.

Tuesday's broadcast will mark the end of the present Caravan pattern. "Jack Oakie's College," starring the film comedian, will be the new Camel presentation each Tuesday thereafter.

"Court" Successor Set

"So You Want to Be An Actor," the west coast program which succeeded the "Good-Will Court" network program yesterday, was selected after practically an all-night conference Friday-Saturday. The decision was reached at 4:30 A. M. Saturday. The program will not be brought east, as has been reported.

Renewal by Princess Pat

"Tale of Today," NBC-Red network program heard Sundays at 6:30 P. M., E.S.T. has been renewed for 52-weeks by its client, Princess Pat, Ltd. The McJunkin Advertising Agency handled the renewal.

Barnsdall Refining

"Courteous Colonels" is the title of a new series of Saturday programs to be broadcast over a hookup of CBS stations in the midwest under the sponsorship of the Barnsdall Refining Corp. The program will originate in Tulsa and will feature a symphony orchestra. Co-Operative Advertising, Inc., is the agency.

CBS May Do $23,289,000

CBS billings for November totalled $2,483,657, an increase of 44.2 per cent over the November 1935 total of $1,722,390.

Columbia estimates that its total income from time sales for the full year of 1936 will be approximately $23,289,000, which would mean an increase of 32 per cent over 1935.

Mauch Turns Broadcasting

Filmdom's twins, Billy and Bobby Mauch, will be heard in a Christmas night interview with Elza Schallert on Friday, Dec. 24 at 10:45 P. M., E.S.T. on the NBC-Blue. The twins are currently appearing in "Prince and Pauper," a Warner picture. Billy was seen as young Anthony Adverse in the picture of that title.

Pontius Goes to Mutual

Don Pontius, formerly associated with the WGN program department, has joined the new Mutual office in Chicago to assist Ade Hult, in charge of Mutual's western division. Pontius will serve as contact between the New York and Chicago offices on sales, traffic and operation details.

Miss Irwin to Y. and R.

Carol Irwin of the radio department of Lennen and Mitchell has resigned to take over similar duties at Young and Rubicam. Miss Irwin will transfer her activities next week.

Before coming to Lennen and Mitchell a year ago, Miss Irwin was in charge of the radio division of Pedlar and Ryan and prior to that was in charge of production at WCAU, Philadelphia.

Hampden in Xmas Show

Walter Hampden will contribute a highlight to NBC's parade of Christmas features when he presents Jerome K. Jerome's famous Yuletide play, "The Passing of the Third Floor Back" on Dec. 24, from 9 to 10 P. M., E. S. T., over the NBC-Blue.

Lyman Out of "Melodiana"

Another Blackett-Sample and Hummert program, "Melodiana," undergoes a radical change begining Monday, Dec. 28, when Abe Lyman's orchestra departs from the series. The new set-up will star Frank Munn. A new band will be named this week.

New "Hollywood Hotel" Set

Claire Trevor, Michael Whatle and Isabel Jewell will visit "Hollywood Hotel" on Jan. 1 and will offer several scenes from the 20th Century-Fox Film, "Career Woman."

Norberg, Gleason, Et Al

Short Shots: Ralph A. Norberg, sales manager of WJJD, Chicago, has been named commercial manager of WGY, Schenectady, to succeed Stanley Spencer. . . . In addition to Jose Iturbi, Kraft "Music Hall" on Christmas Eve will present Jimmy Gleason and June Travis as guests. . . . Mrs. Marx Loeb, now assistant program director at WIP, Philadelphia, Margaret Hanley, who formerly held that post, remains on the program staff. . . . Bob Stanley will direct Nat Brusiloff's three WOR programs while the latter recuperates from an operation. . . . Rex Ingram and Frank Wilson will present a radio version of "Green Pastures" over WOR tomorrow at 3:30 P. M., E.S.T. Ingram played the lead role of "De Lawd" in the film version of the play. . . . Station KFDM, Beaumont, Tex., has completed arrangements with WLW, Cincinnati, for a re-broadcast of late evening programs. . . . Gwen McCleary's "Women's page of the Air," for two years a sustainer on KSO, Des Moines, will be sponsored jointly by 12 non-competing sponsors on Christmas Day. . . . NBC's Red and Blue are today carrying 20¾ hours more sponsored programs per seven-day week than last year. . . . West Wilcox, WHOM program director, off over the weekend to Florida.

Reason Enough

NBC's "Jamboree" program on Christmas Eve, 10 P.M., E.S.T., on the Blue network, will feature a girl who cannot act, sing, recite, play an instrument; who has never before faced a microphone, a camera, or appeared before footlights.

Why are they featuring her? Because of her name. It's Mary Christmas. Anyhow, they say so at NBC.

497,399 Visit Radio City Up To Dec. 1 and Pay $198,959

Radio City apparently has supplanted George Washington's birthplace, Mt. Vernon, as America's greatest sight-seeing attraction.

For the first 11 months of the year, 497,399 cash customers deposited 40 cents each to inspect the NBC radio temple. If last December's figure of 25,000 tourists for the month is equaled, the present year's total will be 522,000.

At the per head tariff, income from this source to Dec. 1, therefor, totaled $198,959.60. Theatre operators in the midtown areas long have been disturbed over this situation, claiming the money accruing to Radio City might otherwise be spent on theatre admissions.

Mt. Vernon last year was visited by 512,024 tourists and while no figures for this year are available at the moment, the total is not expected to go much beyond the 1935 mark.

For the first 11 months of this year, the Empire State Building was inspected by 318,450 visitors. The Statue of Liberty, once America's Number One attraction, is far behind with 290,874 paid tourists for the year up to Nov. 1.

Evergreen Theatres Set Deal With KGA

SPOKANE, Dec. 20. — Evergreen Theatres have signed a new contract with KGA for 15-minute program daily at 5 P. M. Monday through Thursday, starting Dec. 21. The programs will be a straight commercial buildup for the Fox, State, Orpheum and Liberty. Vaudeville acts from the Orpheum will give air shows from the station to boost the theatre shows. This is Evergreen's first extensive radio work.

KSFO Changes Made

SAN FRANCISCO, Dec. 20.—The reverse-English by which KSFO, heretofore rated a comparatively minor station, steps into the ranks of the big CBS-outlets Jan. 1 while Don Lee's powerful KFRC switches from CBS to the Mutual chain has already effected some personnel reshuffling in San Francisco which are expected to presage even more after the change-over is completely arranged.

Alan Cormack, KFRC chief technician and traffic manager, will move with CBS to KFSO the first of the year, assuming the job of west coast traffic manager for the entire system. Elma Latta Hackett, known hitherto as "KFRC Morning Hostess," is the first of the entertainment talent to be switched, having made her first KSFO broadcast for CBS this week.

WIXBS Becomes WBRY

WATERBURY, Dec. 20. — WIBXS, only Connecticut 1500-1600 channel experimental station, has completed its high fidelity experiments for the Government and is the first to receive its permanent call letters, WBRY.

On Christmas Day, from four to five o'clock, WBRY will broadcast from the New Haven County jail, under the direction of High Sheriff Slavin. Half the time will be used by home talent from the jail, half by professionals. This is a repetition of a successful Thanksgiving Day program.

Breneman to C B S

HOLLYWOOD, Dec. 20.—Tom Breneman, former master of ceremonies on the "Feminine Fancies Hour" and manager of KFRC, will join CBS in the same post on the "Western Women Hour," to be heard daily at a yet unannounced time. The program will not start until Dec. 28.

WHB Joins Mutual System
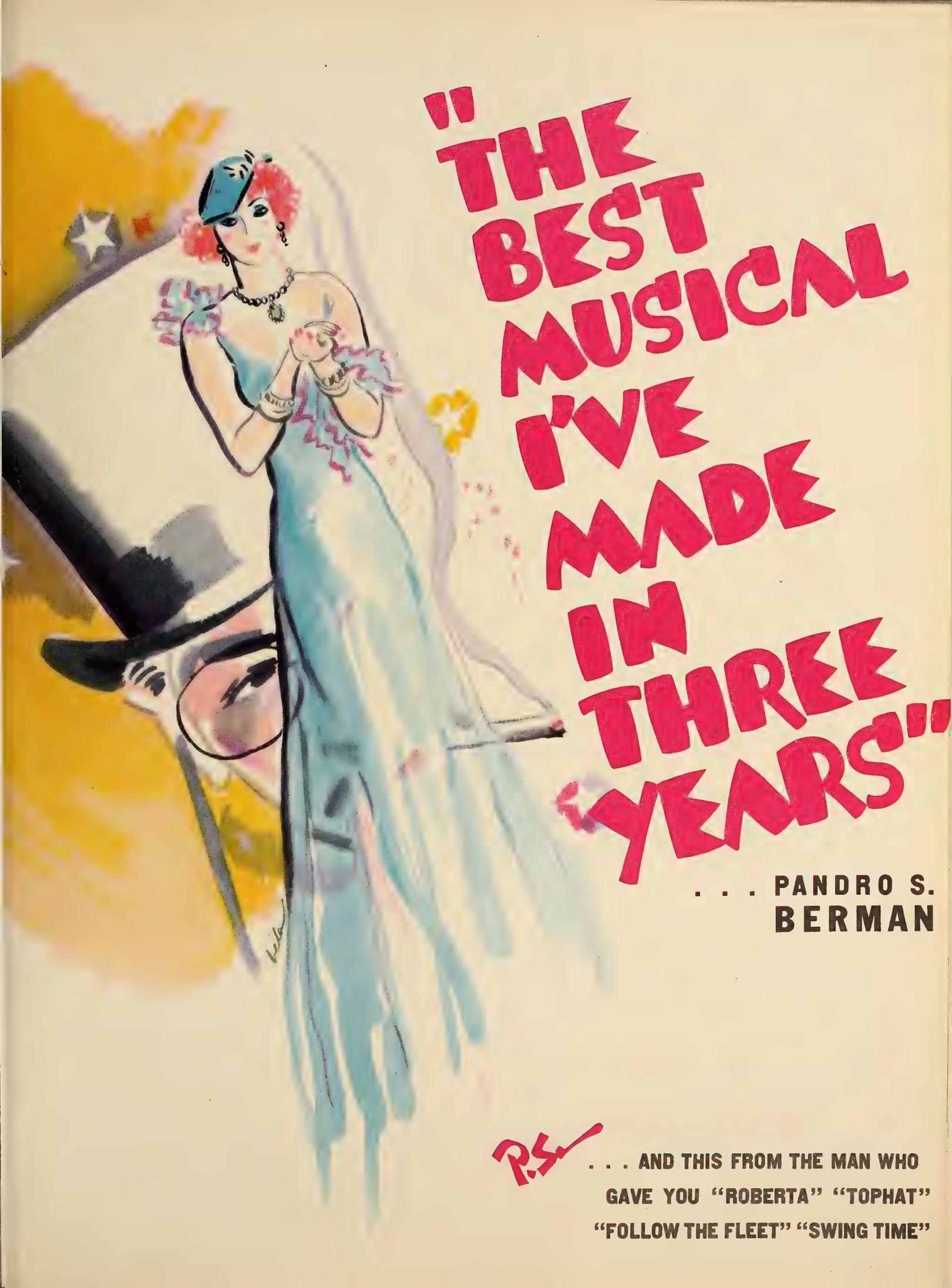
KANSAS CITY, Dec. 20.—On Dec. 29 WHB will join the Mutual Broadcast System, this will be the only Mutual outlet here. WHB has only daylight time. It will record Mutual's night programs and rebroadcast them the next day.

Arranging Xmas Hookup

NEW HAVEN, Dec. 20.—Hartford and Bridgeport, via WDRC and WICC, will participate in the 101-city Christmas and community chest tieup, sponsored by CBS Sunday Community Sing.

Film Data Program Starts

NEW ORLEANS, Dec. 20. — "Star Gazer," a new feature, has started over WSMB. Lewis Cooper, the "Hollywood Star Gazer," and formerly studio reporter in Hollywood, offers information about film players.



"THE BEST MUSICAL I'VE MADE IN THREE YEARS"

. . . PANDRO S. BERMAN

P.S.

. . . AND THIS FROM THE MAN WHO GAVE YOU "ROBERTA" "TOPHAT" "FOLLOW THE FLEET" "SWING TIME"

THE GAYEST



Three sparkling stars awhirl on wings of laughter and song!... A miracle musical picture ... electric with the verve of swing-time rhythm ... radiant with the happiness of madcap romance... alive with riotous fun and spicy flavor... abundantly overflowing with the sheer joy of living!

That



FIVE NEW SONGS
by the man who wrote half the hits of the musical stage...
ARTHUR SCHWARTZ
★
Lyrics by EDWARD HEYMAN

HOLIDAY SHOW IN YEARS!...
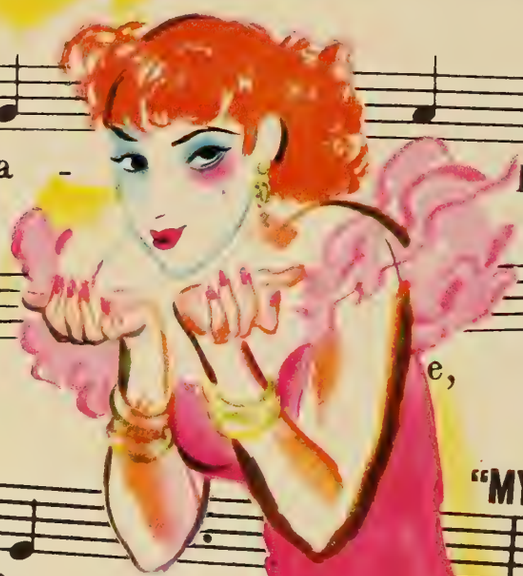
Girl from Paris

DAZZLING
DARING
DELIGHTFUL



THE BIG NEW YEARS ATTRACTION
IN DOZENS OF FIRST RUNS FROM
COAST TO COAST!....

FIVE NEW SONGS FOR THE HIT PARADE !



slowly and dreamily *p-mf*

"CALL TO ARMS"

You're not a - But you'll have your

p-mf a tempo

"MOONFACE"

Moon e, Round and cut

p-mf

"MY NEPHEW FROM NICE"

My neph - ew from Nice, dar - ling of the

"LOVE AND LEARN"

Love and learn_ B t - ure, Love and learn,_

p-mf

"SEAL IT WITH A KISS"

Won't you seal it kiss And re -

Lily PONS

Gene RAYMOND

Jack OAKIE

That Girl from Paris

WITH

HERMAN BING MISCHA AUER

LUCILLE BALL FRANK JENKS

RKO RADIO PICTURES

Directed by LEIGH JASON

A PANDRO S. BERMAN Production

Hope Held for New Film Deal With Italians

(*Continued from page* 1)

Hays secured assurances of some kind of concessions from Premier Mussolini, but their extent has not been made known, Hays taking the stand that this information will have to come from the American ambassador to Italy or the State Dept.

A general contingent decree was put into effect in February, 1935, and it included a contingent on pictures to the extent of about 25 per cent of the previous year's importations. Later in 1935 films were placed in a group of articles, the importation of which was regulated not on a percentage basis, but in accordance with ministerial import licenses.

Financial Law Modified

On Aug. 7, 1936, the Italian M. P. Federation (Federazione Nazional Fascista degli Industriali dello Spettacolo), which is a quasi government body with great power, informed all distributors in Rome that the previous method of granting licenses would be modified to allow for the 12 months beginning July 1, 1936 the exportation of not more than 10,000,000 lire received from film distribution. Any balance remaining, under this regulation, had to be invested in Italian film activities.

Total film imports were limited to 300 during the 12 months, of which 250 could be distributed by established importers and the remaining 50 distributed to casual importers.

Out of the 10,000,000 lire which could be exported 2,000,000 was set aside to provide for the 50 pictures allotted to casual importers (mainly Italian producers) the remaining 8,000,000 lire to be distributed among established national distributors in Italy, of which the majority distributed American films.

One of the conditions attached to this was a requirement that importing companies had to obtain the written consent of their parent companies and agree to maintain the level of the previous year's imports.

Modification Is Altered

On Oct. 27 the M.P. Federation advised that the regulations would again be changed and 16,000,000 lire of the funds received from distribution of all foreign pictures could be exported in the year ending June 30, 1937. Any amount above that sum must remain in Italy and might be invested in some manner in Italy, such as building or purchasing theatres, authors' rights, production of foreign language films, etc., not necessarily for film production, but subject to the approval of Italian authorities.

Of this 16,000,000 lire, 13,000,000 must be allotted to direct importers, of whom the majority are Americans, so that about 8,000,000 lire could be exported by Americans; 3,000,000 lire to local producers and distributors who are mainly Italian.

The number of pictures allotted to the American companies and to Italian companies distributing American pictures was fixed at 48 to be imported during the year beginning July 1, 1936 —and one half of this number after Jan. 1, 1937.

The number of films may still be reduced if the revenue exceeds the quota of funds allowed for exportation. The companies may import additional films under special permit only if the net revenues above the export allotment shall be left in Italy. Sums in the bank as of Sept. 30, 1936, representing earnings prior to July 1, 1936, due to foreign film can be exported at such time as exchange is available.

Companies which do not make application to abide by these regulations will lose their rights for importation of pictures and their allotment of pictures will be assigned to other companies. The regulations are now in effect and have resulted in a blockage of importation of American pictures into Italy.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"One in a Million"

(*Twentieth Century-Fox*)

HOLLYWOOD, Dec. 20.—The screen debut of Sonja Henie, the ice-skating figure champion, is auspicious. Wisely, though not ignoring the worth of the other players, the producers focussed attention on Miss Henie. Not only does she display her skating ability, but she seems to have acting possibilities that foretell popularity as a comedienne.

The story is a light career drama with comedy contrasts, a slight romance and embellished with musical solos and ice-skating routines by the chorus. The Ritz Brothers and Borrah Minnevitch contribute musical comic specialities. Adolphe Menjou, a smart guy to everyone but Arline Judge, his wife, envisions a fortune in bringing Miss Henie to America. Jean Hersholt, the girl's father, is training her for the Olympics. Menjou presents her with a troupe in an ice carnival. There is a suggestion of romance between Miss Henie and Don Ameche interposing. The girl captures the Olympic title only to have the taint of professionalism threaten to deprive her of the honors. The trouble is explained away by Ameche and Miss Henie comes to America to make her professional debut under Menjou's wing.

Miss Henie's athletic ability and her grace and skill on the ice are definitely an audience draw. The Ritz Brothers and Minnevitch get many laughs. Menjou, Ameche, Miss Judge, Hersholt and Ned Sparks are good in the support. Leonard Praskins and Mark Kelly wrote the original screenplay. Lew Pollack and Sidney Mitchell did the music and lyrics. Sidney Lanfield directed.

Production Code Seal No. 2,860. Running time, 95 minutes. "G."

"Trail Dust"

(*Sherman-Paramount*)

HOLLYWOOD, Dec. 20.—Done in the fashion which has established the popularity of the Hopalong Cassidy series, this Harry Sherman production is interesting outdoor entertainment. With a high degree of suspense as the backbone of the action, the film is well acted and directed.

Set in the western country, with the natural scenic beauty effectively photographed by Archie Stout, William Boyd, James Ellison and George Hayes this time meet many exciting adventures in driving their cattle to market. Forced to overcome natural difficulties, the trio is beset by rustlers intent on preventing the delivery of the steers.

The action is incidental to the drama, bringing Ellison into a romance with Gwynne Shipman and permitting Hayes to introduce a comedy contrast and Boyd to be legitimately heroic. It also permits Stephen Morris Brittwood, Dick Dickson and others to be villainous. They are conquered and the cattle are delivered to the shippers, of course.

Music featuring Ellison and a wrangler chorus is effective. Based on a Clarence E. Mulford story, the screen play by Al Martin has plenty of thrill action. It has been directed by Nate Watt to make these qualities predominate. It will please Hopalong fans and is generally worthwhile for those appreciating well-handled outdoor adventure entertainment.

Production Code Seal No. 2,888. Running time, 75 minutes. "G."

To Vote on Sunday Shows

WAYNESBORO, Va., Dec. 20.—A referendum wil be held here on Jan. 5 to decide whether Sunday films will be legalized.

New British Company Offers Stock Issue

LONDON, Dec. 11.—Details have been revealed of the offer of £2,000,000 in 4½ per cent first mortgage debenture stock of Associated British Properties, Ltd., which has been formed to take over from Associated Cinema Properties, Ltd., a subsidiary of Associated British Picture Corp., Ltd., 53 theatres leased to the latter company.

Associated British Properties, which has an ordinary share capital of £1,000,000, in addition to the loan capital now offered, is buying the 53 theatres from A. C. P. for £3,000,000, £2,000,000 cash and 999,000,900 ordinary £1 shares. It is leasing the theatre to A. B. P. for an annual payment of six per cent of the aggregate purchase price, equal to £180,000. A. B. P. will also pay head rents of the leasehold theatres (24 of the total) and the running expenses of Associated British Properties.

Variety Club

Cincinnati

CINCINNATI, Dec. 20.—The Cincinnati Variety Club is arranging to entertain at least 1,500 children, wards of various local institutions, at a Christmas party at the Netherland Plaza, according to HARRY J. WESSEL, chief barker. Candy, fruit and toys will be distributed from a huge Christmas tree. A series of children's films will be shown and a special stage revue given by pupils of the Pep Golden School. BILLY BEIN, JAKE GILLMAN and CHARLES FINE are assisting WESSEL.

Columbus

COLUMBUS, Dec. 20.—Barker GEORGE TRAUTMAN, president of the American Ass'n., is sponsoring a personally conducted tour to the Rose Bowl Game, leaving here Dec. 27.

JOHN BARCROFT, publicity manager for the RKO Palace, beside being presented the Quigley Award for November, has just received a new Packard as first prize for the finest exploitation on "Swing Time."

The Sixth Annual Children's Xmas Party and Banquet, was held at the Deshler-Wallick today, with 400 children as guests. A turkey dinner was served, with a full afternoon of entertainment, presents etc. Governor Davey, Mayor Gessaman, Congressman Lamneck, and other officials attended.

JOHNNY JONES was honored at a banquet at the Southern Hotel by the combined Firemen and Policemen's Ass'n. for his work in supplying food and coffee to their men during a recent fire near his theatre.

ETHEL WATERS and company gave a benefit performance at Memorial Hall last week, with 10 per cent of the proceeds to the Club Charity Fund and the balance for Xmas baskets for needy colored families here.

Minneapolis

MINNEAPOLIS, Dec. 20.—BILLY ELSON of the Minneapolis Seventh St. Theatre, has been elected chief barker of the Twin Cities Variety Club.

Other officers elected are: BEN BLOTCKY, first assistant barker; TOM BURKE, second assistant barker; S. D. KANE, secretary, and ABE KAPLAN, treasurer. These officers and W. H. WORKMAN, retiring chief barker, ED RUBEN, GEORGE GRANSTROM, BEN FRIEDMAN, AL STEFFES and MOE LEVY will comprise the executive board.

Morros Plans a Novelty

HOLLYWOOD, Dec. 20.—Boris Morros will attempt a new form of musical production next summer. The story is tentatively called "The Queen of Spades." It was written by Morros in collaboration with Serge Bertenson. Music by Tschaikovsky forms an integral part of the plot, and the entire theme is based on a poem by the Russian poet Pushkin.

Reopen in Indianapolis

INDIANAPOLIS, Dec. 20.—The Indiana, 3,200-seat downtown first run house, will reopen Christmas Day. It has been dark since April. Stage attractions also are planned from time to time.



A MESSAGE TO EXHIBITORS

from John D. Clark

General Manager of Distribution,
20th Century-Fox Film Corporation

This statement is not to sell you a picture, but to open your eyes to an opportunity for making extra money.

It's about one of our pictures called "Crack-Up". It has a thrilling story, some of the best acting I've seen in any picture and a climax that left 250 people in our projection room silent for a full moment before they burst into spontaneous applause. They were young men and women of an every-day theatre audience.

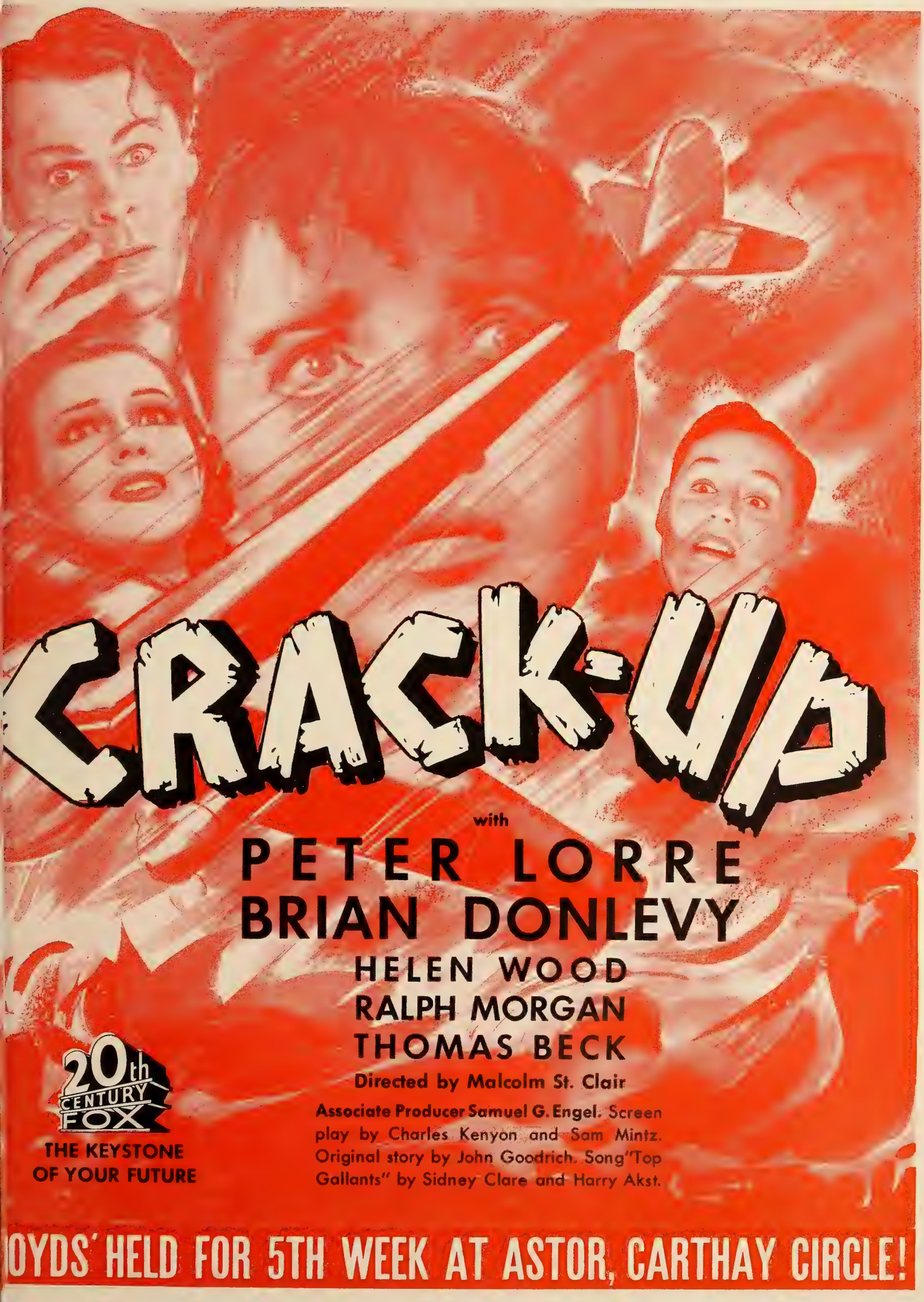
When a picture does that, it has a quality that demands the best in your showmanship ability.

I am certain you will realize that its profit possibilities make it worthy of an earnest, extra effort of exploitation on your part in the proper theatres.

AND THE TRADE PRESS SECONDS THE MOTION!

"So arrestingly different, so highly suspenseful and so powerful that it will attract and interest a large public and can be profitably exploited through the full range of houses!" —*Hollywood Reporter*

"Tense spy story off the beaten track. Carries a lot of suspense. Holds one's attention throughout!" —*Film Daily*


CRACK-UP
with
PETER LORRE
BRIAN DONLEVY
HELEN WOOD
RALPH MORGAN
THOMAS BECK
Directed by Malcolm St. Clair
Associate Producer Samuel G. Engel. Screen play by Charles Kenyon and Sam Mintz. Original story by John Goodrich. Song "Top Gallants" by Sidney Clare and Harry Akst.
20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE
OYDS' HELD FOR 5TH WEEK AT ASTOR, CARTHAY CIRCLE!

Purely Personal

MRS. THOMAS A. MARTIN (HELEN E. MARTIN) is now with the American Plays Ass'n. as a founder-executive. She is a former Bronx director of the N. Y. Federation of Women's Clubs and is president of the Bronx Civic Study Club.

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WINIFRED VAN BEVEREN has assumed duties as American representative for JACQUES FEYDER, the French director.

•

HARRISON JACOBS' "Numbered Woman" has been acquired by W. RAY JOHNSTON for Sterling.

•

JACOBO GLUCKSMAN sailed Saturday on the *Pan American* on a three months trip to South America and Europe.

•

. . . Baltimore

GEORGE DESMOND, projectionist of the Howard, is the father of a girl, born at Franklyn Square Hospital.

BEN OLETSKY, Hollywood Exchange manager of Washington, D. C., and who sells in this territory is engaged to LILLIAN BRANDT of Philadelphia.

MORRIS SHAPIRO, owner of the Star, has had the house renovated.

MRS. MORRIS OLETSKY, wife of Republic's salesman here, has recovered from a recent illness.

•

. . . London

JESSIE MATTHEWS resumed work at Shepherd's Bush after her illness.

VIRGINIA FIELDS, ERIC VON STROHEIM in on the *Queen Mary*.

MICHAEL BARTLETT started work in "The Lilac Domino" for MAX SCHACH.

H. B. WARNER finished his Wilcox part and on the way home.

•

. . . Los Angeles

BOB DONAGAN is building a new theatre at Blythe, which should be ready in a few weeks.

WALLACE BUTLER is the new booker for the Nace Circuit in Arizona, replacing PHILLIP REYNOLDS.

CHARLES E. BUCKLEY, F. W. C. attorney, has been confined to his home with a severe cold.

JOHN DILLON, 20th Century-Fox exchange manager, has returned from a general inspection trip to Arizona.

•

. . . Omaha

HAZEL ANDERSON, MRS. FRANK SANDERS, ELAINE ANDERSON and JANE STAM compose the committee planning the local M-G-M annual party the third week in January.

ED SOLIG, Milwaukee salesman for Grand National, is working out of the Omaha office two weeks and LARRY HENSLER has been transferred from the Omaha office to the Des Moines office until Jan. 1.

JOHN QUINLAN, assistant Brandeis manager, is visiting his parents in Minneapolis.

D. V. MCLUCAS, U. A. exchange manager, is at Excelsior Springs, Mo., for his health.

•

. . . Pittsburgh

MARSHALL GOLDBERG'S dad, SOL GOLDBERG, the Elkins, W. Va., exhibitor, will accompany his sensational halfback son to Pasadena for the Rose Bowl game.

JOHNNY PERKINS has been booked into the Stanley for Christmas week and MIKE CULLEN allows as how the management will have to build "a big show around him."

•

. . . Washington

GEORGE ETTINGER, United Artists exploiteer, was in for "Rembrandt."

JOHN J. ASH, M-G-M auditor, was in on official business.

WILLIAM E. S. WILCOX, operator of the Seco, Silver Springs, has established offices with CHARLES H. OLIVE, A.T.O. president, in the Earle Building.

E. S. WATERS, president of Preferred Pictures, was in for a conference with HERBERT L. TAYLOR, branch manager.

HARROLD A. WEINBERGER, M-G-M office manager will leave about Jan. 10, to take a studio post in Hollywood.

NORMAN J. AYRES, Warner salesman named branch manager in Albany.

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Talk Circuit Deals On Board Selection

American Tobis is negotiating circuit deals in the west, south and east on the film, "La Kermesse Heroique," which was selected by the Committee on Exceptional Photoplays of the National Board of Review as the best picture produced anywhere in 1936, it was indicated Saturday. The film will finish a 14-week run at the Filmarte here on Tuesday, and has been booked throughout the country.

"Mr. Deeds Goes to Town" was called the best American film of the year. The 10 best American films, including "Deeds," were: "The Story of Louis Pasteur," "Modern Times," "Fury," "Winterset," "The Devil Is a Sissy," "Ceiling Zero," "Romeo and Juliet," "The Prisoner of Shark Island" and "The Green Pastures." The 10 best foreign films, including "La Kermesse Heroique," were: "The New Earth," "Rembrandt," "The Ghost Goes West," "Nine Days a Queen," "We Are From Kronstadt," "Son of Mongolia," "The Yellow Cruise," "Les Miserables" (French) and "The Secret Agent."

Hartley Sees Gains In Sound for 1937

(Continued from page 1)

equipment, Hartley says, will include the rotary stabilizer sound head, directional loud speakers and power amplifiers. Both major equipment manufacturers now make all of these features available.

The move for standardization of sound is being actively supported by Loew's, both in its studio and theatres, on the theory that uniform recording standards in all studios will permit its theatre equipment to reproduce with the best sound results, and that standardized reproducing equipment in all theatres would enhance the sound presentation of M-G-M pictures wherever played. The same theory, of course, is applicable to all other producers and theatres, Loew's officials state.

By way of encouraging the standardization of reproducing equipment Loew's recently split its order for new equipment for its entire circuit between the two major manufacturers.

Warner Men Shifted

PITTSBURGH, Dec. 20.—Two more managerial promotions from within the ranks have been made by C. J. Latta, assistant to Zone Manager Harry Kalmine of Warners. Ernest Lieberman moves up from a job as assistant at the Arsenal to that of manager of the Model and Carl Beckdel, assistant at the Regal, has been made assistant to Joe Freeman, city manager at Greensburg, Pa.

Other shifts include: Walter Davis, from the contact department, to assistant at the Strand; Sam Kleben, to the Regal as assistant; Harold Friedman, from assistant at the Ritz to the same post at the Arsenal, and Andy Hungerman, to the Ritz as Cresson Smith, Jr.'s assistant.

Trendle Changes Managers

DETROIT, Dec. 20.—George W. Trendle, president of United Detroit Theatres, has shifted a number of house managers. Morgan Creedon, formerly manager of the Madison, is now at the Alger, succeeding Joe Busic, who has gone to the Varsity. Russell Chapman, a veteran and former manager of the Varsity, has resigned to go into business for himself.

Myron Van Buren, formerly of the Butterfield circuit, has been made manager of the Madison. Don Kuhn of the Norwest has been made assistant to William Elliott, manager of the State, while Fred Perry, recently a member of the Madison staff, has been placed in charge of the Norwest.

Schine Moves Personnel

LEXINGTON, Ky., Dec. 20.—James Cagney, not of Hollywood, but former manager of Schine's Piqua, at Piqua, O., has been transferred to the Ben Ali here. Other management appointments to the former Phoenix Amusement Co. houses, recently acquired by Schines, include J. D. Ensminger, formerly Phoenix advertising manager, to the Kentucky; Edward L. Riggs to the Strand and Joseph Cundy from Bellefontaine, O., to the State. Joseph Williams, from the home office in Gloversville, N. Y., has taken charge of the Madison and State, at Richmond, Ky.

Hearing on Orpheum Claim on Tap Today

(Continued from page 1)

by Irving Trust Co., trustee in reorganization for RKO, asks permission to offer $700,000 in cash to the Orpheum trustee in bankruptcy for the asets now held by the RKO subsidiary, Stadium Theatres Corp., the title to which has been in dispute since 1932. If accepted, the offer would permit the winding up of Orpheum's affairs with an indicated settlement of about 30 cents on the dollar for the $3,100,000 of creditors' claims against the bankrupt.

Memphis Halts All Games As Lotteries

(Continued from page 1)

arrest and prosecution, it was declared. The drawings constitute a lottery, officials decided.

The order followed numerous complaints from business men who called the prize drawings unfair competition. As a result a ruling was sought from the city's legal department and the desist warning was issued. No definite deadline has been set as yet but it was indicated a checkup will be made this week, with police action to follow the discovery of violations.

Boston Assistant Quits

BOSTON, Dec. 20.—Pearce Parkhurst has resigned as assistant at the Tremont, a Lieberman house, to join the management staff of E. M. Loew's Capitol in Lynn.

FWC Takes Hopalong

LOS ANGELES, Dec. 20.—A coast distribution deal for the current output of Harry Sherman's "Hopalong Cassidy" pictures has been completed through F.W.C. by Paramount.

THEATRE ACCOUNTING

by WILLIAM F. MORRIS

Tells all the facts about your business each week.

- Payroll data for Social Security Taxes.
- Profit at a glance—Daily or Weekly.
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VOL. 40. NO. 147 NEW YORK, TUESDAY, DECEMBER 22, 1936 TEN CENTS

Court Is Told RKO Majority To Favor Plan

Rickaby Statement Made At Orpheum Hearing

Well over a majority of the RKO stockholders will approve the plan of reorganization for the company proposed by Atlas Corp. and Lehman Bros., Hamilton C. Rickaby, attorney for the proponents of the plan, told Federal Judge William Bondy yesterday.

The assurance of stockholder support for the plan is taken to indicate that the principal RKO stockholders' protective committee will recommend its confirmation by the court, inasmuch as Atlas Corp. and Lehman Bros. do not represent a majority of the RKO stock outstanding and, therefore, Rickaby must have been speaking for important stockholder interests in addition to his clients.

Atlas-Lehman own about 630,000 shares of RKO stock, or 24 per cent of the 2,593,992 shares outstanding, and have an option to acquire from RCA another 24 per cent. They also own about 42 per cent of the $11,600,000 of RKO debentures outstanding and have an option to acquire a like amount from RCA. The approval of

(*Continued on page* 5)

Expect Adjournment Of Hearing on RKO

The objections of the unsecured creditors committee of RKO to the company's plan of reorganization have not been met yet and indications are that an adjournment of the first creditors' hearing on the plan, which is scheduled for tomorrow in U. S. District Court here, will be asked by the committee as a result.

Meetings between Carlos Israels, attorney for the committee, which includes the large claims against RKO of the Karl Hoblitzelle interests, and attorneys for Atlas Corp. and Lehman Bros., proponents of the RKO reorganization plan, will be continued in the hope of ironing out the general creditors' objections to the plan.

Marc Lachmann In "U" Publicity Post

HOLLYWOOD, Dec. 21.—Marc Lachmann today replaced Hubert Voight as publicity director at Universal. Voight's contract, which would have expired Jan. 27, was bought up.

Radio, page 4 today

Verbal Tilts Mark Raking Of Erpi Past

Otterson on Stand All Day in FCC Probe

John E. Otterson, former president of Erpi, sparred verbally for seven long hours yesterday with Samuel Becker, counsel for the Federal Communications Commission, in one phase of its investigation into A. T. & T., and ringside observers were generally agreed the first round ended in a draw.

The telephone division of the commission, with Paul A. Walker, its chairman, presiding, and Thad Brown beside him, began its probe into A. T. & T.'s connection, through Western Electric and Erpi, with the sound film business, with 45 Broadway as the ring. Becker was seeking to establish that Erpi had developed a monopoly of the sound film field in its early stages, and bent its efforts toward the maintenance of that monopoly.

Otterson, the first and only witness of the day, who again will take the

(*Continued on page* 5)

Columbia Sets Deal For 4 New Serials

Columbia has completed its deal with Louis Weiss for production of four serials. Weiss, who is now on the coast, will be in charge of production.

The first chapter film will star Frank Buck; the second, Capt. Frank

(*Continued on page* 5)

Undetermined

John E. Otterson, former president of Erpi, and more recently president of Paramount, told *Motion Picture Daily* yesterday during the Federal Communications Commission hearing that he has not as yet set any definite plans for the future, although he indicated that he is considering several propositions.

"I am taking it easy and I am in no hurry to reach a decision," he said.

United Artists Pays Bonus to the Staff

All United Artists employes earning $200 a week and under will receive a week's salary as a Christmas bonus, it was decided yesterday by the board of directors. The checks will be distributed either today or tomorrow.

Approximately 12,000 Loew employes all over the world over the weekend received bonuses ranging from a half week's salary to two weeks' pay, according to the length of time the individual has been with the company.

Delays Expected in Ohio Playdate Case

CINCINNATI, Dec. 21.—Depositions of complainant in the preferred playing time suit of RKO vs. the State of Ohio, will not be filed before Jan. 30, nor the brief before about Feb. 15, the dates fixed by the U. S. Statutory Court at the recent hearing in Columbus, according to Lester Jaffe, of Seasongood & Mayer, local attorneys for the complainant.

Play on Keats Is Variable; Good in Parts, Mostly Dull

The prospecting lure in endeavors to eke out a play from the private lives of great figures in the art forms made another attempt at the Lyceum last night, the very theatre which recently housed "St. Helena," or the story of Napoleon on his island retreat.

In that instance, the central character, of course, came from history. The Guild braved the identical idea in "Prelude to Exile," a most unsatisfactory play about Richard Wagner in the "Tristan und Isolde" formulative days. There was also Edgar Allan Poe and "Plumes in the Dust." Now it is poetry and the tragic life of John Keats who lived to love one night and to die in Italy, his fame to be emblazoned on the limitless shields of a time beyond his own.

"Aged 26" is the play and Anne Crawford Flexner wrote it. Young Keats, bedeviled by a gnawing consumption, had just finished "Endymion" and the critical conflict was raging. He is living from hand to mouth and largely on the bounty of his publisher who properly sensed his sole claim to fame would spring from his mentorship of the unappreciated poet. This, the one friend and Charles Armitage Brown, Keat's second. In Fanny Brawne, the sensitive and sickly Keats finds his one love and in her mother, herself seek-

(*Continued on page* 9)

Ostrers to Go With GB Sale In Status Quo

Nicholas Schenck Says Only One Talk Held

Isidore and Maurice Ostrer, president and assistant managing director of G. B., will sail for London on Saturday on the *Normandie* without any further meetings with Nicholas M. Schenck, president of Loew's, and Sidney R. Kent, head of 20th Century-Fox, it was learned yesterday. Thereby, it is indicated, the 20th Century-Fox-Loew-G. B. situation will continue at its present impasse.

"We held only one meeting on the coast with the Ostrers," Schenck stated. "They wanted to buy our stock in G. B. and we refused to sell."

That is where the meetings with the Ostrers ended, according to Schenck, and further than that there is nothing to report. No other meetings are scheduled, the Loew head said.

Meanwhile, it is learned Loew's is proceeding with plans to produce in England. Ben Goetz, who is in charge of production in England, will remain abroad permanently. He has already signed Michael Balcon, former G. B. production head, to supervise the new producing unit recently formed in England.

Arthur M. Loew, first vice-president of Loew's and in charge of all foreign activities of the company, will return from a three and a half month trip abroad on the *Berengaria* next Monday.

Suits Threatened on Bank Night Winnings

BELOIT, WIS., Dec. 21.—District Attorney John H. Matheson has declared he will take legal action against all Rock County theatre Bank Night winners in a move to force exhibitors to discontinue games of chance.

The district attorney has declared he will sue Bank Night winners because the penalty for a conviction of

(*Continued on page* 9)

Some Firms Closing For Holiday Weekend

Loew's, U. A., Paramount, RKO and Universal will close early Thursday afternoon in celebration of Christmas, with 20th Century-Fox, Warners and the Hays office yet to decide, it was learned yesterday. Where decisions have been reached, employes

(*Continued on page* 5)

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Subscription rates per year $6 in the Americas, and foreign $12. Single copies: 10 cents.

To Build in Brooklyn

Randforce will add another 2,500-seat theatre to the Brooklyn circuit. Herman Weingarten, who plans to build the house at Graham Ave. and Meserole St., Brooklyn, will turn it over to Frisch & Rinzler upon completion.

To Seek Legal Betting

OCONOMOWOC, Wis., Dec. 21.—Legalization of pari-mutuel betting on horse races will be sought at the 1937 session of the state legislature.

MITCHELL MAY, Jr. CO., INC.
INSURANCE
Specialists To The Motion Picture Industry
•
75 Maiden Lane, N. Y. City
510 W. 6th St., Los Angeles, Cal.

"Rainbow" a $55,000 Draw for Four Days

"Rainbow on the River" looks like the outstanding attraction of a pre-holiday week on Broadway. The Bobby Breen picture took approximately $55,000 in the first four days at the Music Hall. Indications are that the film will hit $80,000 for the week. Originally booked for 11 days, "Rainbow on the River" may be held a full two weeks. Breen is appearing in person in conjunction with the picture, putting in four shows on week days and an additional show on weekends.

Leader in the Broadway lineup last week, which was up to par for this time of the year, "Pennies from Heaven" tallied $45,000 at the Paramount with a stage show. "More Than a Secretary" at the Music Hall took in slightly over $45,000 for the week.

The third week of "Lloyds of London" at the Astor on a two-a-day policy ended with $7,500. "Three Men on a Horse" in its third stanza at the Strand took in about $15,000. "Born to Dance" at the Capitol for a second week garnered $35,000. The second week of "Rembrandt" was good for $22,000 at the Rivoli.

"Banjo on My Knee" and a stage show ended with $39,500 at the Roxy and "Stowaway" will most likely wind up with approximately $36,000. "The Plot Thickens" at the Rialto tallied about $6,000, while the Criterion completed a week's dual feature run, comprising "The Life of King Edward," and "Love in Exile," with $8,000.

First Division Gets $25,895 in '31 Case

Federal Judge Knox yesterday signed an order authorizing the Chemical Bank and Trust Co. to turn over to First Division Pictures the sum of $25,895 and $4,500 to Philips and Nizer, attorneys for the plaintiff. The payment is on an action begun in 1931 by William H. Moore, trustee in bankruptcy of the estate of James Cruze.

The action against First Division was dismissed in June, 1932, for lack of prosecution, but the Chemical Bank has refused to turn over the money because of the failure of the court to remove a restraining order.

The action was based on an agreement between the plaintiff and the defendant whereby the former was to produce and the latter to distribute a picture called "The Great Gabbo." The total amount involved in the suit was $30,399 which was claimed by both the plaintiff and the defendant.

Hulbert Coming to N. Y.

LONDON, Dec. 21.—Norman Hulbert of the Capital and Provincial News Theatres is on his way to New York on the *Berengaria* to discuss a deal with Trans-Lux. He wants to use the latter's Southampton theatre idea at Brighton and Coventry.

No 20th-Fox Restraint

An application made by Tobacco Road, Inc., producers of the current stage play of that name, to restrain 20th Century-Fox from referring to the play in its picture, "Banjo on My Knee," was denied on Saturday by Supreme Court Justice Philip J. McCook.

Records King's Talk

Houston, Dec. 21.—Ray Jones, Majestic manager, pulled a fast one on the abdication speech of King Edward VIII that is still the talk of this town.

He recorded it in wax as it came over the air, then blanked out the sound track on a newsreel showing the King and Mrs. Simpson and played the farewell talk through the theatre reproducer while the reel ran.

Admission Taxes Off Sharply in November

WASHINGTON, Dec. 21.—A sharp drop in admission taxes collected in November was reported today by the Bureau of Internal Revenue, which placed receipts for the month at $1,605,673.93 against $1,797,278.84 in October.

For the first time since May, bureau records show, collections were under those of the corresponding period a year ago, the month's total being $261,242 under the $1,866,915.42 collected in October, 1935.

As a result in the decline of October collections, the spread between 1936 and 1935 narrowed from $1,873,176 for the 10 months ended with November. For the year through November, collections were $16,262,897.17 against $14,650,962.66 for the corresponding period last year.

Ohio House Extends Tax

COLUMBUS, Dec. 21.—A bill indefinitely extending the present three per cent retail sales and admission taxes, which expire in March, has been passed by the House, 85 to 24. The bill was sent to the Senate, in skeleton session, and given first and second readings, then referred to the Taxation Committee. The upper chamber is expected to pass it this week.

Neither branch made reference to reinstatement of the former 10 per cent admission tax, which had been proposed in some quarters.

Reach No Union Decision

No decisions were reached yesterday at a meeting of representatives of the I.T.O.A., Local 306 and the Allied Union, with members of Mayor LaGuardia's survey board on the multiple union situation in New York. The meeting was for the purpose of settling differences in the agreement in negotiation for the absorption of Allied by Local 306. Another meeting will be called, but no date has been set as yet.

Ampa Party Plans Grow

Ampa's annual Christmas party and luncheon at the Hotel Edison's College Room tomorrow will be attended by several film stars in addition to the galaxy of entertainers now on the program if last minute arrangements of President Gordon S. White materialize. Festivities will start at 12:45 and are expected to reach a climax around 2:15 P.M.

Deal Set for Venezuela

Republic product will be distributed in Venezuela, S. A., by Cine Colombia, Medellin, Colombia, in accordance with a deal just closed.

Actors Guild Probes Players' Wage Plan

HOLLYWOOD, Dec. 21.—Possible legal action against at least two studios may result from the current investigation of the Screen Actors' Guild into the alleged practice of signing veteran players on a guarantee agreement basis whereby the studios guarantee the actors at least three days' employment weekly at $10 a day. M-G-M and Warners are charged with being the principal offenders.

The studio unions are also joining the Guild in the checkup on the practice and are seeking the cooperation of the Los Angeles Central Labor Council.

It is contended by the Guild that the studios seek to create the impression that they are aiding the relief fund in providing employment for the players when actually the actors do work worth $200 in the course of a week for small compensation. If suits are filed the Guild will base its complaints on the State Industrial Welfare Act., Sec. 16A, and on the NRA agreements which the producers agreed to maintain.

Of the deals objected to, 99 are said to be in effect at M-G-M and 75 at Warners.

Writers and Actors To Stay on Relief

WASHINGTON, Dec. 21.—All needy actors, musicians, writers and artists will be continued on relief, it was declared today by Works Progress Administrator Harry L. Hopkins in refutation of reports that industrial conditions have so improved that many on the rolls will be dropped.

Hopkins' promise was made in a letter to Sherwood Anderson in response to an inquiry as to the future of artists now on the rolls, in which it was pointed out that "the artist class is always the last to feel the benefit of improved conditions."

The Administrator called Anderson's attention to a new ruling that no one in need of relief was to be taken from the rolls. The Federal theatre will be continued.

New Year Financing Expected by Dixey

LONDON, Dec. 21.—Flotation of a securities issue probably totaling $1,250,000 for the financing of the Independent Exhibitors' Distributing Co., the project conceived by Capt. A. C. N. Dixey, is expected here early in January. Underwriting for the issue has been guaranteed, according to local advices.

U. A. Reduces Capital

DOVER, Del., Dec. 21.—United Artists Corp. has reduced its capital $20,000 by cancellation and retirement of 4,000 shares of common stock without par value. A certificate of reduction of capital has been issued the company by Secretary of State Walter Dent Smith.

U. A. Gets Stay on Tax

CHARLESTON, W. Va., Dec. 21.—United Artists has obtained a temporary Federal injunction restraining the state from attempting to collect $4,000 tax on film rentals. The company is attacking the constitutionality of the law.



"Gold Diggers of 1937"

DICK POWELL • JOAN BLONDELL

With VICTOR MOORE • Glenda Farrell • Lee Dixon • Osgood Perkins • Rosalind Marquis • Music and Lyrics by Harry Warren & Al Dubin and Harold Arlen & E. Y. Harburg • Directed by LLOYD BACON • Musical Numbers Created and Directed by Busby Berkeley • A First National Picture

A SMASHING START FOR WARNER BROS.' SEARS DRIVE Dec. 20th to April 4th

Coast Station Group Blacklists Agencies

HOLLYWOOD, Dec. 21.—The Southern California Association of Broadcasters, an organization consisting of 20 stations, has completed a checkup of all advertising agencies and has blacklisted approximately 17 for alleged practices detrimental to radio. The list of approved agencies totals 150.

Although the names of the agencies and the nature of the practices in question are not available, the association has launched a far-reaching drive to improve radio advertising.

Ben S. McGlashan of KGFJ, recently was elected president of the organization.

Sues Chain for Libel

DES MOINES, Dec. 21.—Harold M. Cooper, resigned chairman of the Iowa Liquor Commission, has filed suit for $200,000 against the Central and Iowa Broadcasting Cos., claiming he was libeled in speeches made over WHO last Oct. 25 and over WMT last Oct. 29 during the political campaign. Cooper names as co-defendants Verne Marshall, who made the speeches, and the *Cedar Rapids (Ia.) Gazette,* of which Marshall is editor.

Cooper is alleging that an impression was intended that he violated the Iowa liquor act; that he attempted to influence a Linn county (Iowa) jury in February, 1935; that he was convicted of a crime in Sturgis, S. D., 24 years ago whereas "he was held innocent, the case being dismissed," and that he accepted bribes while holding the liquor position.

Each charge was called false in the suit.

Brazil Restricts Radio

RIO DE JANEIRO, Dec. 17.—Restrictions on the control of Brazil's broadcasting by foreign corporations have been imposed by the Brazilian Radio Commission.

The commission classifies radio with newspapers, which, under the constitution, must be controlled by Brazilians. In addition, the commission has banned promiscuous advertising announcements and broadcasts that might harm friendly relations with other countries.

Smiths Have It

Five distinguished speakers will be heard over the NBC-Red Jan. 15, beginning 10 P.M., E.S.T., in a broadcast originating at the Biltmore Hotel, New York. The names of the speakers are Fred Smith, Fred Smith, Fred Smith, Fred Smith and Fred Smith. The announcer will be F. Carleton Smith.

The organization sponsoring the broadcast is the Benevolent and Protective and Completely Universal Order of Fred Smiths of America, the chief function of which is to have a banquet once a year so as to get all the Fred Smiths together. Fred Smith, of the Batten, Barton, Durstine & Osborne advertising agency, is the organizer of the society.

Mutual, as Nat'l Network, Closes First Two Accounts

The first two sponsored programs on the new coast-to-coast Mutual network, which will be inaugurated on Dec. 29-30, will consist of the following:

The Health Products "National Amateur Hour," starting Jan. 3 from 6 to 6:30 P.M.

The Murine Co.'s "Listen to This," which bows in over the new nationwide web on Jan. 5, from 8:30 to 9 P.M. The time on both is E.S.T.

Two other programs are tentatively set, although the contracts have not yet been received. They are the Mennen-sponsored "Famous Jury Trials," and the Grove Laboratory-sponsored news comments by Gabriel Heatter.

Another strong immediate possibility for the new network is the current WGN program known as "How to Reduce to Music." Bayer Aspirin, through an agency believed to be Blackett-Sample and Hummert is now working on the deal to bring the program to the complete network.

Meanwhile, the plans for the gala two-day Mutual-Don Lee salute have been completely set up. Mutual's program highlights have already been published in this department.

The inaugural gets under way on Dec. 29 at 10 P.M., E.S.T., when Commissioner Anning S. Prall, chairman of the Federal Communications Commission, will read President Roosevelt's message of welcome to Mutual on the occasion of the network's coast-to-coast expansion. The commissioner will also personally welcome Mutual.

As the highlight from the California end, Don Lee will present Edward Arnold in a 20-minute radio adaptation of his current film "John Neade's Woman" over KAJ. Original atmospheric music as the background for the portrayal will be supplied by Felix Mills' orchestra. Conrad Nagel will act as "em cee."

KFRC, San Francisco, will cut in later in the evening with Claude Sweeten's orchestra. A novelty stunt will be a tour of San Francisco's Chinatown telephone exchange. A switchover will then be made to KGMB, Honolulu, where native entertainers will carry on with the entertainment.

Myrt and Marge Set

Confirming MOTION PICTURE DAILY's story of some weeks ago, Myrt and Marge, radio's mother and daughter team, have been signed for a new series of sponsored programs beginning Monday, Jan. 4, over the complete CBS network. The program will be heard five times weekly, Mondays through Fridays from 2:45 to 3 P.M., E.S.T. The new program replaces Colgate-Palmolive Peet's "Goose Creek Parson" series. Benton and Bowles is the agency; Wm. Morris office represents the actresses.

Arranging NBC Switch

BRIDGEPORT, Dec. 21.—The staff of WICC is busy planning for the switch from CBS to the NBC-Blue which takes place New Year's Day. Several of WJZ's commercials have been contracted for, although it is likely that a great many will not be placed on the local schedule until new contracts are drawn up in the fall.

Clark to Lennen and Mitchell

Jay Clark yesterday joined the radio department of the Lennen and Mitchell agency, succeeding Carol Irwin who recently resigned to accept a position at Young and Rubicam. Clark will supervise the production and write the scripts for several of the Lennen and Mitchell radio accounts.

Barnes, Leonardi, Et Al

Short Shots: Howard Barnes is the newest member of WOR's announcing staff, making the switch from WHN . . . Leon Leonardi, KFWB musical director, has been appointed to supervise the music for the "Do You Want to Be an Actor?" program for Chase and Sanborn . . . The Philco Co. distributes approximately $400,000 as a bonus to its employees this week . . . Ethel Merman, James Barton, Milton Berle, Ed Sullivan, Belle Baker and others will broadcast over WMCA this Sunday for the James J. Hines Christmas Fund benefit . . . Leslie Howard will be heard in a speech on the theatre on Monday, Dec. 28 over the NBC-Blue . . . NBC networks will be kept open an hour later than ever before on New Year's Eve in a dance program which will begin at 11:30 P.M. and continue until 5 A.M. The remote pick-up points will come from principal cities throughout the nation and will conclude with a broadcast from Honolulu . . . Lois Long, style expert of *The New Yorker* will be Thursday's guest star on the La Salle "Fashion Show" program, heard weekly over the NBC-Red . . . Howard McAteer, director of the British division of Philco, is author of the statement in which he states that "British scientists made a terrible mistake in introducing television to the public before it had been perfected." He states that the British television "is highly unsatisfactory and primitive, and the received images are so distorted at times that arms and legs look like bags of sand" . . . Saturday's "Sealtest" program will have Lanny Ross as the featured guest . . . Walter Hampden will offer a Christmas play on Rudy Vallee's program Christmas Eve. Otto Kruger will be heard in place of Cary Grant on the Camel "Caravan" broadcast tonight. He will support Ruth Chatterton in "A Marriage Has Been Arranged" . . . Tomorrow night's "Cavalcade of America" program will honor the memory of the late Madame Ernestine Schumann-Heink . . . McKesson & Robbins will sponsor a new WOR-Mutual program beginning Jan. 7, from 8:45 to 10 A.M., E.S.T.

CBS to Stage a Big New Station Party

CBS will officially welcome its two new west coast affiliates, stations KNX, Hollywood, and KSFO, San Francisco, with one of the most lavish programs ever placed on the air. The program will originate in New York and Hollywood, and will be two hours in duration. Practically every star now under contract to CBS will be heard.

William S. Paley, CBS president, will open the festivities by officially welcoming KNX and KSFO into the CBS fold. Thereafter, from New York, Major Bowes will take over the program and will introduce Phil Baker, Nino Martini, Rubinoff, Pick and Pat, Burns and Allen, Kay Thompson, East and Dumpke, Milton Berle, and Al Pearce, who will entertain for the first hour.

From the CBS Music Box Theatre in Hollywood will be heard Eddie Cantor, Al Jolson, Joe Penner, Nelson Eddy, Cecil B. DeMille, Jack Oakie, Gertrude Niesen, Bobby Breen, Dick Powell, Igor Gorin, Anne Jamison, Frances Langford, Deanna Durbin, Gene Austin, Martha Raye and Sid Silvers.

Interspersing the work of the individual entertainers will come the music bandleaders Howard Barlow, Freddie Rich, and Benny Goodman from the east and from Hollywood Bandleaders Victor Young, George Stoll, Jimmy Grier, Raymond Paige and Josef Pasternak.

The program will get underway at 10:30 P.M., E.S.T. Harry Ommerle is in charge of the arrangements in New York, while Charles Vanda is acting similarly for CBS in Hollywood.

Paul Keston on Coast

HOLLYWOOD, Dec. 21.—Paul Keston, vice-president of CBS, arrived Monday to confer on current building plans of the company.

Network Gross Still Rising

NBC's revenue for November was $3,438,616, or 29.5 per cent over the corresponding month last year, and compares with the all-time high of $3,696,489 set in October of this year. The network's gross total for the first 11 months of 1936 was $30,935,248, or 9.5 per cent above the corresponding period of 1935.

CBS's billings for the month represent an increase of 44.2 per cent. The company estimates that its 1936 total will approximate $23,289,000, which would compare with $17,637,805 for 1935.

Mutual anticipates a gross time billing of approximately $2,000,000 for 1936, which will represent an approximate 55 per cent increase over last year's figure.

Pope to Talk

The combined networks of NBC and CBS will carry Pope Pius XI's Christmas message on Christmas Eve at 6:15 A.M., Thursday. The broadcast will emanate from the Pope's study adjoining his bedroom where he has been confined by illness.

It is expected that Mutual and many of the local independent stations will be hookedin for the address.

Verbal Tilts Mark Raking Of Erpi Past

(*Continued from page* 1)

stand when the hearing resumes today, proved himself adept at parrying the verbal jabs of Becker, although the latter scored several times. With a mass of documents at his disposal, Becker attempted to draw from Otterson the admission that two clauses in the first licensing agreements concluded with producers and exhibitors, on recording and reproducing equipment respectively, were designed principally to foster the control by Erpi of the sound film field. The two clauses were that referring to interchangeability, and that on restriction.

Becker first established that the restriction clause, which provided that pictures produced with Erpi-licensed recording equipment could be reproduced only on Erpi reproducing equipment, had been a feature of the original contracts. He demanded to know if the real reason for the restrictive clause was to avoid possible competition, and Otterson replied that it was not.

Holds Methods Strictly Legal

Becker tried again and again to get the response from Otterson which he desired, on the question of what he called Erpi's desire to make the sound film field exclusively its own. Again Otterson refused to agree. Otterson's consistent reply to Becker's questioning was to the effect that Erpi was interested in obtaining the maximum business of the sound film field, "by every legitimate and legal competitive method."

Memoranda, letters, telegrams and cables, involving Otterson, David Sarnoff, RCA president at the time; Edgar S. Bloom, then president of Western Electric; General James G. Harbord of RKO; Paul Cravath, of Cravath, de Gersdorf, Swaine and Wood, attorneys for RCA, and a number of others, flowed through Becker's hands as he bore down on the other important point, the so-called interchangeability clause in the license agreements, which provided that Erpi-recorded product could be reproduced on other equipment only if that equipment was equal in quality to that of Erpi.

Interchangeability Defended

Otterson, under questioning, declared the clause was Erpi's method of protecting the industry from the effect of poor equipment, while Becker insisted that Erpi consistently refused to take a definite position on interchangeability. Becker asked what was to determine the quality of other type types of equipment, and Otterson replied it had not been specified.

The uncertainty among exhibitors as to whether they could play all product if they installed other than Erpi reproducing equipment, as a result of the Erpi licensing agreements, Becker contended, was deliberately stimulated and fostered by Erpi to maintain its position in the field. This Otterson denied.

The questioning was chiefly concerned with the licensing agreements in negotiation originally with the producers in the spring of 1927 and running through the conclusion of these agreements, and the subsequent modification in the interchangeability clause in 1928. Factual data relative to the conclusion of the deals and subsequent developments were brought out, with a constant stream of jabs and parries carried on by Becker on the one hand, and Otterson on the other.

The chief point which Becker attempted to establish relative to what he characterized as Erpi's unwillingness to permit the acceptance of other equipment as to quality was its effect on RCA, Erpi's major competitor in the field. In August, 1928, Becker brought out, a test of the RCA equipment was held at the Astor Theatre in New York. Whitford Drake of Erpi, cabled Otterson, then in Europe, according to data inserted in the record by Becker, that he could find no basis of criticism of the RCA equipment. Otterson's reply, it was indicated by Becker with documents, was to the effect that under no circumstances was Drake to indicate approval of RCA equipment, or to take any steps, if they could be avoided, until Otterson's return to the United States.

That embodied the line of questioning pressed by Becker, while Otterson, often noting a failure to recall details, continued to maintain that Erpi's actions throughout were designed merely to further its attempts to acquire all the business in the field which it could secure through legal, legitimate competitive means.

Becker still was attempting to prove monopoly through Erpi's use of the interchangeability clause when Chairman Walker called a halt for the day.

Otterson is scheduled to resume the stand today, probably to be followed either by H. M. Wilcox, former Erpi vice-president, or R. E. Anderson, former treasure of the company.

Becker told MOTION PICTURE DAILY yesterday that the hearings will run today and tomorrow of this week, and the first three days of next week, when he expected to conclude. The Erpi investigation here is a continuation of the A. T. & T. investigation which has been carried on in Washington up to this time.

Purely Personal

THE LYNN FARNOLS, BILL HOWARD, CHARLES CURRAN, EDDIE EDELSON, "TOOTSIE," BARLETT, MARGARET and BEN CAMMACK among those winding up a gala Saturday night early Sunday morning at the Kit Kat Club.

•

SONJA HENIE, who appears in "One in a Million," saw the picture yesterday in the 20th Century-Fox home office projection room. With her was NAT DYCHES, of the coast publicity department. The picture opens at the Roxy on New Year's Eve.

•

CARL M. LESERMAN is back from Florida, GRADWELL L. SEARS is due back today or tomorrow from the coast and S. CHARLES EINFELD will leave for the coast on Saturday.

•

A. E. THOMAS, who will write the script for "The Old Soak," which WALTER RUBEN will direct, and LEON GORDON left Sunday by train for the M-G-M studios.

•

NICHOLAS M. SCHENCK, who arrived from Hollywood over the weekend, will head for Miami shortly. He is having a swimming pool built at his winter home there.

•

SAM RINZLER, BOB WOLFF, MAX A. COHEN and JOE HORNSTEIN returned yesterday from Pinehurst where they spent the weekend.

•

DAVID BERNSTEIN, vice-president and treasurer of Loew's, was a guest at the annual Gridiron Dinner in Washington Sunday night.

•

CHARLES STERN of U. A. left for Boston yesterday afternoon. In the morning he returned from Atlanta.

•

OLGA BACLANOVA and NOAH BEERY are due to arrive aboard the *Manhattan* today.

•

JOHN BOLES is expected back at the Universal studio tomorrow to start work in "As Good as Married."

•

NORMAN KRASNA arrived in town yesterday.

HELEN SHAW LESSER,, who injured her leg badly enough the other day to have it in cast, ran into further bad luck when the first injury resulted in a fall. She cut herself and had to have the injuries stitched.

•

JOE HORNSTEIN and his son, HAROLD, will sail tomorrow on the *Oriente* for Havana. HAROLD is captain of the Mohawk basketball and football team which will represent the Olympics in the Cuban games.

•

CLYDE ELLIOTT, sales manager for Ad Caster Service, a new advertising plan sponsored by Screeno, will leave for Chicago, his headquarters, today after spending a few days here with GEORGE WEST, local Screeno manager.

•

MORT D. GOLDBERG, Chicago lawyer and president of the G.C.S. Circuit with headquarters in that city, sails on the *Excambion* today for a two-month Mediterranean cruise.

•

HOWARD S. CULLMAN last night played host to all Roxy employes at an annual Christmas party held in the theatre after the final show.

•

WILL H. HAYS, scheduled to leave for Indiana today to spend the Christmas holiday, may delay his departure until tomorrow.

•

DAVE PALFREYMAN, scheduled to arrive here yesterday from New Orleans, was delayed and will arrive today instead.

•

GEORGE SCHAEFER is back from the coast and HARRY GOLD has returned from a tour of southern U. A. exchanges.

•

HARRY C. ARTHUR is due Saturday from St. Louis to spend the holidays here.

•

AL LICHTMAN has returned from the coast. Ditto SIDNEY R. KENT.

•

PAT POWERS flew in from the coast over the weekend.

•

FREDERICK LONSDALE, playwright, arrives on the *Europa* tomorrow.

Court Is Told RKO Majority To Favor Plan

(*Continued from page* 1)

the plan by debenture holders has been assured already.

Rickaby's statement was made during a hearing on a petition by Irving Trust Co., trustee of RKO, for leave to offer $700,000 to the Orpheum Circuit bankruptcy trustee for a clear title to all of the latter's going assets. The proposed offer was approved on behalf of Atlas-Lehman.

Joseph M. Cohen, attorney for holders of approximately 200,000 shares of RKO stock, did not oppose the petition but urged the court to bear in mind the possible effect of the proposed cash disbursement on the equity of stockholders in RKO assets. O. C. Doering, of counsel to the RKO trustee, countered that the acquisition of a clear title to the Orpheum assets was believed to be in the interest of the company and its creditors.

The petition was also approved by Carlos Israels of counsel to the unsecured creditors' committee of RKO.

In reply to a question by Cohen, Doering said that the Orpheum assets were now being operated at a cash profit, but were showing a net loss after all charges. Judge Bondy reserved decision on the petition which, if approved by the court and accepted by Orpheum creditors, would make possible the winding up of the latter's affairs with an indicated cash realization of 30 cents on the dollar for the creditors. There are virtually no assets in the Orpheum estate at present except those now held by RKO, whose title to them is contested by the Orpheum trustee.

Some Firms Closing For Holiday Weekend

(*Continued from page* 1)

will not return to their desks until Monday.

Columbia will remain open all day Thursday. Where employes are being given time off, no extra working hours will be required.

At Loew's, U. A. and Universal the offices will officially close at 1 P. M. Paramount and RKO will shut down at 3 P. M. Universal home office employes will hold a party, starting at 1 P. M. While other companies have not declared themselves, employes usually stage impromptu festivities in celebration of the holiday.

Skeleton staffs will continue to operate in the exchanges, preparing shipments for local runs.

Columbia Sets Deal For 4 New Serials

(*Continued from page* 1)

Hawks. While no star is mentioned for the third and fourth, it was stated yesterday that one serial will be called "The Secret of Treasure Island." The other will be an historical film built around "Wild Bill Hickok."

In commenting on the deal, Jack Cohn, vice-president of Columbia, said:

"There is a large juvenile market for these types of films."

The Greatest

BOX-OFFICE

lines ever written!

"'Inspired entertainme
announcing its new f

FOR ONCE AN ADV

'Rembrandt' is more t

"CERTAIN TO BE REM
PICTURES OF THIS



ALEXANDER

CHARLES L

a

REMB

Directed by ALEX

w

GERTRUDE LAWRENC
EDWARD

Released thru

is the phrase in which the Aldine Theatre is
'Rembrandt.'

ISEMENT IS GUILTY OF UNDERSTATEMENT!

inspired entertainment" — *Elsie Finn, Philadelphia Record*

MBERED AMONG THE TRULY IMPORTANT

NERATION." — *Mildred Martin, Philadelphia Inquirer*

RDA *presents*

UGHTON

ANDT

ER KORDA

LSA LANCHESTER
PMAN

TED ARTISTS



Variety Club

Kansas City

KANSAS CITY, Dec. 21.—Over 700 prizes were donated by film and theatremen, allied tradesmen, Kansas City merchants and Hollywood stars to the annual Variety Club-Kansas City *Star* bowling tournament at Pla-Mor, Dec. 19 and 20.

Gifts from Hollywood were from CLAUDETTE COLBERT, GLADYS SWARTHOUT, FRED MACMURRAY, GARY COOPER, CECIL B. DEMILLE, MYRNA LOY, JEAN HARLOW, JEANETTE MACDONALD and BILL POWELL.

Chief Barker FRANK HENSLER, M-G-M exchange manager, was in charge for *Variety*, ERNIE MEHL for the *Star*. Part of the prizes are for the tournament which is being held the same time in Kansas City, Kan., details of which are being handled by Barkers R. R. BIECHELE and GEORGE BAKER.

Washington

WASHINGTON, Dec. 21. — Variety Club will hold its New Year's Eve party in the Willard Hotel's Bamboo Room, with A. JULIAN BRYLAWSKI's social activities committee in charge of the proceedings. There will be surprises for all the guests, who have been limited to 60 couples.

A "branch" of the club's bar will be opened in the Bamboo Room for food and other refreshments.

Show "Beloved Enemy"

United Artists will hold a preview of "Beloved Enemy" this afternoon in the grand ballroom of the Waldorf. The picture will be screened at 3:45 o'clock, following which a cocktail reception will be staged at the East Foyer.

Dictograph Xmas Bonus

A Christmas bonus based on length of employment will be paid by Dictograph Products, Inc., to its 2,000 workers in factory and offices.

Wall Street

Paramount Gains on Board

	High	Low	Close	Net Change
Columbia	32¼	31⅞	32	— ⅛
Columbia, pfd.	40½	39½	39½	.....
Consolidated	5	4⅞	4⅞	— ⅛
Consolidated, pfd.	16⅝	16⅝	16⅝	+ ⅛
Eastman Kodak	172½	172	172	.....
Gen. T. Equip.	30⅝	29¾	29¾	.....
Loew's, Inc.	63⅛	62	62	—1
Paramount	21⅛	20⅝	20¾	+ ¼
Paramount 1 pfd.	147	145½	146½	+3½
Paramount 2 pfd.	19⅛	18⅝	18¾	+ ⅛
Pathe Film	9¾	9¼	9⅜	.....
RKO	7¾	7½	7½	— ⅛
20th Century-Fox	35¼	34⅜	34¾	—1
Universal, pfd.	102	102	102	—1
Warner Bros.	17	16½	16½	— ¼

Little Curb Movement

	High	Low	Close	Net Change
Grand National	3⅜	3¼	3⅜	.....
Sonotone	2	2	2	.....
Technicolor	21	20¾	20¾	+ ⅛
Trans-Lux	4⅜	4	4	— ¼

Bonds Off Slightly

	High	Low	Close	Net Change
Loew's 3½s '46	100½	100½	100½	.....
Paramount B'way 3s '55	72½	71½	72¼	— ¼
Paramount Pict. 6s '55	100⅜	100¼	100¼	.....
Warner Bros. 6s '39 wd.	99½	99	99	— ⅛

(Quotations at close of Dec. 21)

Looking 'Em Over

"Four Days' Wonder"

(*Universal*)

Delightful may seem an inadequate adjective in describing "Four Days' Wonder." Jeanne Dante, who captivated New York theatre audiences last season, offers a sterling performance which should hold film audiences in like manner. The story is an exciting and kaleidoscopic adaptation from the A. A. Milne novel, dealing out whimsy, humor, drama and farce in quick succession.

Building from irritating domestic difficulties between Miss Dante, her aunt, Margaret Irving, and her sister, Martha Sleeper, the story in successive flashes speedily moves along when Miss Irving is accidentally killed. The young girl, in her adolescent, unfounded terror, runs off when she finds the body. Then in troops Walter Catlett, the police inspector, with his daffy deductions. His laughable intrusions set off the main events which mount to a whirlwind finish, not, however, until he has pinned the non-existent crime on practically the entire cast. Throughout the film there are evidences of fine directorial handling that bring out satirical effects, young romance and hilarity.

The expertly selected supporting cast includes Alan Mowbray, Charles Williams, Spencer Charters and Kenneth Howell. They do handsomely. Sidney Salkow directed. The script was fashioned by Harry Thaw and Michael Uris.

Production Code Seal No. 2,678. Running time, 60 minutes. "G."

"Stormy Trails"

(*Colony*)

Cattle thieves, the threat of foreclosing a mortgage, a wayward brother and the other elements of westerns, plus double-crossing double-crossers, are contained in this film. It is properly diverting, exciting and has its quota of thrills.

Rex Bell, the heir to valuable ranch property, has his difficulties with a gang of murderers who are seeking to kill him. In their efforts toward this end they kill a sheriff and Bell's brother. But a little later Bell discovers his enemies and with gunplay and fisticuffs he settles accounts. Lois Wilson supplies romantic opposition of a quality which is at least adequate.

The cast includes Bob Hodges, Earl Dwire, Earl Ross, Roy Williams and Lane Chandler. Sam Newfield directed.

Reviewed without production code seal. Running time, 61 minutes. "G."

"College Holiday," opening at the Paramount tomorrow, was covered by wire from Hollywood Dec. 17.

"Janosik," which goes into the Filmarte the same day, was reviewed Nov. 10.

"Jungle Princess," tomorrow's final opening at the Rialto, was previewed from the coast by wire Nov. 18.

"After the Thin Man," a Christmas Day opening at the Capitol, was reviewed from Hollywood by wire Dec. 4.

"Gold Diggers of 1937," starting its run the same day at the Strand, was another Hollywood preview Dec. 4.

"Sing Me a Love Song," Friday attraction at the Criterion, was reviewed Oct. 9 by Hollywood wire.

"Counterfeit Lady," which the Globe plays beginning Saturday, was covered Dec. 3.

Jack A. Gale to Wed

KANSAS CITY, Dec. 21.—Jack A. Gale, Loew's Midland artist, will be married Christmas Eve to Helen Burwell, dance teacher by Bishop Robert Nelson Spencer. John McManus, Midland manager, will be best man.

William J. Bruegging, manager of the Paramount shipping department, and Virginia F. Lampe, were married last week.

J. P. McEvoy Married

LAS VEGAS, NEV., Dec. 21.—J.P. McEvoy, scenarist, and Margaret Santry, newspaper writer, were married here over the weekend. The couple left on a wedding trip to Death Valley.

Audio Promotes Two

A. J. Wilson and Charles L. Glett have been named as vice-presidents of Audio Prod., Inc.

Warner Managers Meet

Warner theatre zone managers as far west as Chicago yesterday held a quarterly meeting with Joseph Bernhard at the home office. Policies and new product highlighted the discussions.

Among those present were: James Coston, Chicago; Moe Silver, Albany; Harry Kalmine, Pittsburgh; Ted Schlanger, Philadelphia; Nat Wolf, Cleveland; Don Jacox, New Jersey, and Byron Moore, New York.

Plimpton Quits Business

BOSTON, Dec. 21.—F. F. Plimpton has retired from the show business after having managed Tremont Temple for nearly four decades. He has withdrawn from the M. P. T. O. here, too, and George Brown has been elected to succeed him on the board of directors.

Short Subjects

"Pathe Topics, No. 3"

(*Radio*)

Scenes of The Flying Dutchmen, a trapeze act, rehearsing new tricks, in slow motion and showing some of the intricacies of the stunts fill the first part of this short. Doctor Rockwell does the second act with a monologue in a somewhat humorous vein on "The Abundant Life." "Alpine Carnival" closes the reel with spectacular scenes of winter sports in the Bavarian Tyrol. A nicely entertaining collection. Production Code Seal No. 01,398. Running time, 10 mins. "G."

"Plane Devils"

(*Columbia*)

A very effective and thrilling issue of the News World of Sports which features a history of flying showing many important historical flights made in the early days. Parts of the film are exceptionally well filmed, particularly the final sequences of stunt flying. Production Code Seal No. 01,315. Running time, 10 mins. "G."

"Graveyard of Ships"

(*Van Beuren-Radio*)

A stark, forbidding atmosphere is created by the scenes in this number of "The World on Parade." Brilliantly photographed on the sands about Cape Hatteras, the shots of the toll of the sea's fury convey a dramatic punch which will hold audiences. With interesting material, it should go over well. Production Code Seal No. 01,259. Running time, 10 mins. "G."

"Hurling"

(*M-G-M*)

With the customary Pete Smith narrative, the Celtic sport is here given in all its conflict, excitement and with horseplay. Well photographed and cut, there is interest and humor in practically every frame. Production Code Seal No. 2,756. Running time, 10 mins. "G."

"Dizzy Ducks"

(*Mintz-Columbia*)

Not much excitement or novelty in this cartoon, but it does prove divert-horseplay. Well photographed and cut, gunning for duck and they manage to get involved in awkward and, after a fashion, humorous situations with the birds. Production Code Seal No. 2,734. Running time, 6½ mins. "G."

"The Pups' Christmas"

(*Harman Ising-M-G-M*)

A suitable and well conceived color cartoon for presentation during the approaching holidays. Concerning the puppies' adventures on Christmas morning, there is considerable excitement created as they snoop and dodge the toys. It is very well done. Production Code Seal No. 2,885. Running time, 8 mins. "G."

Omaha Men Organize

OMAHA, Dec. 21.—Twenty-seven exhibitors cooperating on Bank Night showings have formed the M. P. Exhibitors' Ass'n of Omaha. Dorothy Ehlerman, in charge of the office staff for the Sioux City Bank Night, has been here helping get the local association started.

Erpi Wins New Trial In Old Alaska Suit

A re-trial of an Erpi action involving the company's right to repossess Western Electric sound equipment for non-payment of money owed has been granted Erpi by the U. S. Circuit Court of Appeals for the Ninth Circuit, it was stated through Western Electric headquarters here yesterday.

The action was originally brought by Erpi in 1931 against W. B. Gross, theatre owner in Juneau and Ketchikan, Alaska. Following a jury trial last year, judgment for counterclaims amounting to $58,436, plus attorneys' fees and costs, was entered in Gross's favor by the District Court for the Territory of Alaska.

In rendering its decision on Erpi's appeal, the circuit court reversed the judgment of the lower court and granted a new trial, according to the Western Electric statement.

New Sound Advances Predicted by Knox

Further gains in sound recording and reproduction are in prospect for 1937, H. G. Knox, vice-president of Erpi, said yesterday.

In viewing the prospects for the coming year Knox predicted further extension of the volume range, with the possibility of automatic volume expansion, further advances of both general and selective studio pickup equipment and a refined recording technique.

Memphis Orpheum Lease

MEMPHIS, Dec. 21.—The Orpheum has been leased by W. H. Johnson, Shreveport capitalist, and will open on Christmas Day with a combination stage and picture policy. Operated for years by RKO, the Orpheum has gone through numerous managements in recent years. M. A. Lightman had the theatre during the 1934-35 season, but it was closed Nov. 30, 1935.

U. A. in Southern Deals

Seven southern circuits have closed for United Artists product, according to Harry Gold, who returned yesterday from the south after being away three weeks on the deals. Charles Stern also returned from Atlanta yesterday after several weeks.

The circuits closed include Robb & Rowley, Saenger, Affiliated, United, Lucas & Jenkins, Sudecum and the Kincey group in the Carolinas.

Enlarge U. A. Offices

Starting Jan. 1, United Artists will occupy five floors at 729 Seventh Ave., the 12th to the 17th. Currently, the company has the entire 12th and 14th floors and part of the eighth and offices on other floors, which will be consolidated under the new arrangement. All five floors will be air cooled.

KMTA Board to Meet

KANSAS CITY, Dec. 21.—Distributors of the K.M.T.A. will meet Dec. 29 to discuss legislative problems presented by the meeting of the Kansas and the Missouri legislatures in January.

The directors probably will take up also the question of conciliation board for this exhibition area. Directors may petition the M.P.T.O.A. to establish such a board here.

Play on Keats Is Variable; Good in Parts, Mostly Dull

(*Continued from page* 1)

ing his affections, an enemy far more implacable than the literary carpers who pillory his work.

Financially strapped and physically not far behind, Keats is compelled to go to Italy, but spends his last night in England with Fanny; then departs, knowing full well he is not to return and leaving his epitaph behind him.

In plot, this is the beginning and the end. It is, obviously pretty slim pickings on which to build and sustain an evening's play. The author, however, tried as well to depict the mental sufferings of a finely attuned and beautiful mind, its agitation and its unhappiness and, in a measure, succeeded. But only in a measure. For "Aged 26," in some ways an improvement of the other plays grooved in the identic pattern, is, nevertheless, burdened down with many of their faults. Those faults, it might be said, appear by this time to be inherent in the difficulties of the subjects and in the inordinately evasive job of turning them into plays that will hold up. This new one, for all of that, is as quiet in its mood as a 20th century-ite is wont to look upon the days of 1818 in which Keats lived.

In acting, this effort does nicely. Robert Harris, to this reviewer, conveyed some of the anguish which must have been Keats'. Linda Watkins made a pleasant and attractive Fanny Brawne; Kenneth MacKenna, a good Armitage. Matthew Boulton, as the kindly publisher, did very well and Leone Powers was effective as the sharp and conniving Mrs. Brawne.

"Aged 26" hovers somewhat uncertainly between the good and the not so good with a slight shifting to the port, or dullish, side.

"In the Bag" Closes

"In the Bag" closed Saturday night after four performances at the Belmont.

Court in Exchange

Pittsburgh, Dec. 21.—The Universal exchange on Film Row was converted into a temporary court of justice the other day by Judge M. A. Musmanno. The jurist, who has been conducting a campaign against drunken drivers here for several months, was in the exchange watching a private screening of "You Can't Get Away With It" along with Police Surgeon Daniel Sable.

The 'phone rang for Sable, who examines suspects to determine whether they are intoxicated, and it was a policeman announcing the arrest of two men. Musmanno ordered them to be brought to the exchange. He held them for court under $2,500 bond.

Roach Starts Building

HOLLYWOOD, Dec. 21.—Hal Roach has started work on a new sound stage, machine shop, mill and garage, as part of the building and expansion program recently announced. The new stage will be 120 x 180 feet, and 40 feet high. It will be equipped with all the latest devices and will, when completed, be one of the largest in town. S. F. Van Keuren will have charge of construction, and the building contract has been awarded to J. F. Twaits Co.

May Form N. H. Club

NEW HAVEN, Dec. 21.—Harry F. Shaw says a first meeting of a club similar to Variety Club will be called here early in the year. Shaw was appointed chairman at a recent M.P.T.O. meeting.

Out Hollywood Way

HOLLYWOOD, Dec. 21.—B. P. SCHULBERG's "The Love Trap," co-featuring RICARDO CORTEZ and GAIL PATRICK, to start Thursday with EDWARD LUDWIG directing.

JOHN TRENT, film player and member of U. S. Army Air Corps Reserve, assigned to duty with the 49th Service Squadron, Long Beach. . . ROBERT YOUNG assigned to one of two leading roles opposite CLAUDETTE COLBERT in "I Met Him in Paris," Paramount. . . FRANK TUTTLE gets started on "Waikiki Wedding" with 42-day shooting schedule at Paramount. . . MICHAEL FITZMAURICE, former radio news commentator, to have announcer's role in "Person to Person Call."

MARCIA RALSTON, wife of PHIL HARRIS, orchestra leader, gets stock company contract at Warners. . . JEROME COLLINS borrowed by Radio from SAMUEL GOLDWYN for "Stepping Toes," FRED ASTAIRE's and GINGER ROGERS' next. . . SAMUEL GOLDWYN to start "The Woman's Touch," with WILLIAM WYLER directing, Jan. 8. . . ROBERT E. WELSH, production head of General Pictures, to make "General Robert E. Lee," story by GEORGE WAGGNER. . . Grand National to do three more color features, with "Love Takes Flight" first on the list.

M-G-M seeking another maestro for the opera sequence in "Maytime" because HERBERT STOTHART refuses to put on a beard and greasepaint. . . JOAN CRAWFORD and CLARK GABLE to be teamed in "Saratoga" by M-G-M. . . MIRIAM HOPKINS, recovered from automobile accident, back at work at Radio.

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Casting: GUY BATES POST in "Maytime," M-G-M. . . WILLARD ROBERTSON in "Go Getter," HARLAN TUCKER and BEN HENDRICKS in "Slim," Warners. . . STERLING HOLLOWAY in "Class Prophecy," Universal . . . FRANK MELTON and LOIS WILDE in "Happiness Preferred," Major. . . BRUCE MITCHELL in "Dick Tracy," WILLIAM LEMUELS in "Old Lady Ironsides," Republic.

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Title Change: Warners have changed "Bad Man's Territory" to "Land Beyond the Law."

Suits Threatened on Bank Night Winnings

(*Continued from page* 1)

operators of a lottery is not severe enough to halt the practice. The maximum penalty is a fine of not more than $100, he pointed out.

Matheson declared he also plans to prosecute all persons who advertise games of chance in Rock County. A warning to exhibitors to discontinue games of chance has, to date, been ignored.

The Wisconsin statutes provide that all winnings in connection with lotteries shall be forfeited to the state and may be recovered by action brought by the attorney general. Matheson declared he would not take action against past winners.

Kansas Houses End Drawings

KANSAS CITY, Dec. 21.—Dodge City and Hutchinson, Kan., theatres have discontinued Bank Night and similar cash giveaways following pronouncement Dec. 12 by the Kansas Supreme Court that the scheme violated the lottery laws of the state.

Only one county attorney has shut down on bank night, according to R. W. McEwan, Kansas distributor for the promotion. This was the county attorney at Hiawatha, in Brown County.

Permits Memphis Giveaways

MEMPHIS, Dec. 21.—After reading a recent opinion of the Tennessee Supreme Court, City Judge Carter declared that Memphis theatres holding Bank Nights are operating within the law, as are drug stores and filling stations giving weekly prizes.

"The court doesn't look with favor on the practice," Judge Carter said, but declared that under our statutes they are operated within the law.

Renew Bank Night Case

NEW ORLEANS, Dec. 21.—An application for a rehearing has been filed with the Court of Appeals by Charles G. Schanchell, in behalf of his minor son, in the Bank Night case against the Lewis Amusement Co., Inc., operators of the Florida. Schanchell is suing for a Bank Night prize on the ground that the night his son's name was called the boy was refused admission.

Protests Develop on New Canada Charges

OTTAWA, Dec. 21.—At the first hearing of the Copyright Appeal Board here recently, theatre owners joined with hotel keepers and radio stations in protesting that the fees proposed for 1937 by the Canadian Performing Rights Society were excessive, unfair and improper. Following a hearing, Justice A. K. MacLean, chairman of the board, announced it will make whatever changes in the tariff it considered appropriate.

Col. John A. Cooper, president of the M. P. Distributors and Operators, objected to the proposed penalty of 25 per cent for late payment of fees and to the society's regulation that all fees be paid anually in advance. N. A. Taylor of Toronto, representing indipendent exhibitors, said it was a hardship on small theatres to pay the whole sum in advance. Other interests presented objections on points affecting their peculiar conditions.

"Love on Run" Beats Frisco Strike Slump

SAN FRANCISCO, Dec. 21.—"Love on the Run," dualled with "The Case of the Black Cat," triumphed over all kinds of adverse conditions here—the ship strike, which has made money scarce; Christmas shopping, which takes most of the money still in circulation; a shipowners'-strikers' debate at the Civic Auditorium attended by 12,000, and an Opera House "Believe It or Not" lecture. The gross was $18,000, up by $5,000, at the Warfield.

"Theodora Goes Wild" dualled with "Flying Hostess," also demonstrated strength in the face of the general situation. It pulled $11,000, up by $2,000, at the Orpheum. All the other first runs failed to make the grade.

Total first run business was $84,900. Average is $85,000.

Estimated takings:

Week Ending Dec. 8:

"WINTERSET" (Radio)
EMBASSY — (1,400), 15c-30c-35c-40c, 7 days. **Gross:** $3,700. (Average, $4,000)
"WANTED, JANE TURNER" (Radio)
"MARCH OF TIME" (Radio)
GOLDEN GATE—(2,850), 15c-30c-35c-40c, 7 days. Stage: vaudeville. **Gross:** $13,500. (Average, $16,000)
"COME AND GET IT" (U. A.)
UNITED ARTISTS—(1,200), 15c-30c-35c-40c-55c, 7 days, 4th week. **Gross:** $5,800. (Average, $7,000)

Week Ending Dec. 9:

"BANJO ON MY KNEE" (20th-Fox)
"HIDEAWAY GIRL" (Para.)
FOX—(5,000), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $15,000. (Average, $16,000)
"THEODORA GOES WILD" (Col.)
"FLYING HOSTESS" (Univ.)
ORPHEUM — (2,440), 15c-30c-35c-40c, 7 days, 2nd week. **Gross:** $11,000. (Average, $9,000)
"BORN TO DANCE" (M-G-M)
"LONGEST NIGHT" (M-G-M)
PARAMOUNT — (2,740), 15c-30c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $12,500. (Average, $13,000)

Week Ending Dec. 10:

"POLO JOE" (W.B.)
"CAN THIS BE DIXIE?" (20th-Fox)
ST. FRANCIS—(1,400), 15c-30c-35c-40c, 7 days, 2nd downtown week. **Gross:** $4,400. (Average, $6,000)
"LOVE ON THE RUN" (M-G-M)
"CASE OF THE BLACK CAT" (W. B.)
WARFIELD—(2,680), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $18,000. (Average, $13,000)

Week Ending Dec. 11:

"LORENZO DE MEDICI" (Nuovo Mundo)
CLAY—(400), 15c-35c, 7 days. **Gross:** $900. (Average, $1,000)

Morgan Gets SMPE Post

HOLLYWOOD, Dec. 21.—Kenneth E. Morgan, Erpi executive, has been elected chairman of the Pacific Coast Section of the S.M.P.E. Balloting was by mail.

Morgan replaces Gerald Rackett, who had held the chairmanship for the past two years. Gordon A. Chambers has been elected secretary and Hollis W. Moyse and J. A. Aalberg have been named managers.

May Race for 167 Days

BOSTON, Dec. 21. — Theatres will have 167 days of racing competition during 1937 if the Massachusetts Racing Commission approves the campaign submitted by representatives of three of the four New England tracks.

"Born to Dance" Is $19,500 Cincy Top

CINCINNATI, Dec. 21.—"Born to Dance" was the outstanding grosser last week, stepping into $19,500 on an eight-day run at the RKO Albee, where the seven-day average is $12,000. It was held over, a rarity at this house.

"Flying Hostess," plus Lum and Abner, on the RKO Shubert stage soared to $15,500, or $3,500 over the top. "Pennies from Heaven" put $12,000 in the RKO Palace till. Normal is $10,000. It was moved to the RKO Capitol. Business at the other houses, although below average, was better than usual.

Total first run business was $65,400. Average is $58,700.

Estimated takings:

Week Ending Dec. 17:

"BORN TO DANCE" (M-G-M)
RKO ALBEE—(3,300), 35c-42c, 8 days. **Gross:** $19,500. (Average, 7 days, $12,000). Held over.
"PENNIES FROM HEAVEN" (Col.)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $12,000. (Average, $10,000). Moved to RKO Capitol.
"FLYING HOSTESS" (Univ.)
RKO SHUBERT—(2,150), 40c-60c, 7 days. Stage: Lum and Abner. **Gross:** $15,500. (Average, $12,000)
"THREE MEN ON A HORSE" (F.N.)
RKO CAPITOL—(2,000), 35c-42c, 7 days, 2nd downtown week. **Gross:** $6,000. (Average, $6,500) Moved to RKO Grand.
"GO WEST, YOUNG MAN" (Para.)
RKO LYRIC—(1,400), 35c-42c, 8 days. 2nd downtown week. **Gross:** $3,600. (Average, 7 days, $6,500)
"THEODORA GOES WILD" (Col.)
RKO GRAND—(1,200), 25c-40c, 7 days. Return date, 4th downtown week. **Gross:** $2,500. (Average, $2,750)
"WILD BRIAN KENT" (20th-Fox)
RKO FAMILY—(1,000), 15c-25c, 4 days. **Gross:** $1,250. (Average, $1,250)
"ACCUSING FINGER" (Para.)
RKO FAMILY—(1,000), 15c-25c, 3 days. **Gross:** $1,100. (Average, $1,200)
"SMARTEST GIRL IN THE WORLD" (Radio)
KEITH'S—(1,500), 30c-40c, 7 days. **Gross:** $3,750. (Average, $6,500)

"Easy Take" Is Big Grosser at Denver

DENVER, Dec. 21.—"Easy to Take," helped by a stage revue, ran into big money at the Denham, the $10,000 take topping par by $5,500.

"Three Men on a Horse" pulled an excellent $9,500 at the Denver, and "Theodora Goes Wild" held up to $3,500 at the Aladdin following a week at the Denver.

Total first run business was $36,250. Average is $28,500.

Estimated takings for the week ending Dec. 17:

"THEODORA GOES WILD"
ALADDIN—(1,500), 25c-40c-50c, 7 days, following a week at the Denver. **Gross:** $3,500. (Average, $3,000)
"CAN THIS BE DIXIE?" (20th-Fox)
BROADWAY—(1,500), 25c-40c, 7 days. **Gross:** $1,500. (Average, $2,000)
"GIRL ON THE FRONT PAGE" (Univ.)
"YELLOWSTONE" (Univ.)
CENTER—(1,500), 15c-25c-35c, 7 days. Stage show. **Gross:** $2,250. (Average, $2,000)
"EASY TO TAKE" (Para.)
DENHAM—(1,500), 25c-35c-40c, 7 days. Stage: French revue. **Gross:** $10,000. (Average, $4,500)
"THREE MEN ON A HORSE" (F.N.)
DENVER—(2,500), 25c-35c-50c, 7 days. Stage band. **Gross:** $9,500. (Average, $7,500)
"WINTERSET" (Radio)
"SMARTEST GIRL IN TOWN" (Radio)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $6,500. (Average, $6,000)
"COME CLOSER, FOLKS" (Col.)
"NORTH OF NOME" (Col.)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $3,000. (Average, $3,500)

"Dance" Is a Third Week Portland Hit

PORTLAND, Dec. 21. — "Born to Dance," in its third week at the United Artists, took $8,300, above par by $3,300.

"Valiant Is the Word for Carrie" and "Hideaway Girl" had a take of $7,000 at the Paramount, over average by $2,000.

"Love on the Run," with "Two in a Crowd," were held for a second week at the Broadway registering $6,000, over par by $1,000. "Libeled Lady" was held for a sixth downtown week at the Mayfair after grossing $4,000.

Total first run business was $33,300. Average is $24,700.

Estimated takings for the week ending Dec. 12:

"LOVE ON THE RUN" (M-G-M)
"TWO IN A CROWD" (Univ.)
BROADWAY—(1,912), 30c-35c-40c, 7 days, 2nd week. **Gross:** $6,000. (Average, $5,000)
"CHARGE OF THE LIGHT BRIGADE" (W. B.)
"LADY BE CAREFUL" (Para.)
BLUE MOUSE—(1,700), 30c-35c-40c, 3rd downtown week. **Gross:** $2,000. (Average, $1,700)
"LIBELED LADY" (M-G-M)
"CASE OF THE BLACK CAT" (F. N.)
MAYFAIR—(1,700), 30c-35c-40c, 7 days, 6th downtown week. **Gross:** $4,000. (Average, $3,000)
"POLO JOE" (W. B.)
"ISLE OF FURY" (W. B.)
ORPHEUM—(1,700), 30c-35c-40c, 7 days. **Gross:** $6,000. (Average, $5,000)
"VALIANT IS THE WORD FOR CARRIE" (Para.)
"HIDEWAY GIRL" (Para.)
PARAMOUNT—(3,008), 30c-35c-40c, 7 days. **Gross:** $7,000. (Average, $5,000)
"BORN TO DANCE" (M-G-M)
UNITED ARTIST—(945), 30c-35c-40c, 7 days, 3rd week. **Gross:** $8,300. (Average, $5,000)

"Under Your Spell" $11,000, Montreal

MONTREAL, Dec. 21.—"Under Your Spell" was high grosser for the week with $11,000 at Loew's. Carroll's Mardi Gras was on the stage.

"Come and Get It," one of two features at the Capitol, was good at $8,000, while the second week of "Theodora Goes Wild" turned in over $6,000 at the Princess.

Two hockey games and Christmas shopping formed the opposition.

Total first run business was $38,000. Average is $43,000.

Estimated takings for the week ending Dec. 12:

"COME AND GET IT" (U.A.)
"THE MAN I MARRY" (Univ.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $8,000. (Average, $9,500)
"AS YOU LIKE IT" (20th-Fox)
"JACK OF ALL TRADES" (British)
HIS MAJESTY'S—(1,700), 25c-35c-40c-50c, 7 days. **Gross:** $4,500. (Average, $5,000)
"UNDER YOUR SPELL" (20th-Fox)
LOEW'S—(3,115), 25c-34c-50c-60c, 7 days. Stage: Carroll's Mardi Gras vaudeville unit. **Gross:** $11,000. (Average, $10,500)
"GO WEST, YOUNG MAN" (Para.)
"ROSE BOWL" (Para.)
PALACE — (2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $8,500. (Average, $11,000)
"THEODORA GOES WILD" (Col.)
"YOU MAY BE NEXT" (Col.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days, 2nd week. **Gross:** $6,000. First week: $10,500. (Average, $7,000)

To Take Ohio House

OAK HARBOR, O., Dec. 21.—John Knopf will take over operation of the Royal on Jan. 1. He owns the building and formerly leased the house to H. E. Smith.

"Tarzan" High In Dull Week On the Coast

LOS ANGELES, Dec. 21.—"Tarzan Escapes" at the 4-Star was one of two attractions to show strength in the face of the pre-Christmas slump. It grossed $4,709, over par by $1,459.

The other attraction to get into the profit column was "The Jungle Princess," with a stage show headed by Duke Ellington's band at the Paramount where the $18,500 take was up by $500.

Total first run business was $86,748. Average is $107,950.

Estimated takings for the week ending Dec. 16:

"LLOYDS OF LONDON" (20th-Fox)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 2nd week. **Gross:** $8,700. (Average, $17,000)
"BANJO ON MY KNEE" (20th-Fox)
"LOVE IN EXILE" (G. B.)
CHINESE—(2,500), 30c-55c, 7 days. **Gross:** $9,130. (Average, $12,500)
"TARZAN ESCAPES" (M-G-M)
4-STAR—(900), 30c-55c, 7 days. **Gross:** $4,709. (Average, $3,250)
"ECSTACY" (Eureka)
(Return Engagement)
GRAND INTERNAT'L—(750), 35c-45c, 7 days. **Gross:** $1,900. (Average, $1,200)
"THREE SMART GIRLS" (Univ.)
"IN HIS STEPS" (G. N.)
HILLSTREET—(2,700), 30c-65c, 7 days, 2nd week. **Gross:** $6,500. (Average, $8,000)
"BANJO ON MY KNEE" (20th-Fox)
"LOVE IN EXILE" (G. B.)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $12,409. (Average, $14,000)
"THREE SMART GIRLS" (Univ.)
"IN HIS STEPS" (G. B.)
PANTAGES—(3,000), 30c-65c, 7 days, 2nd week. **Gross:** $7,000. (Average, $8,000)
"THE JUNGLE PRINCESS" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: Duke Ellington and his orchestra, Ivis Anderson, F. & M. Revue. **Gross:** $18,500. Average, $18,000)
"POLO JOE" (W. B.)
"TUNDRA" (Burroughs-Tarzan)
WARNER BROS. (HOLLYWOOD)—(3,000), 30c-65c, 7 days. **Gross:** $9,000. (Average, $14,000)
"POLO JOE" (W. B.)
"TUNDRA" (Burroughs-Tarzan)
WARNER BROS. (DOWNTOWN)—(3,400), 30c-65c, 7 days. **Gross:** $8,900. (Average, $12,000)

"Fugitive," Show Indianapolis Lead

INDIANAPOLIS, Dec. 21.—"Fugitive in the Sky," with a stage show that included a Major Bowes' dance band unit, brought $10,700 to the Lyric, $3,700 over the line. The weather was cold and there were no competing attractions.

"Pennies from Heaven," dualled with "Legion of Terror," gave Loew's excellent business, $8,500, or $2,500 upstairs and "Banjo on My Knee" turned in the tidy sum of $5,000 for the Apollo, a $1,000 increase.

Total first run business was $28,200. Average is $21,000.

Estimated takings for the week ending Dec. 11:

"BANJO ON MY KNEE" (20th-Fox)
APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,000)
"SMARTEST GIRL IN TOWN" (Radio)
"THE JUNGLE PRINCESS" (Para.)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)
"PENNIES FROM HEAVEN" (Col.)
"LEGION OF TERROR" (Col.)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $8,500. (Average, $6,000)
"FUGITIVE IN THE SKY" (W. B.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: Vaudeville and Major Bowes' dance band unit. **Gross:** $10,700. (Average, $7,000)

Smart Showmen

READ IT!

Insiders' Outlook

By RED KANN

On page two, Monday, Wednesday and Friday of each week. The editor's damn-and-praise column in which he roams the world industry and throws his personal searchlight into matters which in his judgment require attention, ranging from Hollywood's faults, foibles and virtues to the inequities of the quota law in England.

No exhibitor should be without it

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MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 148 NEW YORK, WEDNESDAY, DECEMBER 23, 1936 TEN CENTS

Eased Italian Restrictions Expected Soon

Word on Expanded Film Market Awaited

A freer market in Italy for American exporters is seen in the new regulations governing shipments to that country which are expected to be made public shortly by the State Dep't. at Washington.

The anticipation is that the amount of lira which the Government will permit to be sent out of the country will be very appreciably increased and the number of pictures shipped in also will be augmented by an extremely generous percentage.

Currently, the Italian officials will not allow more than 8,000,000 liras out of the land while the number of pictures allowed American distributors is held to 48 annually. The situation was gone into when Will H. Hays was in Rome recently at which time, it is understood, the more liberal regulations were agreed upon.

Leo Abrams Chosen Head of Film Board

Leo Abrams, branch manager of the local Universal exchange, has been elected president of the New York Film Board of Trade, succeeding Dave Levy of M-G-M. Harry Hummel of Warners has replaced Bob Fannon of Republic as first vice-president, and Edward Bell of Paramount is now second vice-president in place of Harry Decker of Warners.

Decker is now secretary of the organization, a post held by Abrams last year. Morris Epstein of Grand National is sergeant-at-arms, succeeding Joe J. Lee of 20th Century-Fox.

Inductions will be held next month.

Allied Directors to Meet on Jan. 21-22

WASHINGTON, Dec. 22.—The annual meeting of the board of directors of Allied will be held at the Emerson Hotel, Baltimore, Jan. 21 and 22. The time and place were chosen to permit members and their families to attend the inauguration of President Roosevelt Jan. 20.

No Paper Friday

***Motion Picture Daily* will not publish Christmas Day, Dec. 25.**

MGM Sales Policy Flexible, Rodgers Assures U.M.P.T.O.

Clarifying an understanding reached between a committee of the U.M.P.-T.O., represented by Lewen Pizor, president; Charles Segall, chairman of the board, and Abe Sablosky, and William F. Rodgers, general sales manager of Loew's, and Tom J. Connors, eastern division manager, on percentages and preferred playing time of M-G-M product, Rodgers, in a letter to the organization, states:

"We emphatically advised you that our policy was flexible and that we had not and did not intend to lay down any prescribed formula that would represent the only basis on which our product could be leased. We told you that our policy of merchandising M-G-M product was sufficiently flexible to meet any condition.

"We have a desire to have only satisfied customers, and want only a fair deal," the letter reads. "We expect every penny the product is worth—no more and no less. We do not wish one dollar to which we are not entitled.

"It was mentioned, because you brought it up, that to give us terms we were seeking invites other distributors to solicit equally as favor-

(*Continued on page* 10)

RKO, Columbia Also To Present Bonuses

RKO and Columbia have joined 20th Century-Fox, Loew's and U. A. in the distribution of bonuses to employes.

All RKO distribution workers earning up to $90 a week and with the company six months or longer will receive up to $40 in their pay envelopes this week. Notices have been

(*Continued on page* 10)

Radio Causes Rain

Cincinnati, Dec. 22.—The year's oddities in radio news should include the "rain-making tower" of WCKY, L. B. Wilson's local station, the 350-foot tower of which caused rain to fall for four consecutive days around its 30-foot base. Investigation developed that the top of the tower, which was in the midst of rain clouds, was condensing the moisture and causing the rain.

Yesterday's major developments in radio on page 5.

Erpi Service Charges Under Fire in Probe

Erpi's service charge upon exhibitors was an unwarranted method of obtaining revenue, it was charged in effect yesterday at the second day's hearing of the investigation into Erpi's operations in the sound film field by the telephone division of the Federal Communications Commission.

Samuel Becker, special counsel to the commission, of which two members, Paul A. Walker, division chairman, and Thad Brown, were present,

(*Continued on page* 8)

Conciliation Boards Await Majors' Stand

Delay on MPTOA Replies Holding Up Action

Delays of major distribution companies in replying to the M.P.T.O.A.'s trade practice program are adversely affecting the setting up of local conciliation boards, even in territories where the establishment of a board may be requested, it was stated yesterday by a proponent of the boards.

The administration expenses of the boards will be borne by distributors, it was pointed out, and until the major companies have formally made known their approval of the conciliation machinery, have voted the necessary funds for their establishment and maintenance and have cooperated in the selection of personnel little or no progress can be made in actually setting up the boards.

At the present rate of distributor action on the M.P.T.O.A. program, exhibitor leaders do not expect the boards to be in operation on any extensive scale before spring and of little practical use to exhibitors until the 1937-'38 season, it was said.

Ed Kuykendall, M.P.T.O.A. presi-

(*Continued on page* 10)

Loew Report Goes To SEC; No Detail

WASHINGTON, Dec. 22.—Lacking all financial data, which, the company explained, it had not had time to compile, Loew's, Inc., today filed with the Securities and Exchange Commission its annual report covering the fiscal year ended Aug. 31.

In explaining why it omitted the required lists of holdings of stock by officers and directors and salaries paid officers, as well as its financial statements, the company pointed out that

(*Continued on page* 8)

Warners, Musicians In Philadelphia Pact

PHILADELPHIA, Dec. 22.—Warners and local musicians today came to an agreement, ending the strike which had extended for nearly three months. Although the terms of the agreement were not made public it is reported that the musicians have been guaranteed $25,000 additional on their total yearly salary.

The Earle will return to a stage show policy Friday. The Fox will again have an orchestra but no stage show is planned at the present time.

Critic, an Eye on Yuletide, Dismisses New Play Quickly

Dot, who once charmed snakes in the sideshow, was after bigger things including front-page streamers in the newspapers. Carlotta, who used to shake her hips with more on the inside for a dime admission, tried Aimee's revival plan. Nicky, a gangster with a reform complex, was after less mention in print. Clarence Class, a whole vine-full of Ivy Lees, was the bird who did the super-charging, who controlled the head writers, not to say their managing and their city editors.

Well, this is one headline Class couldn't control. Also a short and succinct review, for that matter. The truth is that "All Editions," described as a comedy by Charles Washburn and Clyde North, is as wild-eyed a rampage of fruitless goings on as could be assembled in one play, performed atrociously on one stage in one evening. Washburn, in the life, is a theatrical press agent. Really, he should have known better, which is about as gentle a dismissal as the onrushing Yuletide spirit will allow.

The theatre? The Longacre, if the information is essential.

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ITOA Concentrating Upon Labor Problems

Labor problems will occupy the attention of a number of I.T.O.A. members today at two meetings, one a board of directors' meeting, which is to be held at the Astor this afternoon, and the second a committee meeting with Allied and Local 306 at Howard S. Cullman's office at 9 P. M.

Members of the theatre organization are concentrating their activities on labor before any other problems will be taken up, it was declared yesterday. Although Fire Commissioner McElligott has threatened an ordinance to ban smoking in theatres, the I.T.O.A. is sitting back until a measure is introduced.

Indications are, however, that in the event McElligott is successful in having a bill against smoking introduced, the organization will oppose it.

Plans are being made for the annual ball at the Waldorf on Jan. 16.

There will be no general membership meeting this week. One is tentatively scheduled for next Wednesday, but it is likely the session will be postponed because of the proximity of New Year's.

Slump on Broadway Hits Tax Receipts

WASHINGTON, Dec. 22.—Reduced theatre attendance in the Broadway district was responsible almost entirely for the $191,600 drop in admission tax collections from October to November, it was disclosed today by Deputy Commissioner of Internal Revenue George J. Schoeneman.

November collections in the third New York district were $394,756.24 compared with $578,973.90 in October, a drop of $184,217 or nearly all of the loss in total collections, which dropped from $1,797,278.84 to $1,605,673.93.

Figures made available today by the Internal Revenue Bureau showed that the November Broadway collections, the lowest since August, compared with October receipts as follows: Box-office admissions, $346,631.60 against $537,411.06; free or reduced rate admissions, $7,340.31, against $2,004.88; tickets sold by brokers, $4,896.78 against $4,166.77; tickets sold in excess of the established price, $1,037.05 against nothing; permanent use or lease of boxes, $28.90 against $30.63; admission to roof gardens and cabarets, $34,821.60 against $35,360.56.

Order Record Transcript

A transcript of records of both the U. S. District Court and the U. S. Circuit Court of Appeals in the Paramount reorganization proceedings will be filed in the U. S. Supreme Court in Washington, under an order signed yesterday by Federal Judge Coxe.

The records are required by Louis Boehm and Archibald Palmer, attorneys for stockholders, who are appealing against the decision by Judge Coxe and the Circuit Court disallowing their claims for fees for alleged services rendered in the proceedings.

Can Withdraw Funds

Through error it was stated in yesterday's MOTION PICTURE DAILY that $30,000 in First Division funds had been released by court order. As a matter of fact, the court order merely permits funds now on deposit with the Chemical Bank & Trust Co. to be withdrawn upon consent of First Division or its attorneys. The funds total approximately $13,000, the balance having been withdrawn some time ago.

Skouras to Make Tour

Spyros Skouras, operating head of National Theatres; Edward Zabel, his assistant, and William T. Powers, film buyer, will leave either Jan. 10 or Jan. 15 for a two-week tour of operating centers. Key cities to be visited on the flying visit will include Kansas City, Milwaukee, Seattle, Denver, San Francisco and Los Angeles.

Name Jersey Receiver

UNION CITY, Dec. 22.—Capital Theatre Amusement Co., which owns the Capital and State here, has gone into receivership, listing assets of $1,362,513 and liabilities at $793,775.

RKO has the two theatres under a long term lease. The State is closed.

Delay Allied Meeting

No Allied of New Jersey meeting is scheduled until after the first of the year. A date will be set for the first 1937 conclave of northern New Jersey theatre owners after Jan. 1.

Set "McClure" Week

Kansas City, Dec. 22.—They like Harry McClure in Topeka. The week of Dec. 20-26 was set aside by proclamation of Mayor Herbert G. Barrett as "McClure Week," and in newspaper articles and elsewhere Topekans were urged to attend Fox theatres and help the McClure and the Topeka district to win first place in the circuit's 17-week contest. The winning district gets the lion's share of $12,500 in prizes.

Hodes' Bank Night Opinion Ambiguous

CHICAGO, Dec. 22.—Police Commissioner Allman of this city, who today received from Corporation Counsel Barnet Hodes a legal opinion concerning the legality of Bank Night and other giveaway games, expressed inability to derive from the letter any definite opinion on the question of law involved. Hodes wrote:

"In reply to your letter of Dec. 7 requesting an opinion as to whether Bank Night, Screeno and Rolleo, as described in your letter, are in violation of the Chicago municipal code, please be advised that while no additional charge is imposed for the privilege of participating in these games, they are offered for the purpose of encouraging the public to patronize the theatre during the period of economic distress and they constitute chance distribution of money, gifts, etc., within the preview of Sec. 190, one of the revised Chicago code of 1931."

After reading the letter several times, Allman asked, "Why don't they say in plain English that those things are, or are not, a violation of the law."

Allman plans no action until the Hodes' opinion has been clarified.

Curb New Toronto Games

TORONTO, Dec. 22.—The gambling craze among residents of New Toronto, an industrial municipality close to Toronto, became so intense that, on the protest of theatre owners and merchants, Police Chief Hedley Padgett clamped a ban on Bingo, Keno and other games of chance which were being sponsored by clubs, churches and alleged charities. The games will be permitted in future on a restricted basis, it was announced. Theatre managers claimed that places of amusement paying heavy taxes were deserted when the club and church gambling was at its unchecked height.

Show "Beloved Enemy"

Most of the daily and magazine critics and many others turned out yesterday for a showing of Samuel Goldwyn's "Beloved Enemy" in the ballroom of the Waldorf-Astoria. The screening was followed by a cocktail party in the East Foyer.

The film will open at the Rivoli on Christmas Day.

Johnston May Return

HOLLYWOOD, Dec. 22.—John Leroy Johnston, former head of the Universal publicity department, may return under Marc Lachmann, newly appointed head there.

Bernhard Is Guest At a Dinner Party

Associates of Joseph Bernhard, general manager of the Warner circuit, threw him a special party Monday night at the St. Moritz roof in celebration of his sixth year with the company. Moe Silver, Albany zone manager, was master of ceremonies.

Attending were I. J. Hoffman, James Coston, Nat Wolf, Don Jacocks, Ted Schlanger, Harry Kalmine, John J. Payette, Herbert Copelan, Howard Waugh, Clayton Bond, Harry Rosenquest, Frank Marshall, Nat Fellman, Louis Kaufman, Ed Hinchy, Moe Henry, Dan Triester, Stewart McDonald, Jim Brenan, Frank Phelps, Harry Goldberg, Abel Vigard, Frank Cahill, Rudy Weiss, Jules Levey, Mort Blumenstock, Herman Maier, Leonard Halper, Lester Kreiger, George Crouch, Guy Wonders, Steve Trilling, Frank Damis, Harry Mayer and Harold Rodner. Hoffman presented the guest of honor a handsome gift.

George W. Curtiss Dead

KANSAS CITY, Dec. 22.—George W. Curtiss, who took the first motion pictures in Kansas City, on May 15, 1897, died Dec. 20 at the age of 71. The camera used by Curtiss was of French make. Curtiss prophesied talking films before 1900 and himself experimented with sound by using a phonograph. He invented several types of motion picture cameras, and was widely known for his experimentation with still photographs.

W. E. to Pay $1.50

A dividend of $1.50 per share was voted yesterday by the board of Western Electric. It is payable Dec. 28 to stockholders of record Dec. 24.

Edgar S. Bloom, president, said the dividend was declared after consideration of the provisions of the Federal Revenue Act of 1936 and should not be taken as an indication of a continuing dividend policy.

Ampa Party a Sellout

A sellout is indicated for the Ampa lunch in the College Room of the Hotel Edison today. Late yesterday it was decided to add to the gayety by giving out Mickey Mouse handkerchiefs, Shirley Temple novelties, TerryToon balloons and M-G-M noisemakers. The proceeds will go to the *Film Daily* Relief Fund.

Roxy to Present Gifts

All children visiting the Roxy on Friday, Saturday and Sunday will receive a chocolate confection gratis. "Stowaway" with Shirley Temple is being held a second week and will be replaced by "One in a Million" on New Year's Eve.

Dubbing Contract Signed

Morris Goodman, vice-president in charge of foreign sales for Republic, has received word that L. E. Kalker, Continental representative, has closed a deal with Radio-Cinema of Paris for dubbing into French selections from 15 to 20 Republic pictures.

Parties Aid Chicago Poor

CHICAGO, Dec. 22.—Christmas Basket Parties held in 300 local theatres today resulted in the contribution of more than 25,000 baskets of foodstuffs for Chicago's needy.

Perry Charles Party Guest as a Farewell

Perry Charles, a Loew veteran and in recent years in charge of publicity for WHN, the company's station atop the Loew State Bldg., leaves for Hollywood Saturday to take over radio publicity at the studio. Al Simon succeeds him locally.

Yesterday Loew and M-G-M executives tendered him a luncheon at the Astor. Among those present were E. A. Schiller, Louis K. Sidney, I. Frey, Marvin Schenck, S. H. Meinhold, Si Seadler and Herb Pettey.

Alter New Coast Show

The new Chase and Sanborn Sunday night program, "Do You Want to Be an Actor?" a west coast favorite for the past year, has been revamped in two instances. The changes include a new 22-piece orchestra and a definite screen test promise to winners by Warners whose casting director, Max Arnow, sat in formerly, as on Sunday, but heretofore did not hold out definite test promises for the screen.

The current contract is understood to be for 13-weeks with options for three years at 15-week intervals. The purchase price is understood to be $5,000 weekly.

Networks Deny Censor Gag

All three major networks yesterday denied that a formal censorship existed in radio, as charged in a study of the radio situation by the American Civil Liberties Union. A composite of the answers to the charge is to the effect that the only criterion that governs radio is one of "good taste."

The Civil Liberties Union brochure entitled, "Radio Is Censored" and written by Minna F. Kassner and Lucien Zacharoff, cited 70 "authenticated" instances of radio censorship and as a remedy for the situation urged further Federal legislation to insure greater freedom of the air.

5 Shows Renewed

Two hours of renewal programs have been signed by Standard Brands, Inc. They are "One Man's Family," popular west coast script show, and the "Royal Gelatin Hour" starring Rudy Vallee's orchestra. Both programs are handled by J. Walter Thompson Co.

Other network renewals include the Shell Union Oil Corp. program, J. Walter Thompson agency; the "Kreuger's Musical Toast" program, Milton Biow & Co. agency; and the Modern Food Process Co. "Dog Heroes" program, the Clements Co., Philadelphia, agency. All programs are NBC presentations.

Jimmy Braddock Absent

The whys and wherefores are not known at the moment but Heavyweight Champion Jimmy Braddock did not make his scheduled appearance on last night's Tastyeast program. No announcement was made on the air explaining his absence. Instead, a new show titled "Unsung Champions," was substituted.

Replacement for "Melodiana"

Beginning Dec. 28, the "Melodiana" program starring Abe Lyman's band, will be replaced by a program to be known as "Sweetest Love Songs Ever Sung." The series will feature Natalie Bodanya, Metropolitan Opera soprano and Frank Munn.

Pearce and Chandler, New Ford Shows; Replace Waring

The long-awaited decision as to who would succeed Fred Waring on each of the two Ford programs currently occupied by the Pennsylvanians is at last on hand. Al Pearce and Gang, plus an orchestra headed by Larry Nash, have been nominated to take over the 9 to 9:30 P. M., E.S.T. CBS spot beginning Tuesday, Jan. 5. The Friday night NBC-Blue niche has been reserved for Rex Chandler and his 43-piece orchestra beginning Jan. 1.

N. W. Ayer placed both programs in the face of presentations made by practically every advertising agency in the business. Ayer did not represent Waring, the latter having acted as his own agent. The Al Pearce program will be known by the title "Watch the Fun Go By." The Chandler series will be billed as "Universal Rhythm."

There is a grand human interest story behind the signing of Rex Chandler, which isn't generally known. His real name is Chandler Goldthwaite, and he has long been a personal friend of Edsel and Henry Ford. He is a veteran broadcaster known for his organ specialties. At present he is featured on an early morning NBC sustaining program.

Worthy of more than passing note is the wide scope of Chandler's general contract with Ford. He has been appointed personal music advisor to the Fords and at their request has been named general music director of the N. W. Ayer agency. This latter position, it would seem, gives him control not only of the NBC program but also of the CBS series featuring Larry Marsh's orchestra.

Additionally, Chandler will have full control of the Ford Motor Company's music activities for the coming World's Fair in New York. This indicates that his contract is for at least three years.

The Pearce contract, it is understood, has been signed for some time. Freddie Rich auditioned with the Californian, and it was generally accepted that he had been signed with Pearce. Many reasons are now percolating about Radio Row as to why he was not signed.

The price paid by the Ford Motor Co. for the new talent is not known at the moment, but unquestionably it is far below the $13,500 per week paid to Waring.

In View of the Season

What they'd like on their Christmas trees:

JOE PENNER—Another duck, no roasts.
EDDIE CANTOR—A boy (old, but still good).
ED WYNN—A fire engine.
SHEP FIELDS—A box of straws.
WALTER O'KEEFE—A gag for sponsors.
MAJOR BOWES—A new idea.
VINCENT LOPEZ—Another arrangement of "Nola."
WALTER WINCHELL—A flash.
TED HUSING—A Harvard assignment.
BENNY GOODMAN—A swing.
GRAHAM MACNAMEE—An "er-er" eliminator.
ANY PRESS AGENT—A "break."
FRED WARING—A sponsor.
ANY AMATEUR—A runabout, instead of the all-too-frequent runaround.
A. L. ALEXANDER—A lawyer.
HILDEGARDE—Television.
RUBINOFF—A "wiolin."
TED LEWIS—A high hat, piccolo, and cane.
AL JOLSON—A new "Mammy" song.
NELSON EDDY—A "Met" contract.
JACK OAKIE—A sweat shirt.
DICK POWELL—A set of "Rover Boys" books.
JACK PEARL—Some new jokes.
FRED ASTAIRE—A piccolo lesson book.
KATE SMITH—A cook book.
BURNS AND ALLEN—More competition.
ABE LYMAN—A tip on a horse.
GOODMAN ACE—A tip on a horse.
BEN BERNIE—A tip on a horse.
WILLIE HOWARD—A tip on a horse.
BING CROSBY—A tip on a horse.

"Mammy" Still Good

The new Al Jolson program wrote its own review last night and it was a favorable one.

The old mammy-shouter proved in his new series' debut that there's life in the old boy yet by giving one of the best performances of his career. Not far behind him in talent were rowdy Martha Raye and Sid Silvers who gave evidence that if they had to take a back seat they'd take it only for a Jolson. And let it be noted that Victor Young's music was more than a filler. It rated.

A surprise visitor on the program was Ruby Keeler, who was in tap form. This is another way of saying that Ruby offered several choruses of ear-filling rhythms as Hubby Al sang the accompaniment.

Martha Raye, as usual, was noisy but infectuous. Her offering of "You Came to My Rescue," plus her contribution to an opera burlesque, was greeted enthusiastically by the studio audience and by at least one loud speaker adherent.

More shows like this one and they will be able to toss away the studio applause signs.

The series is sponsored by Lever Bros. in the interests of Lifebuoy and Rinso and is heard Tuesdays over CBS at 8.30 P.M. E.S.T.

BANNER

Rubin Off the Air

From usually reliable sources it was learned yesterday that this Sunday's performance will mark Benny Rubin's last appearance on the WOR-Mutual "National Amateur Hour." It is understood that Rubin is forsaking the air for Hollywood and pictures. The program, the report states, will be completely revised.

Sanderson, Crummit, Et Al

Short Shots: Julia Sanderson and Frank Crummit will guest star on the Ed Wynn program Saturday night . . . The RCA "Magic Key" program on Sunday will feature John McCormack, Oliver Wakefield and the Moscow Cathedral Choir among other acts . . . Virginia Verrill will be guest-featured on "Modern Romances" today . . . Joe Williams, sports columnist on the *N. Y. World-Telegram*, will be interviewed by Ted Collins on the Kate Smith series of the 31st . . . And Lux Radio Theatre this week will have no less a personage than Noel Coward who will be interviewed by Cecil B. DeMille . . . Doris Kerr yesterday was signed for a guest appearance on Major Bowes' "Capitol Family" broadcast this Sunday . . . Lily Pons, recently returned from Hollywood, will sing on the Jan. 3 Ford Sunday Evening Hour . . . Carol Stone, daughter of Fred, will be Bide Dudley's guest over WOR on Sunday . . . The "Morning Matinee" tomorrow will find Don Bestor wielding the baton and Frances Maddux as vocalist . . . Added to the Mutual-Don Lee dedicatory program are Jackie Coogan, Betty Grable, Mary Brian, Preston Foster, Margot Grahame and Anne Shirley . . . Martin Starr, film commentator and Hollywood reporter for WMCA and the Inter-City network, will interview people in the street tonight on the subject of the salaries paid to film and radio stars. The Strand is the place . . . Two of the amateur performers heard on last Sunday's "Do You Want To Be an Actor" series have been selected for screen tests by Warners . . .

Exhibitor Awaits Ruling

LINCOLN, Neb., Dec. 22. — Oscar Johnson's application to the FCC for license of a 100-watt station in his Rivoli, Falls City, Neb., was heard this week by Ralph Walker in Washington. Johnson owns the Electric and Rivoli and says in conjunction with the latter theatre the station would cost about $7,000.

The only fly in the procedure is the fact that a Kansas City station now operates on the same 1,310 kilocycle wave length for which Johnson has applied. Johnson, previously having asked for full time operation, is now willing to take it only on a daytime basis.

Francis Back on Coast

HOLLYWOOD, Dec. 22.—James E. Francis, western division manager of RCA Manufacturing Co., returned today from three weeks of conferences with eastern officials of the company.

Goodwin to C B S

NEW ORLEANS, Dec. 22.—Al Goodwin, announcer for WWL, will relinquish his position with that station about the first of the year, joining the main offices of CBS.

Louis Cohen Joins KARK

LITTLE ROCK, Ark., Dec. 22.—Louis Cohen, veteran advertising executive, has joined the advertising staff of KARK. He was formerly associated with the Bott Advertising Agency.

Butcher on Winchell Show

HOLLYWOOD, Dec. 22. — Blaine Butcher, of the Lennen and Mitchell agency has arrived to produce the Walter Winchell show.

"To our friends the world over, heartiest holiday greetings!"



William POWELL
Myrna LOY in
"AFTER THE THIN MAN"

MERRY CHRISTMAS



Greta GARBO
loves
Robert TAYLOR
in "CAMILLE"

HAPPY NEW YEAR

Erpi Service Charges Under Fire in Probe

(Continued from page 1)

made the indirect charge in the course of his examination of H. M. Wilcox, former operating manager and then vice-president of Erpi, under the regime of John E. Otterson as president.

The hearing yesterday covered three major phases of Erpi's sound equipment operations, in the course of which Becker sought to further substantiate the basic premise of the inquiry, that Erpi developed, and strove to maintain, a monopoly of the sound equipment business. The first phase concerned the so-called double royalty provisions of the Erpi license agreements with producers, in the interpretation of which, Becker sought to point out, Erpi attempted to keep competitive equipment, especially that of RCA, off the market. Otterson's testimony, continued from Monday, featured this part of the inquiry. The second phase had most specific reference to the cross licensing agreements with RCA, and Becker sought to draw from John H. Ray, formerly Erpi and Western Electric legal chief, and now A. T. & T. general counsel, the admission that Erpi arranged a licensing settlement with RCA only after RCA had drawn complaint papers in a proposed anti-trust action against Erpi, based on its licensing agreements.

Servicing Discussed

The third and final phase of the day's hearing concerned Erpi's contracts for service, parts and replacements with exhibitors, and during which Becker quizzed Wilcox severely. At the close of the session, Becker had not completed his examination of Wilcox, who will resume the stand when the hearing opens today.

Wilcox testified under questioning that he was loaned to Vitaphone on a leave of absence from Erpi in 1926 and 1927, and that he left Erpi in 1935 to join Otterson as his assistant when the latter went over as president of Paramount. The basis of Becker's sharp questioning was an obvious intention to prove that Erpi's compulsory service charge was a means of obtaining money in unwarranted fashion, since, Becker attempted to bring out, exhibitors were forced to pay a weekly service charge, while the amount of service, and the schedule of service visits by Erpi engineers was left entirely to the discretion of Erpi, and was not provided for specifically in the service contracts.

Injustices Alleged

Further, Becker declared, Erpi was legally entitled, under the service contracts, to force the exhibitor to take new parts whether or not he signed an order for such parts. Various memoranda and letters were introduced into the record by Becker tending to support his contention. Among the letters were those from Nicholas M. Schenck, as head of the Loew circuit, and Harold B. Franklin, then president of F.W.C., the first to Otterson and the second to Whitford Drake, Erpi executive, asking reductions in the service charges for the circuit. Also independent exhibitor complaints were entered in the record.

Becker sought to obtain from Wilcox the admission that the F.W.C. matter was settled by the "resignation" of Franklin from the circuit.

The compulsory service change was changed for an optional type in 1933, Becker brought out, by a supplementary agreement whereby service would be rendered only on request from exhibitors, to be executed sometime in 1935 by virtue of a two-year optional arrangement.

Becker introduced a series of figures indicating Erpi's annual gross revenue and profit from theatre servicing from 1928 to the first half of 1936.

The average number of theatres serviced in 1928 was 451; in 1932, 5,457, and in 1935 it dropped to 4,745.

The revenues and profits were:

Year	Gross	Profit
1928	$ 950,000	$ 70,000
1929	3,375,000	125,000
1930	5,500,000	1,100,000
1931	5,000,000	965,000
1932	4,500,000	1,062,000
1935	3,000,000	270,000*
1936†	1,200,000	130,000*

†Six months. *Loss.

The figures were indicated by Becker as approximate, but approved by Erpi. Wilcox admitted the drop in revenue was due chiefly to the elimination of the compulsory service contract.

In October, 1934, according to a document submitted by Becker, Wilcox, in a memorandum to C. W. Bunn, general sales manager, suggested that Erpi seek to bolster its servicing revenue by offering to service the equipment of competing manufacturers.

Earlier testimony by Ray and Otterson, under questioning by Becker, had to do with Becker's attempt to show that on the basis of the phrase "technical information supplied by Erpi," the company was enforcing what amounted to a double royalty on producers. The negotiation with RCA leading to the agreement finally concluded, were gone into in detail, and Becker sought to get admission that the delay in negotiations was deliberately fostered by Erpi officials, since such delays were to the advantage of Erpi.

The hearing will recess after today until next week when sessions will be held Monday, Tuesday and Wednesday.

Chairman Walker told MOTION PICTURE DAILY yesterday that the A. T. & T. hearings in Washington, of which these are a part, probably will be resumed either on Jan. 4 or Jan. 11.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Plough and the Stars"

(Radio)

HOLLYWOOD, Dec. 22.—This is an artistically produced and capably acted adaptation of Sean O'Casey's play. It is distinctive class entertainment.

As was the case with "The Informer," the public must discover the film's quality. Experience gained by exhibitors in selling that picture should stand in good stead in overcoming the problems certain to be encountered in marketing this.

In essence, the story is a personal drama told against a background of marital conflict. The locale is Dublin during the 1916 uprising. The motivation focusses attention on Barbara Stanwyck and Preston Foster, who present their characterizations with understanding and conviction. Barry Fitzgerald, Una O'Connor, J. M. Kerrigan, Bonita Granville and Erin O'Brien-Moore contribute effective performances.

Much credit for the power of the film is attributable to the sets designed by Van Nest Polglase, to Joseph August's superior photography and to Roy Webb's stimulating music score. Also, Dudley Nichols' screenplay and John Ford's direction emphasize the bitter drama with its contrasts of Irish humor.

Miss Stanwyck's love for her husband, Foster, transcends her devotion to the cause. In a welter of military action where death is sudden Miss Stanwyck's every thought is for Foster's safety. Pleading, as all women plead whose men fight and die, she cannot swerve Foster from his avowed purpose of standing true to the cause to which he has dedicated his life. Comforter of those whom sorrow has stricken harshly, her one solace is a brief interlude in which she enjoys the companionship of her husband, who, she knows, will shortly go forth again to renew the centuries-old battle for liberty.

The film's sombre quality is relieved by a humor that makes it seem true to life. Sold as a human document which can reach down from the screen to make audiences believe in the characters, the picture may rank as a commercial venture on a par with the success achieved by "The Informer."

Production Code Seal No. 2,428. Running time, 65 minutes. "G."

Boston Met Scale Up

BOSTON, Dec. 22.—In what may be the start of a general upturn of theatre admissions in New England, the Metropolitan has advanced its evening tariff 10 cents to 75 cents.

Midland Men Get Bonus

KANSAS CITY, Dec. 22. — Thirty-eight employes of Loew's Midland, excluding executives and master craftsmen, will participate in a company bonus here, reports John McManus, Midland manager.

Loew Report Goes To SEC; No Detail

(Continued from page 1)

the compilation of this data from its 170 subsidiary, affiliated and allied corporations was a lengthy task.

The statement showed that Loew's has 59 wholly owned subsidiaries, which in turn have 27 subsidiaries; 20 subsidiaries, which themselves have nine subsidiaries, in which it holds over 50 per cent interest.

There have been no changes in the contractual arrangements of the corporation, it was reported to the commission, but there are outstanding options for 201,220 shares of common stock at $35 per share up to March 1 next, and $40 to March 1, 1939, of which 36,110 shares are reserved for David Bernstein, 44,000 shares for J. Robert Rubin, 36,110 shares for Louis B. Mayer and 85,000 shares for Irving Thalberg.

Shift Audio Color Stock

ALBANY, Dec. 22. — Audio Color M. P. Corp., through Thomas E. Murphy, Jr., attorney, has filed a certificate changing the classification and increasing the number of shares of its capital stock from 1,000 shares common stock, no par value, to 500,000 shares common stock, $1 par value, with 12,000 shares preferred stock, $25 par value, remaining the same as heretofore.

Factograph Film Corp. has changed its corporate name to Factographic Film Corp.

Certificates dissolving the corporate existence of National Screenograph Corp. and National Screen Announcements, Inc., have been filed in the office of the Secretary of State.

Reade to Reopen Two

Walter Reade will reopen the St. James, Asbury Park, and the Strand, Long Branch, N. J., on Friday. Four theatres in the Reade circuit were recently remodeled and redecorated. They are the Carlton, Red Bank; Strand, Perth Amboy; Broadway and Kingston, Kingston, N. Y.

Abe Leff of the Leff-Meyers circuit has changed the name of the Terminal to the Zenith, which is now being completed at 170th St. and Grand Concourse. It is expected to be ready for opening on Feb. 10. The Interboro circuit will call its new theatre on 174th St. and Boston Road the Dover.

Sam Engelman, who operates the Rahway, Rahway, N. J., has taken over the Broad, Elizabeth, N. J.

Ross Closes G. N. Deal

Ross Federal Service has closed a deal with Grand National for checking on that company's product.

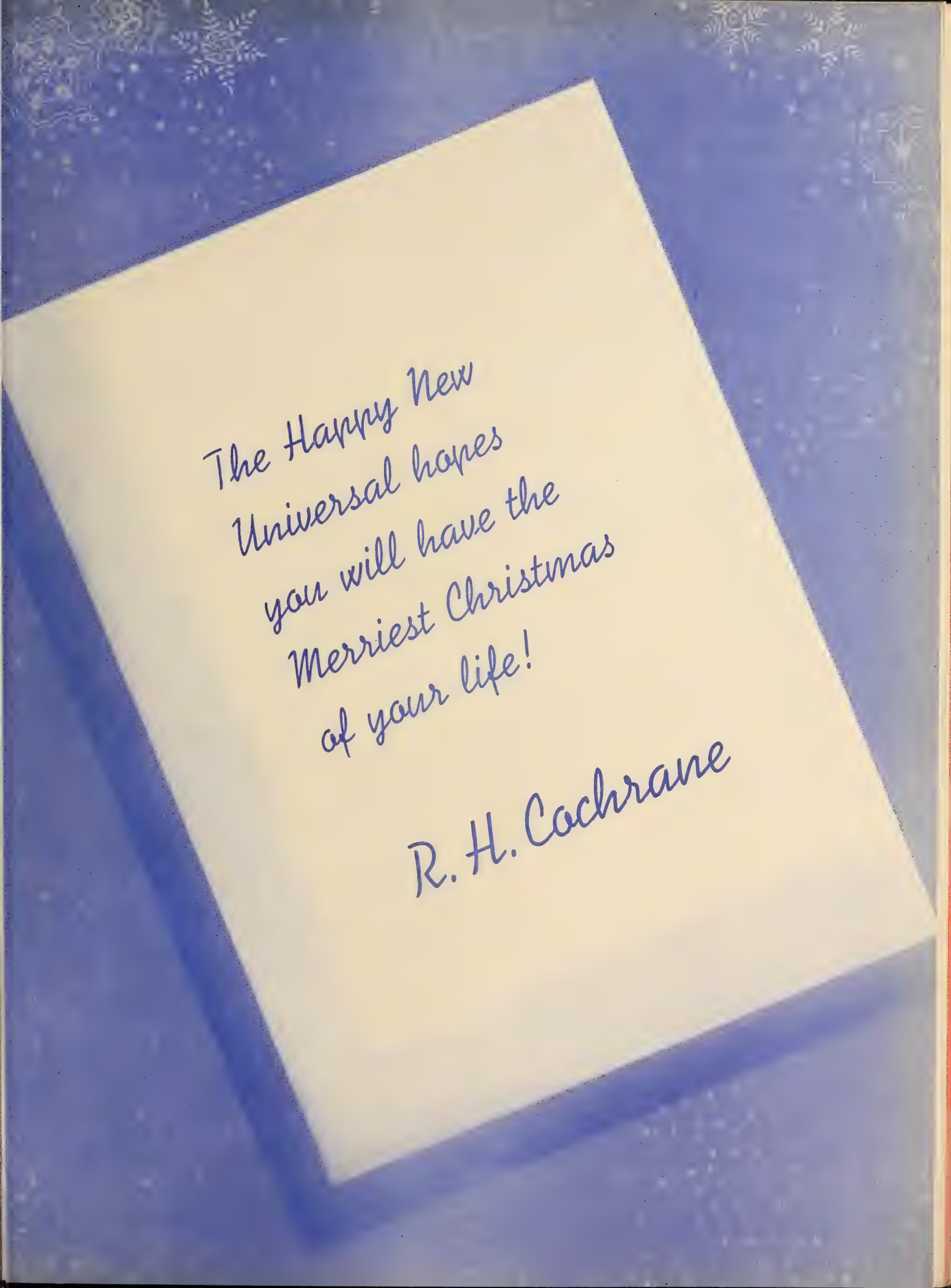
Ross Federal and Ross Research Corp. employes with the companies one year or more have been paid a week's salary as a Christmas bonus.

Delay G. N. Story Head

No eastern story head for Grand National will be appointed for the time being, Edward L. Alperson, president, stated yesterday.

Shift Sterling Meeting

Due to the holidays, W. Ray Johnston, president of Sterling Pictures, has decided not to call a meeting of the board until after the first of the year.


The Happy New
Universal hopes
you will have the
Merriest Christmas
of your life!
R. H. Cochrane

Flexible Sale Policy Stays Says Rodgers

(*Continued from page* 1)

able terms and I remarked at the time that it was unfair, in my opinion, to penalize us for making good pictures. We are not interested in what other producers or distributors receive for their merchandise and by the same token other distributors should not be interested in our terms, but I do prophesy the suggestion that attempting to fashion their quotations along lines similar to ours, that they should and would no doubt be willing to give theatres a like assurance of protection.

"This writer did say we were interested and hoped that every account with whom we did business would play our product profitably, but naturally, having no control or voice in the operating expense of theatres, we are not in a position to guarantee profit. It naturally follows, however, that theatre owners generally expect to make money on the merchandise they handle and I am sure we could not have satisfied customers who would lose money on our product.

"This writer expressed a very definite assurance of a square deal for all at all times."

At the meeting with the three Quaker City exhibitors at the M-G-M home office, an agreement was reached that no literature on the discussions held would be released until Rodgers saw it and made whatever corrections were made as to an understanding.

In the latest issue of *Contact*, house organ for U.M.P.T.O., both the letter to Rodgers, and his answer are printed. In the same issue are four signs printed which are to be used for picketing theatres which violate a date strike called for Jan. 2.

Fulton Theatres Tip Kansas City Scales

KANSAS CITY, Dec. 22.—The W. D. Fulton theatres here, the Southtown, Tivoli, LaSalle, Colonial and Mokan, are leading the way toward higher admissions in Kansas City. The average scale, here, including first runs, has been slightly over 16 cents for several years.

Beginning this week dime nights have been eliminated from the Southtown, which has gone to a straight 20-cent price; the Tivoli also is 20 cents straight; the LaSalle has eliminated all but two dime nights a week, giving it a 15-cent price five nights; and the Colonial and Mokan (at the latter there has been one night a week at seven cents) are now 15-cents straight.

This represents the first move of any importance, not only in Kansas City, but in the territory as a whole, to tip admissions as a result of generally improved business conditions. There probably would have been more of a movement in this direction before had the area not had a drought last summer.

The first run Tower, according to William Reinke, manager and part owner, will shortly go to 25c-35c instead of the present straight 25c. If the Fulton is successful and prices stay up, it is a foregone conclusion that other independents will follow.

Purely Personal

THE LEO JUSTINS yesterday celebrated their second wedding anniversary. On Jan. 22 they will fly to the coast, en route to Honolulu on a four-week vacation trip. While in Hollywood, LEO will visit his brother, SIDNEY, who is attached to the Paramount studio legal staff.

•

D. LEONARD HALPER of the Warner theatre construction department will return to his headquarters in Cleveland tomorrow. He's been here a few days conferring with home office executives.

•

BRIAN AHERNE will head a delegation from local Gaelic societies and American branches of the I. R. A. at the premiere of "Beloved Enemy" at the Rivoli Christmas morning.

•

PATSY LEE PARSONS, five-year-old dancer and singer who was signed some time ago by RKO, has completed her first screen performance in "Wanted to Marry."

•

KEN HODKINSON of G. B., assistant to GEORGE W. WEEKS, general sales manager, is back at the home office after a trip of several months through the western territory.

•

WILLIAM BROWN MELONEY, co-author of "Beloved Enemy," arrived in New York yesterday. He will attend the opening at the Rivoli Christmas day.

•

BOB WOLFF, local RKO exchange manager, was tendered a Christmas party at Sardi's yesterday by his associates. He was presented a fishing trunk.

•

JACK BARNSTYN, foreign head for Grand National, will sail Jan. 13 on the *Aquitania*, for an extended trip abroad.

•

C. C. WILKENNING, who was scheduled to leave for the coast last week, has put the trip off until next week.

•

NAT COHN will leave tomorrow by plane for Miami.

•

LIONEL STANDER is in town from the coast.

JULES BACHE, the banker, did some film entertaining last night when he screened a private showing of "La Kermesse Heroique" for a group of 150.

•

ROBERT SCHLESS, Warners general manager in Europe; ADOLF OSSO and ALEX PINCUS, directors of Osso Films; JEAN DE CAVAIGNAC, MONTA BELL, LUPE VELEZ, SOPHIE TUCKER, EDWARD G. ROBINSON, BASIL RATHBONE, PHILLIPS HOLMES, GEORGE E. STONE, JAMES A. FITZPATRICK and GRACE POGGI are aboard the incoming *Normandie*. The boat, delayed by severe weather, is due tomorrow morning.

•

DAVE STAMPER, composer for the "Ziegfeld Follies" for 21 years, was signed yesterday as head of the music department of British National of America.

•

T. NEWMAN LAWLER of the O'Brien, Driscoll & Raftery law firm, leaves today to spend the Christmas holiday at Ft. Smith, Ark.

•

ABE MONTAGUE is having Jan. 17 to May 1 set aside by Columbia sales forces as a special drive in his honor.

•

MARTIN MOSKOWITZ and AUBREY SCHENCK will sail Thursday on the *Pilsudski* for a Bermuda vacation.

•

NAT DYCHES, assistant to HARRY BRAND of the 20th Century-Fox studio, is in New York.

•

NAT WOLF, Cleveland zone head for Warner theatres, left for the Ohio city last night.

•

WILL H. HAYS may not leave on his Christmas holiday until tomorrow.

•

LEON ERROL, now at the Warwick, will leave shortly for the coast.

•

WILLIAM FINNEY of Loew's, has returned to Cleveland.

•

GERTRUDE MICHAEL left Monday for the coast.

•

BOB GILLHAM returned from Detroit yesterday.

Conciliation Boards Await Major Stand

(*Continued from page* 1)

dent, is due here some time in January to engage in a further effort to speed distributor action on the boards. Inasmuch as he now plans to attend the Presidential inauguration in Washington on Jan. 20, he probably will not be in New York on the boards' mission until after that date, it was said.

Proponents of the boards see their establishment retarded not only by distributor inaction, but also by a lack of understanding of the aims and functions of the proposed conciliation machinery among exhibitors throughout the country. This lack of information is said to be responsible for actual hostility to the boards among some exhibitor groups, even in localities in which a need for an industry agency to hear and resolve trade practice grievances is admitted, it was said.

RKO, Columbia Also To Present Bonuses

(*Continued from page* 1)

sent to all exchanges. Home office employes are included. The company is in reorganization.

The RKO circuit recently announced a bonus of one week's salary to all employes in the field earning up to $40 a week.

While Columbia has not officially decided the amount, it is understood the bonus will be along the same lines as last year when workers who earn as high as $40 a week were given an additional week's pay.

Fox Midwest Pays Bonus

KANSAS CITY, Dec. 22.—Fox Midwest gave its 1,000 employes in the 100 theatres it operates in Kansas, Missouri, Nebraska, Iowa, and Illinois, a double pay check today. The extra week's wage was a Christmas present.

Big Shows Eliminate Any Lull at Houston

HOUSTON, Dec. 22.—Encouraged by an experiment last December which was profitable, P. J. O'Donnell of Interstate Theatres, Inc., splurged on attractions for this December, and is finding his policies justified by box-office returns.

O'Donnell decided in the fall of 1935 to fight the pre-holiday jinx with big pictures.

This year Mr. O'Donnell booked into the Metropolitan the second week in December, John Boles in person; Mlle. Corinne, apple dancer, and her stage unit, and an average film. Two weeks before Christmas without a midnight show or playing a holiday, the Metropolitan's attendance and receipt records fell. Previous house record was slightly more than $17,000 for an eight-day run which included two midnight shows and one holiday. The big December show pulled more than $18,000.

Top Charity Fund Quota

CLEVELAND, Dec. 22.—Mrs. Georgia Moffett, vice-chairman of the theatrical division of the Cleveland Community Fund, declared that the division this year went over its prescribed quota for the first time. I. J. Schmertz, Twentieth Century-Fox branch manager, was chairman of the division.

Delay Goldstein Case

SPRINGFIELD, MASS., Dec. 23.—Another postponement, this time to Jan. 18, was decided upon today when the case of Sam and Nathan Goldstein against Herman Rifkin to prevent showing of "Theodora Goes Wild" in Rifkin's Northampton theatres was called.

New "Cleopatra" Title

HOLLYWOOD, Dec. 22.—Columbia has changed the title of the film formerly known as "A Slug for Cleopatra." It is now "Find the Witness."

Wall Street

Small Gains on Board

	High	Low	Close	Net Change
Columbia	34⅜	32¼	34⅜	+2⅜
Columbia, pfd.	41	39½	40	+ ½
Consolidated	5	4¾	4¾	— ⅛
Eastman	171¾	170½	170½	—1½
Gen. T. Equip.	30⅜	29⅜	29½	— ¼
Loew's, Inc.	62⅞	62⅛	62¾	+ ¾
Paramount	21⅝	21	21⅜	+ ⅝
Paramount 1 pfd.	150¼	147	150¼	+3¼
Paramount 2 pfd.	19¾	19	19⅝	+ ⅞
Pathe Film	9¾	9½	9½	+ ⅛
RKO	7¾	7½	7⅝	+ ⅛
20th Century-Fox.	35¼	34¾	34¾	.....
20th Century, pfd.	44⅝	43½	43½	—1½
Warner Bros.	17	16½	16½	.....

Trans-Lux Up on Curb

	High	Low	Close	Net Change
Grand National	3½	3⅜	3⅜	.....
Sonotone	2	2	2	.....
Technicolor	20⅞	20⅜	20¼	— ⅜
Trans-Lux	4¼	4	4⅛	+ ⅛
Universal Pict.	10¼	10¼	10¼	—1

Bonds Revive Fractionally

	High	Low	Close	Net Change
Keith B. F. 6s '46	98¼	98¼	98¼	+ ⅛
Loew's 3½s '46	100¼	100¼	100¼	.....
Paramount Pict. 6s '55	100½	100¼	100¼	.....
RKO 6s '41	116	115½	116	+1
Warner Bros. 6s '39 wd	99½	99	99⅜	+ ⅜

(Quotations at close of Dec. 22)

EVERY WORD OF THESE GREAT REVIEWS IS NOW BEING VERIFIED IN THE NATION'S BOX OFFICES!



"Sure-fire comedy drama. Should do smash business at any box office. Has adult as well as juvenile appeal!" —Film Daily

•

"Shirley Temple's happiest vehicle in months! Will be enjoyed by the young folks on vacation—and by their older companions as well!" —N. Y. Post

•

"Immediately goes on your list of films that simply must be seen! Grand entertainment. Shirley up to her best!" —N.Y. World Telegram

•

"Bang-up production. Probably Shirley's best film." —N.Y. Eve. Sun

•

"Temple is at her best. A delightful holiday picture. Gay, breezy, full of life and entertainment!" —N. Y. Daily Mirror

•

"A swell movie, its players even better and Shirley Temple best." N. Y. American

•

"Shirley in top form. Delighted the audience at the Roxy." —N.Y. Daily News

•

"Thoroughly entertaining!" —N.Y. Times

Shirley

TEMPLE

in

STOWAWAY

with

ROBERT YOUNG • ALICE FAYE

and EUGENE PALLETTE

HELEN WESTLEY • ARTHUR TREACHER

J. EDWARD BROMBERG • ASTRID ALLWYN

Directed by William A. Seiter

Associate producers: Earl Carroll, Harold Wilson

Screen play by William Conselman, Arthur Sheekman, Nat Perrin

Story by Sam Engel

Darryl F. Zanuck
in Charge of Production

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE



Shirley and Alice sing **THESE GORDON & REVEL HITS:** "Good Night My Love" "You Gotta S-m-i-l-e to be H-a-Double-p-y" "One Never Knows, Does One?" ...and..."That's What I Want for Christmas" **by Irving Caesar!**



'LLOYDS' HELD FOR 5TH WEEK AT ASTOR, CARTHAY CIRCLE!

"Reunion" Top Attraction in Chicago Slump

CHICAGO, Dec. 22.—The Christmas lull gripped Loop theatres, but several pictures ran up grosses well over the average. "Reunion" was the leader and did $8,500 at the Apollo which was about twice the average figure.

The "Charge of the Light Brigade" did well the second week at the Roosevelt, while Olsen and Johnsen, who are strong attractions locally, had a nice week at the Palace.

The weather was cold and clear and more than 500,000 shoppers jammed the Loop daily, according to official estimates.

Total first run business was $118,000. Average is $115,000.

Estimated takings:

Week Ending Dec. 15:

"BORN TO DANCE" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 5 days, 4th week. **Gross:** $10,000. (Average, $15,000)

Week Ending Dec. 17:

"NIGHT WAITRESS" (Radio)
PALACE—(2,509), 35c-55c-75c, 7 days. Stage: Olsen and Johnson Revue. **Gross:** $20,000. (Average, $19,000)
"THREE MEN ON A HORSE" (W. B.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Rex Weber and Revue. **Gross:** $28,500. (Average, $32,000)
"MAD HOLIDAY" (M-G-M)
ORIENTAL—(3,490), 30c-55c, 7 days. Stage: Vaudeville Revue. **Gross:** $17,500. (Average, $15,000)
"CHARGE OF THE LIGHT BRIGADE" (W. B.)
ROOSEVELT—(1,591), 35c-55c-75c, 7 days, 2nd week. **Gross:** $12,000. (Average, $11,000)

Week Ending Dec. 18:

"REUNION" (20th-Fox)
APOLLO—(1,400), 35c-55c-75c, 7 days. **Gross:** $8,500. (Average, $4,500)
"OUR RELATIONS" (M-G-M)
GARRICK—(900), 35c-55c-65c, 7 days. **Gross:** $5,500. (Average, $5,500)
"WANTED, JANE TURNER" (Radio)
STATE-LAKE—(2,776), 25c-35c-40c, 7 days. Stage: Vaudeville Revue. **Gross:** $16,000. (Average, $13,000)

"Love on Run" Big Draw at Oklahoma

OKLAHOMA CITY, Dec. 22.—"Love On the Run" stood up under the Christmas shopping competition in a big way by garnering $6,000 at the Criterion. This was $1,000 over normal.

The only other combination to show real strength was "The Magnificent Brute" and "Lady Be Careful," on a dual at the Liberty for four days. The gross was $2,300. Normal for seven days is $2,500.

Total first run business was $14,600. Average is $13,500.

Estimated takings for the week ending Dec. 19:

"LOVE ON THE RUN" (M-G-M)
CRITERION—(1,700), 10c-35c-55c, 9 days. **Gross:** $6,000. (Average, $5,000)
"BANJO ON MY KNEE" (20th-Fox)
MIDWEST—(1,500), 10c-35c-55c, 7 days. **Gross:** $4,100. (Average, $4,000)
"THE MAN I MARRY" (Univ.)
CAPITOL—(1,200), 10c-25c-40c, 7 days. **Gross:** $1,600. (Average, $2,000)
"THE MAGNIFICENT BRUTE" (Univ.)
"LADY BE CAREFUL" (Para.)
LIBERTY—(1,500), 10c-25c-35c, 4 days. **Gross:** $2,300. (Average for week, $2,500)
"15 MAIDEN LANE" (20th-Fox)
"F-MAN" (Para.)
LIBERTY — (1,500), 10c-25c-35c, 3 days. **Gross:** $600. (Average, for week, $2,500)

"Love on Run" Seattle Lead Taking $7,200

SEATTLE, Dec. 22.—"Love on the Run" led the Fifth Avenue out of the general slump with a take of $7,200. It was moved to the Liberty for a second week.

"Grand Jury" was the only other attraction to get into the profit column, and it was helped by a vaudeville show at the Palomar. The $4,750 take was up by $250.

The Music Box and Blue Mouse, the former with "Libeled Lady" in its fifth week and the latter with "Born to Dance" in its fourth week, held their attractions for another week due to the Christmas slump. A symphony concert, boxing and cold weather hurt business.

Total first run business was $39,800. Average is $41,500.

Estimated takings for the week ending Dec. 18:

"BORN TO DANCE" (M-G-M)
BLUE MOUSE—(950), 25c-40c-55c, 7 days, 4th week, extended run from Fifth Avenue. **Gross:** $3,400. (Average, $4,000)
"LOVE ON THE RUN" (M-G-M)
FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days. **Gross:** $7,200. (Average, $7,000)
"THEODORA GOES WILD" (Col.)
LIBERTY—(1,800), 25c-30c-40c-55c, 7 days, 3rd week. **Gross:** $6,150. (Average, $5,000)
"LIBELED LADY" (M-G-M)
MUSIC BOX—(950), 25c-40c-55c, 7 days, 5th week, extended run from Fifth Avenue. **Gross:** $3,600. (Average, $4,000)
"THE CAPTAIN'S KID" (F.N.)
"YELLOWSTONE" (Univ.)
MUSIC HALL—(2,275), 25c-35c, 7 days. Stage: Vaudeville headed by Leo & Toya. **Gross:** $4,400. (Average, $5,000)
"POLO JOE" (W.B.)
"WITHOUT ORDERS" (Radio)
ORPHEUM—(2,450), 25c-30c-40c, 7 days. **Gross:** $5,200. (Average, $6,000)
"GRAND JURY" (Radio)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Vaudeville headed by Nicodemus. **Gross:** $4,750. (Average, $4,500)
"WHITE HUNTER" (20th-Fox)
"HIDEAWAY GIRL" (Para.)
PARAMOUNT — (3,050), 25c-30c-40c, 7 days. **Gross:** $5,100. (Average, $6,000)

"Dance" a $16,000 Hit at Providence

PROVIDENCE, Dec. 22.—"Born to Dance" was the best grosser in town, outdistancing all comers by a wide margin with $16,000 at Loew's State, $4,000 over average.

The Strand, with "Love In Exile" and "Blackmailers" on a four-day run, garnered a trifle more than $3,000, representing about average business, and the Majestic was some $300 to the good with "Banjo on My Knee" on a twin bill.

Estimated takings for the week ending Dec. 17:

"ALL AMERICAN CHUMP" (M-G-M)
"NIGHT WAITRESS" (Radio)
RKO-ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $3,800. (Average, $7,000)
"BANJO ON MY KNEE" (W.B.)
"CHARLIE CHAN AT THE OPERA" (20th-Fox)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $6,300. (Average, $6,000)
"CAPTAIN'S KID" (W.B.)
FAY'S—(1,600), 15c-40c, 7 days. Stage: Five acts of vaudeville. **Gross:** $6,000. (Average, $7,000)
"LOVE IN EXILE" (G.B.)
"BLACKMAILERS" (Col.)
STRAND—(2,200), 15c-40c, 4 days. **Gross:** $3,000. (Average, $6,500)
"BORN TO DANCE" (M-G-M)
LOEW'S STATE—(3,200), 15c-40c, 7 days. **Gross:** $16,000. (Average, $12,000)

"Born to Dance" At $6,300, Louisville

LOUISVILLE, Dec. 22.—"Born to Dance" was high at Loew's State with $6,300. It was moved to the Brown for a holdover. The take was $800 over normal.

"Winterset," dualed with "The Plot Thickens" at the Rialto, was the only other first run bill to land in the profit column. The take was $500, over the house average of $4,500. Two holdovers, and the usual holiday shopping kept grosses down.

Opposition included a radio jamboree and fiddlers' contest at the National and a talent show sponsored by the Lions' Club, at Memorial Auditorium.

Total first run business was $22,100. Average is $21,800.

Estimated takings for the week ending Dec. 17:

"THEODORA GOES WILD" (Col.)
"MAD HOLIDAY" (M-G-M)
BROWN—(1,500), 15c-25c-40c, 7 days, 2nd week. **Gross:** $2,200. (Average, $2,500)
"LAST OF THE MOHICANS" (U.A.)
"LADIES IN LOVE" (20th-Fox)
"LADY BE CAREFUL" (Para.)
"DON'T TURN 'EM LOOSE" (Radio)
KENTUCKY—(900), 15c-25c, 7 days, split week. **Gross:** $1,700. (Average, $1,500)
"BORN TO DANCE" (M-G-M)
LOEW'S STATE—(3,000), 15c-25c-40c, 7 days. **Gross:** $6,300. (Average, $5,500)
"POLO JOE" (W.B.)
MARY ANDERSON—(1,000), 15c-25c-40c, 7 days. **Gross:** $3,000. (Average, $3,500)
"HANDS ACROSS THE TABLE" (Para.)
"DANGEROUS" (W.B.)
"IT HAD TO HAPPEN" (20th-Fox)
"THE GOOSE & THE GANDER" (F.N.)
OHIO—(900), 15c, 7 days, split week. **Gross:** $800. (Average, $800)
"WINTERSET" (Radio)
"THE PLOT THICKENS" (Radio)
RIALTO—(3,000), 15c-25c-40c, 7 days. **Gross:** $5,000. (Average, $4,500)
"BANJO ON MY KNEE" (20th-Fox)
STRAND—(1,500), 15c-25c-40c, 7 days, 2nd week. **Gross:** $3,100. (Average, $3,500)

"Theodora" on Dual Omaha Top, $5,700

OMAHA, Dec. 22.—The Brandeis, with "Theodora Goes Wild" and "Alibi for Murder" as the second feature, set the pace, grossing $5,700, over par by $1,700.

"Love on the Run" moved from the Paramount for a holdover run of five days and paired with "Bengal Tiger," grossed $4,500 at the Omaha. A seven-day average is $5,500. The Orpheum's gross of $8,200 exceeded average of $7,500 for "Come and Get It" and "Love in Exile."

Installation of Bank Night helped all theatres combat the pre-Christmas slump.

Total first run business was $26,400. Average is $26,900.

Estimated takings:

Week Ending Dec. 15:

"THEODORA GOES WILD" (Col.)
"ALIBI FOR MURDER" (Col.)
BRANDEIS—(1,200), 25c-35c-40c, 7 days: **Gross:** $5,700. (Average, $4,000)
"LOVE ON THE RUN" (M-G-M)
(Moved from Paramount for second week run).
"THE BENGAL TIGER" (W.B.)
OMAHA—(2,200), 25c-40c, 5 days. **Gross:** $4,500. (Average, $5,500)
"THE GARDEN OF ALLAH" (U.A.)
PARAMOUNT—(2,900), 25c-40c, 7 days. **Gross:** $8,000. (Average, $9,900)

Week Ending Dec. 17:

"COME AND GET IT" (U.A.)
"LOVE IN EXILE" (G.B.)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $8,200. (Average, $7,500)

"Theodora" Is Boom Leader At Cleveland

CLEVELAND, Dec. 22.—Top box-office honors went to "Theodora Goes Wild." It took in 50 per cent over average at Warners' Hippodrome with a $15,000 gross. $10,000 is average. The picture is being held a second week at the Hippodrome.

"Born to Dance" was a close second with $21,000 in eight days at Loew's State, including a midnight special pre-Thanksgiving preview. This was $6,000 over par. It was moved to Loew's Stillman for a continued downtown run. "Winterset," at the RKO Palace with Fats Waller and a stage show, went $2,500 over average to $17,500.

"Pennies from Heaven," playing a second week downtown at the Allen following a very big week at Warners' Hippodrome, came through with a $5,300 gross.

Total first run business was $62,800. Average is $51,000.

Estimated takings for the week ending Dec. 18:

"PENNIES FROM HEAVEN" (Col.)
ALLEN—(3,300), 30c-35c-42c, 7 days, 2nd week. **Gross:** $5,300. (Average, $5,000)
"BORN TO DANCE (M-G-M)
LOEW'S STATE—(3,400), 30c-35c-42c, 8 days. **Gross:** $21,000. (Average, $15,000)
"GO WEST, YOUNG MAN" (Para.)
LOEW'S STILLMAN—(1,900), 20c-35c-42c, 8 days, 2nd week. **Gross:** $4,000. (Average, $6,000)
"WINTERSET" (Radio)
RKO PALACE—(3,100), 30c-42c-60c, 7 days. Stage: Fats Waller and the Harlem Hot Shots. **Gross:** $17,500. (Average, $15,000)
"THEODORA GOES WILD" (Col.)
WARNERS' HIPPODROME — (3,800), 30c-35c-42c, 7 days. **Gross:** $15,000. (Average, $10,000)

"Theodora" Hits Big $12,600, at Houston

HOUSTON, Dec. 22.—"Theodora" went so wild at the Majestic that the theatre staff is still gasping for air. The $12,600 gross was over par by $5,600—big business at any time of the year, and something short of colossal for the pre-Christmas week.

Trailing along under full steam, "Pennies from Heaven" garnered $8,400, over the line by $1,400, at the Metropolitan. All other houses felt the competition.

Total first run business was $31,000. Average is $26,000.

Estimated takings for the week ending Dec. 19:

"THE LONGEST NIGHT" (M-G-M)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,000. (Average, 7 days, $5,000)
"LOVE LETTERS OF A STAR" (Univ.)
KIRBY—(1,450), 15c-35c, 1 day. Bank Night. **Gross:** $1,000. (Average, 7 days, $5,000)
"THEY MET IN A TAXI" (Col.)
KIRBY—(1,450), 15c-35c, 3 days. **Gross:** $2,000. (Average, 7 days, $5,000)
"REMBRANDT" (M-G-M)
LOEW'S STATE—(2,750), 25c-50c, 7 days. **Gross:** $5,000. (Average, $7,000)
"THEODORA GOES WILD" (Col.)
MAJESTIC—(2,250), 25c-50c, 7 days. **Gross:** $12,600. (Average, $7,000)
"PENNIES FROM HEAVEN" (Col.)
METROPOLITAN — (2,600), 25c-50c, 7 days. **Gross:** $8,400. (Average, $7,000)

Slump Settles Over Grosses In Washington

WASHINGTON, Dec. 22. — The Christmas slump settled on grosses and they dropped under par all along the line, save in two spots where return engagements were under way.

"Tarzan Escapes," playing at Loew's Columbia, took $4,300, to top the first run average by $700, and "Three Men on a Horse" at the Metropolitan grossed $4,800 as against a first run par of $4,300.

In the first runs, "Go West, Young Man," playing the Earle with a stage show, just missed a par $18,400 by $100. "Rembrandt," playing RKO-Keith's, took $10,000, missing a par by $600, but the picture was held for a second week.

Total first run business was $67,500. Average is $76,700.

Estimated takings, exclusive of tax:

Week Ending Dec. 8:

"REMBRANDT" (U. A.)

RKO-KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $10,000. (Average, $10,600)

Week Ending Dec. 9:

"GYPSIES" (Amkino)

BELASCO—(1,140), 25c-75c, 7 days. **Gross:** $2,700. (Average, $3,000)

"LOVE ON THE RUN" (M-G-M)

LOEW'S PALACE—(2,370), 35c-55c, 7 days, 2nd week. **Gross:** $8,900. (Average, first week, $15,900)

Week Ending Dec. 10:

"GO WEST, YOUNG MAN" (Para.)

EARLE—(2,218), 25c-77c, 7 days. Stage: Clyde Lucas & His Orchestra, Olive & George, The Andersons. **Gross:** $18,300. (Average, $18,400)

"OUR RELATIONS" (M-G-M)

LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Lucky Millinder & His Mills Blue Rhythm Orchestra, Ethel Waters, Four Step Brothers, Conway & Parks, Chuck Richards. **Gross:** $18,000. (Average, $20,900)

"TARZAN ESCAPES" (M-G-M)

LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement). **Gross:** $4,300. (Average, first run, $3,600)

"THREE MEN ON A HORSE" (F. N.)

METROPOLITAN—(1,591), 25c-40c, 7 days (return engagement). **Gross:** $4,800. (Average, first run, $4,300)

Two Days Ending Dec. 11:

"CRIME ET CHATIMENT" (Lenauer)

BELASCO—(1,140), 25c-75c, 2 days. **Gross:** $500. (Average, 7 days, $3,000)

"Dance" New Haven Strong with $9,800

NEW HAVEN, Dec. 22.—"Born to Dance" lifted the Poli gross to $9,800, over par by $2,800. The picture was held at the College.

"Winterset" and "Smartest Girl in Town" at the Roger Sherman did an excellent $7,200, over average by $2,500. Other spots were weak. Shopping hurt matinee business.

Total first run business was $23,600. Average is $19,300.

Estimated takings for the week ending Dec. 19:

"A WOMAN REBELS" (Radio)
"MUMMY'S BOYS" (Radio)

COLLEGE — (1,499), 25c-35c, 7 days. **Gross:** $2,300. (Average, $2,800)

"THE JUNGLE PRINCESS" (Para.)
"THE MAN I MARRY" (Univ.)

PARAMOUNT—(2,348), 35c-50c, 7 days. **Gross:** $4,300. (Average, $4,800)

"BORN TO DANCE" (M-G-M)

POLI—(3,040), 35c-50c, 7 days. **Gross:** $9,800. (Average, $7,000)

"SMARTEST GIRL IN TOWN" (Radio)
"WINTERSET" (Radio)

ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $7,200. (Average, $4,700)

"Theodora" Good Minneapolis Draw

MINNEAPOLIS, Dec. 22.—"Theodora Goes Wild" nearly doubled an average gross of $6,000 at the Minneapolis Orpheum to go far in the lead during a slender week in the Twin Cities. The show took in $11,000 and was held for a second week.

In the only other box-office success of a week marked with sloppy weather, snow and much Christmas shopping, "Born to Dance" did $1,000 better than the usual $5,500 at the Paramount.

Total first run business in Minneapolis was $25,000. Average is $25,500. Total first run business in St. Paul was $13,500. Average is $14,500.

Estimated takings:

Minneapolis:

Week Ending Dec. 16:

"HIDEAWAY GIRL" (Para.)

STATE—(2,300), 25c-40c, 7 days. **Gross:** $2,500. (Average, $5,500)

"15 MAIDEN LANE" (20th-Fox)

LYRIC—(1,239), 20c-25c, 7 days. **Gross:** $1,000. (Average, $1,500)

Week Ending Dec. 17:

"LOVE ON THE RUN" (M-G-M)

MINNESOTA—(4,000), 25c-55c, 8 days. **Gross:** $9,000. (Average, $10,000)

"THEODORA GOES WILD" (Col.)

ORPHEUM—(2,900), 25c-40c, 7 days. **Gross:** $11,000. (Average, $6,000)

"ECSTASY" (Eureka)

WORLD—(400), 25c-35c, 7 days, 5th week. **Gross:** $1,000. (Average, $2,500)

St. Paul:

Week Ending Dec. 16:

"BORN TO DANCE" (M-G-M)

PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $6,500. (Average, $5,500)

"A WOMAN REBELS" (Radio)

ORPHEUM—(2,000), 25c-40c, 7 days. **Gross:** $3,000. (Average, $4,000)

"OLD HUTCH" (M-G-M)

RIVIERA—(1,000), 25c-40c, 7 days. **Gross:** $3,000. (Average, $3,500)

Week Ending Dec. 18:

"WILD BRIAN KENT" (20th-Fox)
"15 MAIDEN LANE" (20th-Fox)

TOWER—(1,000), 25c-35c, 7 days. **Gross:** $1,000. (Average, $1,500)

"Banjo" on a Dual Big at Milwaukee

MILWAUKEE, Dec. 22.—Top in a just average week was "Banjo on My Knee" and "All American Chump" with a $9,800 take for nine days at Fox's Wisconsin. This was $1,800 to the good.

"Pennies from Heaven" and "Along Came Love" took $5,000 at the circuit's Palace, just par business while all other houses dropped below average.

The weather was mostly fair and mild with stores reporting heavy holiday business.

Total first run business was $25,200. Average is $24,500.

Estimated takings:

Week Ending Dec. 15:

"WINTERSET" (Radio)
"THE SMARTEST GIRL IN TOWN" (Radio)

WARNER—(2,400), 25c-35c-50c, 6 days. **Gross:** $4,500. (Average, $5,000)

Week Ending Dec. 17:

"PENNIES FROM HEAVEN" (Col.)
"ALONG CAME LOVE" (Para.)

PALACE—(2,400), 25c-35c-50c, 7 days. **Gross:** $5,000 (Average, $5,000)

"KILLER AT LARGE" (Col.)

RIVERSIDE—(2,300), 20c-25c-30c, 7 days. Stage: Major Bowes Anniversary Review. **Gross:** $4,800. (Average, $5,000)

"THEODORA GOES WILD" (Col.)
"EASY TO TAKE" (Para.)

STRAND—(1,400), 25c-35c-50c, 7 days. **Gross:** $1,100. (Average, $1,500)

"BANJO ON MY KNEE" (20th-Fox)
"ALL AMERICAN CHUMP" (M-G-M)

WISCONSIN—(3,200), 25c-35c-50c, 9 days. **Gross:** $9,800. (Average, $8,000)

Three Films, Show Omaha's Best Bet

LINCOLN, Dec. 22.—Christmas buying monopolized the local scene last week but a trio of pictures with the Orpheum's stage show got a $550 profit, at $2,300. The pictures were "Wedding Present," "A Woman Rebels" and "Wanted: Jane Turner."

Stuart barely eked $100 over the line at $3,200 with "Three Men on a Horse." The Lincoln with dual splits and running eight days got $2,700, $500 over the seven-day average. Four pictures included "My American Wife," "The General Died at Dawn," "Luckiest Girl" and "The Magnificent Brute."

Total first run business wes $9,800. Average is $9,000.

Estimated takings:

Week Ending Dec. 16:

"OH, SUSANNAH" (Republic)
"FATAL LADY" (Para.)
"MANDARIN MYSTERY" (Republic)
"EASY MONEY" (Invincible)

LIBERTY — (1,200), 10c-15c, 7 days. **Gross:** $800. (Average, $850)

Week Ending Dec. 17:

"GENERAL DIED AT DAWN" (Para.)
"MY AMERICAN WIFE" (Para.)
"MAGNIFICENT BRUTE" (Univ.)
"LUCKIEST GIRL IN THE WORLD" (Univ.)

LINCOLN—(1,600), 10c-20c-25c, 8 days. **Gross:** $2,700. (Average, $2,200)

"PENNIES FROM HEAVEN" (Col.)

VARSITY—(1,100), 10c-20c-25c-35c, 7 days, 2nd week. **Gross:** $800. (Average, $1,100)

"WEDDING PRESENT" (Para.)
"WOMAN REBELS" (Radio)
"WANTED: JANE TURNER" (Radio)

ORPHEUM — (1,350), 10c-15c-20c,25c, 7 days. Stage: 3 days of "Girly Go Round" unit, featuring Karyl Norman. **Gross:** $2,300. (Average, $1,750)

Week Ending Dec. 18:

"THREE MEN ON A HORSE" (F.N.)

STUART—(2,000) 10c-25c-40c, 7 days. **Gross:** $3,200. (Average, $3,100)

"Relations" Dual Spokane's Winner

SPOKANE, Dec. 22. — "Our Relations," on a dual with "Daniel Boone," took top honors in a week that was surprisingly good in spite of Christmas shopping. The take at the Orpheum was $4,500, over normal by $1,000.

"Born To Dance" was $400 up on a take of $5,200 in its second week at the State, with Universal's reel on the life of King Edward VIII helping. "Come and Get It" and "Under Your Spell" were $500 to the good at $8,500 in the Fox. Front page publicity on the logging scenes made last year at Lewiston, Idaho, was a big help.

Total first run business was $19,500. Average is $17,800.

Estimated takings:

Week Ending Dec. 16:

"COME AND GET IT" (U.A.)
"UNDER YOUR SPELL" (20th-Fox)

FOX—(2,300), 25c-40c, 6 days. **Gross:** $8,500. (Average, $8,000)

"BORN TO DANCE" (M-G-M)

STATE—(1,000), 30c-40c, 7 days, 2nd week. **Gross:** $5,200. (Average, $4,800)

"DANIEL BOONE" (Radio)
"OUR RELATIONS" (M-G-M)

ORPHEUM—(1,200), 20c-30c, 5 days. **Gross:** $4,500. (Average, $3,500)

"SHE SHALL HAVE MUSIC" (Imperial)

GRANADA—(600), 15c-25c, 3 days. **Gross:** $500. (Average, $500)

Week Ending Dec. 17:

"THE MAN WHO LIVED AGAIN" (G.B.)
"NORTH OF NOME" (Col.)

ORPHEUM — (1,200), 20c-30c, 2 days. **Gross:** $800. (Average, $1,000)

"Make Way," Bernie Smash In St. Louis

ST. LOUIS, Dec. 22.—"Make Way for a Lady" and Ben Bernie's stage show were the big grossers of the week at $20,500 in the Ambassador. This topped the house average by $10,500.

At Loew's "Born to Dance," aided only by shorts, was just a step behind with a take of $20,000, double the house average. It was held over.

"Love in Exile," with a big radio publicity campaign that tied it in with the love troubles of King Edward, brought about $11,000 to the Missouri.

No other attraction of the week was able to play to par business.

The principal outside attractions were some big hockey games at the Arena, a Boy Scouts carnival at the same structure, and the customary free commercial shows at the Municipal Auditorium.

Total first run business was $78,900. Average is $58,500.

Estimated takings for the week ended Dec. 17:

"MAKE WAY FOR A LADY" (Radio)

AMBASSADOR—(3,018), 25c-40c-55c, 7 days. Stage: Ben Bernie and band. **Gross:** $20,500. (Average, $9,000)

"POLO JOE" (W. B.)
"LUCKIEST GIRL IN THE WORLD" (Univ.)

FOX—(5,038), 25c-35c-55c, 7 days. **Gross:** $10,500. (Average, $14,000)

"BORN TO DANCE" (M-G-M)

LOEW'S—(3,162), 25c-35c-55c, 7 days. **Gross:** $20,000. (Average, $10,000)

"LOVE IN EXILE" (G. B.)
"EASY TO TAKE" (Para.)

MISSOURI—(3,214), 25c-40c, 7 days. **Gross:** $11,000. (Average, $9,000)

"THREE MEN ON A HORSE" (W.B.)
"PENNIES FROM HEAVEN" (Col.)

ORPHEUM—(1,950), 25c-35c-55c, 7 days. **Gross:** $8,000. (Average, $6,000)

"EASY MONEY" (Republic)
"ONE NIGHT OF LOVE" (Col.)

SHUBERT-RIALTO—(1,725), 20c-25c, 7 days. **Gross:** $2,600. (Average, $3,500)

"MURDER WITH PICTURES" (Para.)
"CHARGE OF THE LIGHT BRIGADE" (W. B.)

ST. LOUIS—(4,000), 25c-40c, 7 days. Stage: Vaudeville. **Gross:** $6,200. (Average, $7,000)

Polish Industry in New Theatres Drive

By R. SELLEI

WARSAW, Dec. 10.—Producers and distributors in Poland have launched a movement to increase the number of film houses in the country. With a population of 34,000,000 there are only 750 theatres.

The basis of the drive is the introduction of portable film shows, similar to those in use in other countries, as a means of popularizing the screen in the outlying districts. A second factor in the movement is a petition to the Government for a reduction in taxes. They consider the present basis, on seating capacity, unfair because often a small house will do proportionately better business than a large theatre.

* * *

Two railway lines in the country, those between Warsaw and Zakopane and between Krakow and Gdyynia, have introduced film showings. Special cars seating 60 have been attached to all trains on these lines for the screenings. Travel and tourist propaganda films only are being used at present.

DRAMATIC *Romance* SET TO MUSIC AND SPICED WITH *Murder!*

"Murder mystery carries punch with ingenious plot and excellent cast . . . An absorbing theme with a strong plot that builds to grand suspense, and a superb cast of sterling players"! —*Film Daily*

"Expertly acted murder melodrama . . . A spirited and engrossing film that can be recommended as generally enjoyable entertainment"! —*William Boehnel, N. Y. World-Telegram*

"Well written, forcefully acted and skillfully directed"! —*Bland Johaneson, N. Y. Mirror*

"Meaty material, handsomely mounted, and fairly swift in presentation"! —*Irene Thirer, N. Y. Post*





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The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 149 NEW YORK, THURSDAY, DECEMBER 24, 1936 TEN CENTS

Drop in Erpi Parts Revenue Is Described

Poor Quality Was Cause, FCC Hearing Told

The total gross revenue derived by Erpi from its repair and replacement business on sound film equipment in theatres dropped from a high of $1,627,000 in 1930 to a low of $293,000 in 1932, and that drop was caused chiefly by the inadequacy in quality and high level in price of Erpi replacement parts, it was pointed out yesterday in the third day of hearing before the telephone division of the Federal Communications Commission, in its study of A. T. & T. and Erpi operations in the sound film business.

The figures and deductions were brought out by Samuel Becker, Milwaukee attorney who is acting as special counsel for the F. C. C., in the course of his examination of H. M. Wilcox, former operating manager

(*Continued on page 9*)

Columbia Employes Given Bonus Checks

Columbia yesterday distributed approximately $75,000 in bonuses to its employes throughout the country. Last year the Christmas gift was limited to home office workers earning $40 and under.

According to the plan this year all employes earning up to $25 a week were given a full week's salary and to those receiving a weekly stipend above $25 and under $100 got checks amounting to $25.

A series of salesmen's bonuses will be awarded during the "Columbia-Montague Sweepstakes," the company's annual sales and liquidation drive which will be on from Jan. 17 to May 1. In addition, grand awards will be made to campaign leaders at the end of the drive.

The campaign this year has been named for Abe Montague, sales manager. The final of four midseason sales meetings is scheduled to be held in New York in two weeks. Date and hotel have not yet been set.

About 100 Turn Out For Ampa Luncheon

About 100 members turned out yesteday for the Ampa Christmas party at the Edison which was highlighted by a number of entertainers and distribution of gifts, including Shirley

(*Continued on page 11*)

Keller-Dorian Color Film Compares Well with Others

By SHERWIN KANE

Three selected subjects employing the Keller-Dorian color screened in the Music Hall projection room yesterday permit the process to be compared favorably with any now in commercial use.

The three subjects selected for the demonstration were "La Beguine," produced by Paramount in its Paris studio; the overture from Wagner's "The Flying Dutchman," and a single reel of camera subjects selected at random.

The first reel employs Kodacolor, a Keller-Dorian process adapted especially for 16 mm. use. Two Martinique native dances, one a solo and the other by a dance team, are presented against a simple stage setting. The color, in consequence, does not involve variable subjects, being confined to facial and costume features, which are uniformly clear and authentic.

The camera subject in the operatic overture is a seacoast. In this, surf shades are reproduced in a high degree of natural color, deep water shades are less impressive and contrasts between sky and sea colors are not well defined. In the final reel, the

(*Continued on page 9*)

Sale Tax Case May Go Over To February

Hearing of the major distributors' appeal from the application of the New York City sales tax on film rentals may be delayed until February, it was indicated yesterday.

Originally scheduled for next month in the Court of Appeals at Albany, delays on the part of Frederick H. Wood of Cravath, de Gersdoff, Swaine & Wood, special counsel to the distributors, in completing the appeal brief, may make it impossible to get the case on the court's January calendar. Wood's brief has not been

(*Continued on page 9*)

Court Is Told RKO Plan Will Be Contested

An RKO stockholder has advised Federal Judge William Bondy that he plans to contest the entire RKO reorganization proceedings on constitutional grounds in the state courts of Maryland, the judge informed attorneys participating in the reorganization yesterday.

No additional information was available, the court merely asserting that it was in receipt of the stockholder's letter which had been addressed to Judge Bondy from Washington, D. C. RKO is a Maryland

(*Continued on page 9*)

Miss Cornell Excels in a Play Below Her Artistry

Even your best friend has a cold in New York these days. This reviewer isn't doing so well himself, as a matter of fact. Yet, apparently an astonishing number of heaving chests and rasping larynxes found their way into the plush hat premises of the Empire last night to see Katharine Cornell present Katharine Cornell in "The Wingless Victory" by Maxwell Anderson.

It was all polite coughing, you should be informed early. And the shifting around in the seats north, east, south and west of this reporter was done with aplomb, not to neglect decorum. Nevertheless, the coughs and the shiftings were unmistakably present.

Not without some reason. It would be anti-climactic, if not downright tardy, to let loose on this Christmas an adjectival flood about Miss Cornell, her undeniably great abilities as an actress, her appearance, the thrill in the cadence of her voice, the mobility of her expressions, the eloquence

(*Continued on page 8*)

Yesterday in Radio—Page 7

Italy Ready To Admit 250 Films Yearly

Export of 20,000,000 Lire Also in Plan

Two hundred and fifty pictures a year may be exported to Italy and 20,000,000 lire exported from that country by the terms of new regulations governing American distribution, it is understood. The rules are so liberal that, in effect, Italy becomes a free and untrammeled market for this nation's films.

Third in the major developments effected as a result of recent conferences by Will H. Hays with officials of the Italian Government is the removal of all restrictions on surplus earnings beyond the 20,000,000 lire now set up as the export maximum. It is learned that surpluses will not have to be invested in Italy, as earlier restrictions had provided. American distributors, of course, will be barred from any attempt to send out of that country any portion of such surplus in disguised form.

The increase in exportable lire, under the new arrangement, is 12,000,000, comparing with the old peak figure of 8,000,000. Whereas, American imports into Italy had been limited to 48, the new total of 250 tops by 82 the previous high in any previous full year.

The anticipation now is that the major American companies will immediately resume shipment of prints.

Pool at Minneapolis Will Start Tomorrow

Pooling arrangements between RKO and the Minnesota Amusement Co., affecting six Minneapolis downtown theatres in Minneapolis, will start tomorrow. The half dozen houses involved are the Orpheum, Minnesota, State, Lyric, Century and Aster.

Mort Singer, partner with RKO in the Orpheum, is chairman of the operating committee, which comprises J. J. Freidl and L. J. Ludwig of the Minnesota Amusement Co.

Chicago Police to Start Games Drive

CHICAGO, Dec. 23.—Police Commissioner Allman said today he will start an immediate drive to halt any further staging of Bank Night or other giveaways. He said he expected

(*Continued on page 11*)

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Signing of Ohio Tax Extension Expected

COLUMBUS, Dec. 23. — Governor Davey is expected to sign the bill extending the three per cent sales tax and its accompanying three per cent admission tax next Monday.

The measure has passed both the Houses and the Senate and it is understood the Governor favors the measure. Exhibitors are relieved because under the current law which expires March 1 there has been a possibility of a return of the 10 per cent admission tax.

Governor Shows Film

ALBANY, Dec. 23.—"Stowaway" was shown today to orphans from St. Vincent's School at the Executive Mansion. Gov. and Mrs. Lehman were host and hostess.

No Paper Tomorrow

***Motion Picture Daily* will not publish tomorrow, Christmas Day.**

Purely Personal

NED DEPINET, SAM DEMBOW, PHIL REISMAN, CLIFF REID, WILLARD MCKAY, MORTON DOWNEY and FRANK BUCK among those at "21" yesterday.

•

BERNARD KRANZE's mother and sister have gone to the coast to spend the new few months with his brother, RICARDO CORTEZ, who has just been loaned by Warners to B. P. SCHULBERG for "Street of Chance."

•

ABE MONTAGUE, general sales manager for Columbia, will return from Miami on Monday. He visited the winter resort after attending a midseason sales meeting in New Orleans.

•

LULI DESTE, Viennese star signed by B. P. SCHULBERG, arrived yesterday on the *Aquitania*. She will remain in New York until after the holidays, then drive to the coast.

•

DEANNA DURBIN will sing at the Protestant Orphans' Home, Bridgeport, Christmas Eve. Her picture, "Three Smart Girls," will be playing at the Majestic, that city.

•

GRADWELL L. SEARS, general sales manager for Warners, is due back from the coast today. S. CHARLES EINFELD has delayed his trip to Hollywood indefinitely.

•

W. G. QUISENBERRY, vice-president of Trans-Radio; CECIL CLOVELLY of Paramount and F. TAIT of the Australian theatre interests, sail today on the *Aquitania*.

•

MARY PICKFORD and BUDDY ROGERS will leave for Hollywood tomorrow by plane. GWYNN PICKFORD, MARY's niece, will be in the party.

•

JACK COHN and NATE SPINGOLD will leave by plane for Miami tomorrow. NAT COHN will leave via Eastern Airlines today.

•

HERBERT BRENON, who arrived yesterday on the *Aquitania*, left for the coast via American Airlines for the M-G-M studios.

•

BYRON MOORE, metropolitan district manager for Warner theatres, has moved into new offices at the Strand Theatre Bldg.

•

LUPE VELEZ, who is due today on the *Normandie*, is scheduled to take an American Airline plane to the coast tonight.

•

HAROLD SACHS, Columbia traveling auditor, will celebrate his fifth wedding anniversary tomorrow.

•

JORDAN LIPSCHULTZ of the Warner N. J. theatres will be married in a few days to RUTH COHEN.

•

ARTHUR GREENBLAT, east division manager for G.B., left yesterday for a Florida vacation.

•

JACK ELLIS, local exchange manager for RKO, is mourning the loss of his mother.

•

MEYER SCHINE left last night for Gloversville after a short visit here.

•

B. P. SCHULBERG will leave for Hollywood today by plane.

HERBERT J. OCHS, assistant to GRADWELL SEARS, general sales manager for Warners, is in Atlanta on the last leg of a tour of southern and midwestern exchanges. He will spend the Christmas holidays with his family there.

•

MARIGOLD BALL, who has been handling the fan magazines for M-G-M on Dec. 29 will wed HERMAN RIPPS, M-G-M salesman at Albany. VIVIAN MATLAU, formerly receptionist on the third floor, succeeds Miss BALL.

•

SOPHIE TUCKER, who will arrive on the *Normandie* today after six months in London, will leave next week for Hollywood to star in "Broadway Melody of 1937" for M-G-M.

•

RICHARD ALDRICH and RICHARD MYERS have acquired "The Meal Ticket," by HERMAN J. MANKIEWICZ, for production this season. HENRY WAGSTAFF GRIBBLE will direct.

•

WILLIAM PATRICK MURPHY, until recently with Erpi's field sales force, has been transferred to the New York metropolitan area.

•

STEPHEN PALLOS, London Films general manager, will leave the coast for New York shortly after Christmas.

•

CLIFF REID expects to return to Hollywood Saturday.

•

. . . Denver

ALLAN B. COOPER, former assistant at the Denham has left for Los Angeles. He has been succeeded at the Denham by JOHN ECHOLS.

EDDIE ROHR, Erpi engineer, has been transferred from here to Seattle.

J. H. MORAN, who purchased the Isis, Red Lodge, Mont., will reopen it as the Park after remodeling.

MAX GILBERT, Columbia shipping clerk, is wearing a big smile for a new baby girl at his house.

L. L. DENT, head of Westland Theatres, Inc., has returned from Ramah, N. M., where he spent a few days at his ranch.

HARRY NOLAN of the Mercury Film Exchange vacationing at his ranch in Brownsville, Tex.

ROSS LABART has taken to selling Buicks, and seven new ones have appeared on the row. New owners include FRANK SHEFFIELD, HARRY NOLAN, BOB KANE, GENE GERBASE, ART O'CONNELL.

•

. . . San Francisco

HERMAN COHEN, operator of the United Artists and Embassy, back from his Richardson Springs vacation.

W. C. BREMER, Strand, Gilroy, in town booking as was JOHN DISTASIO, of the Liberty, Sacramento.

JACK MOORE, son of J. J. MOORE, who operates several Sacramento Valley theatres, will be married shortly.

BOB HARVEY left recently for Seattle, where he will start the Pacific coast exploitation on "Rembrandt."

ROWENA FOLEY, of the local Film Board of Trade, confined to her home on account of illness plans to return to work soon.

HARRY NICHOLS, of Quigley Publications' field staff, rolled into town in his big trailer, to be greeted by pals along Film Row.

Phila. Pact Raises Total of Musicians

PHILADELPHIA, Dec. 23.—With the revealing today of some of the details of the agreement between Warners and the Musicians' Union which ended a three-month strike, it is indicated that the number of men to be employed on at least a part time basis in accordance with the new pact will be more than 100 in excess of the number engaged last year.

The Earle will rush in a stage show tomorrow, instead of Friday as first reported. The Fox will return to stage shows early in January. At the same time the Allegheny, large uptown neighborhood house, will adopt a full week stage and film policy. The Nixon, Frankford and Oxford will get three-day stage shows weekly, while five or six other houses will get one or two-day bookings.

The new agreement will not expire until some time in January, 1938, instead of in September as heretofore. This change was one of the factors prominent in the arbitration. Warners held out for the January date in order to protect themselves during next year's holiday season in the event that there be a renewal of the battle just ended.

"Libeled Lady" Tops Herald "Champions"

"Libeled Lady" leads *Motion Picture Herald's* list of Box-Office Champions for November. United Artists placed two productions on the list for the month, which is published in the current issue of the *Herald*, out today.

The champions for November are "Libeled Lady," M-G-M; "Pigskin Parade," 20th Century-Fox; "Come and Get It," United Artists; "The Big Broadcast of 1937," Paramount; "The Gay Desperado," United Artists, and "The Charge of the Light Brigade," Warners.

B. & D. Shows a Loss

LONDON, Dec. 23.—British & Dominions reports a net loss of £105,599 for the fiscal year ending Oct. 31. Addition of the previous debit brings the total debit to £131,148. A stockholders' meeting is scheduled for Dec. 30.

The £1 shares are quoted at five shillings.

ITOA Talks on Labor

Members of the I.T.O.A. yesterday discussed labor problems at the regular meeting at the Astor. Harry Brandt, head of the unit, presided, but no action was taken.

A committee meeting on the merger of Allied and Local 306 was held last night at Howard S. Cullman's office in the Roxy theatre.

Loew's Boston Net Up

Loew's Boston Theatres Co. reports a net of $176,004 for the year ending Aug. 31. This is equal to $1.13 per share. Last year the net was $109,346, or 70 cents a share.

Columbia Cuts Week

LONDON, Dec. 23.—Columbia will start a five-day week in January in all departments, closing every Friday. This is the first British film firm to make this concession.



NOT IN A MILLION

YEARS HAS THERE BEEN

A NEW YEAR'S SHOW LIKE...

One in a Million

20th's spectacular musical smash for 1937!

20th CENTURY-FOX showmen ring in the new year with a bright, new, streamlined 1937-model musical . . . sparkling like the ice-capped Alps of its locale . . . speeding like the lightning skates of beautiful Sonja Henie, topping her world-famous triumphs . . . glistening with the spectacle of hundreds of glamorous girls in whirling ice-revels . . . gladdening with its flock of fun-making, love-making stars! It's simply GLORIOUS!



SHE SETS THE ICE AFIRE
. . . AND HEARTS AFLAME!





Million

Introducing to the screen the lovely Queen of the Silvery Skates: **SONJA HENIE** *with*

ADOLPHE MENJOU • DON AMECHE

NED SPARKS • JEAN HERSHOLT

RITZ BROTHERS • ARLINE JUDGE

BORRAH MINEVITCH *and his gang* **• DIXIE DUNBAR**

Directed by Sidney Lanfield

Associate Producer Raymond Griffith • Story and screen play by Leonard Praskins and Mark Kelly • Music and Lyrics by Lew Pollack and Sidney D. Mitchell

Skating Ensembles Staged by Jack Haskell

●

WITH THESE MELODY-GLORIOUS HITS:

"One in a Million" "Who's Afraid of Love"

"The Moonlit Waltz" "Lovely Lady in White"

"We're Back in Circulation Again"

20th CENTURY FOX

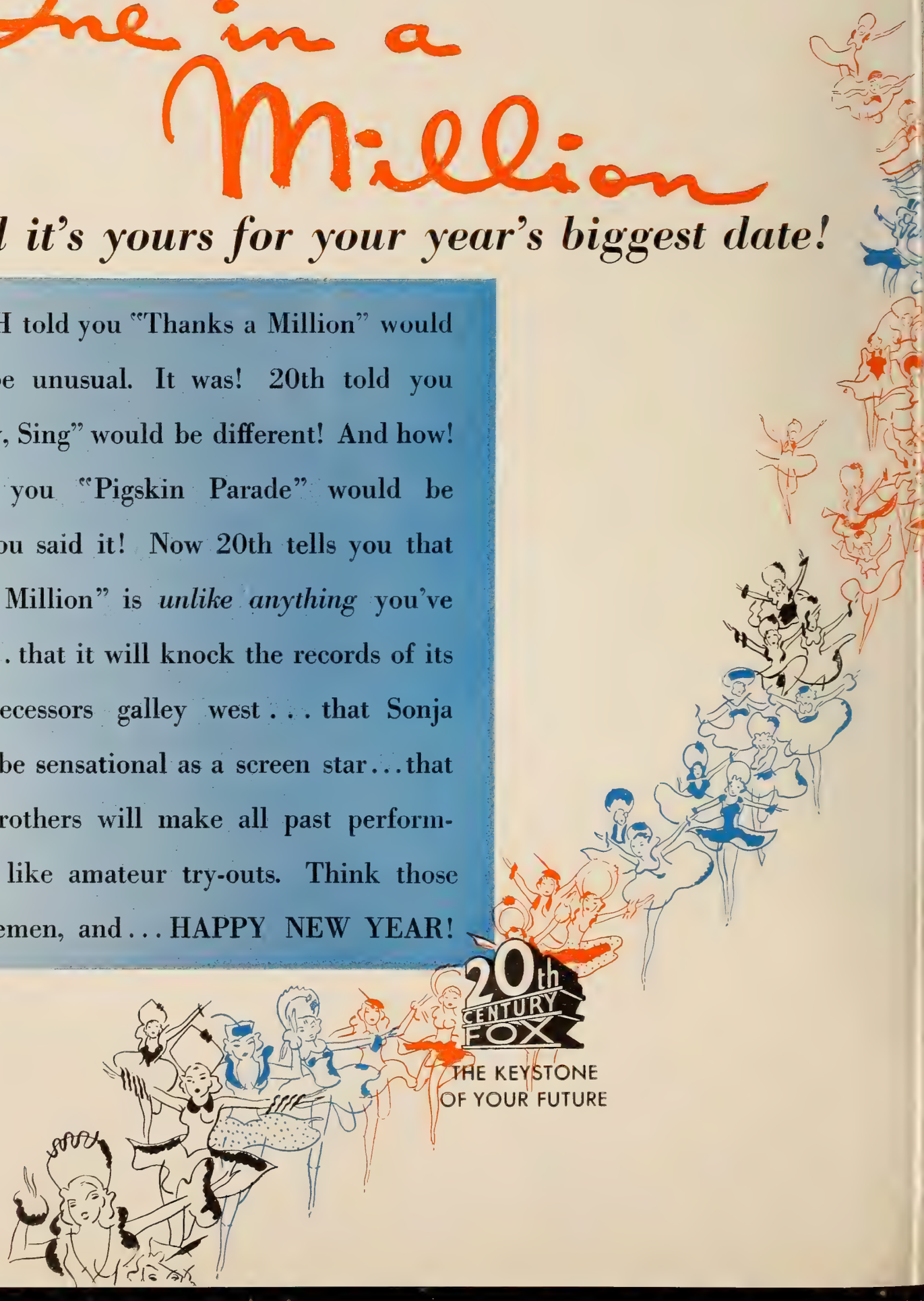
DARRYL F. ZANUCK
in Charge of Production

THERE'S ONLY ONE

One in a Million

—*and it's yours for your year's biggest date!*

20TH told you "Thanks a Million" would be unusual. It was! 20th told you "Sing, Baby, Sing" would be different! And how! 20th told you "Pigskin Parade" would be unique! You said it! Now 20th tells you that "One in a Million" is *unlike anything* you've ever seen... that it will knock the records of its three predecessors galley west... that Sonja Henie will be sensational as a screen star... that the Ritz Brothers will make all past performances look like amateur try-outs. Think those over, gentlemen, and... HAPPY NEW YEAR!



20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

"Champ" Braddock Is Defeated by Sponsor

James J. Braddock, world's heavyweight champion, has been defeated by a radio sponsor. The battle took place in an NBC studio Tuesday evening when Braddock, script in hand, was barred from broadcasting by his sponsor, Tastyeast. Jimmy stood by and watched a new troupe inaugurate a substitute program.

Further, J. P. Muller no longer is in charge of the Tastyeast account, the Peck Advertising Agency now having complete control.

Exactly what led up to Tuesday night's developments is not known, although the Muller agency has made some particularly bitter charges. Neither is it known if any escape clauses exist in the Braddock contract which has been reported to be for $1,500 a week for 13-weeks at the usual renewal terms for a full year.

The Muller agency charges that it balked at the sponsors ever increasing demands for wordier commercials on a progam which, the agency says, from the beginning suffered badly in this respect. The agency objected also because the sponsor kept rewriting scripts which already had been approved.

All of which, however, has nothing to do with Braddock personally. Jimmy's dismissal apparently hinges on the popularity rating of his program, which has sagged of late.

The substitute program, entitled "Unsung Champions," was put on the air Tuesday without an explanation as to the reason for Braddock's cancellation. It is understood that the script of the new program did contain a paragraph stating that Jimmy would not be heard because of illness, but NBC refused to permit the reading of the announcement. After all, Braddock was in the studio and apparently enjoying the best of health.

Braddock's program was known as "My Battle with Life." In view of the above developments, radio wisecrackers yesterday were saying it might better have been entitled "My Battle with Life—and a Sponsor."

Big Opener for Joe Cook

A powerful line-up of talent has been secured for the opening broadcast of Joe Cook's new Shell gasoline program Jan. 2.

The special guest orchestra for the inaugural offering will be made up of bandleaders Rudy Vallee, Guy Lombardo, Paul Whiteman, Fred Waring, Vincent Lopez, Ferde Grofe, Ozzie Nelson, Eddie Duchin, B. A. Rolfe, Harry Sosnick and Benny Goodman. A flip of a coin a few moments before the program is to go on the air will determine who will conduct.

Additionally there will be as guests Bill Robinson, the Four Horsemen, of Notre Dame football fame; the Vass Family, Admiral Raymond Pearson Hobson, who bottled up the Spanish fleet in Santiago during the Spanish War, and two Philadelphia families totaling 28 members who will be interviewed en masse by Cook.

Set in "Spelling Bee"

Dr. Harry Hagen's "Spelling Bee" program, currently an NBC feature for Fleischmann's Yeast, will be heard over WMCA and the stations comprising the Inter-City network beginning Saturday, Dec. 26 under the sponsorship of Chase and Sanborn Coffee. The series will be heard each Saturday from 7 to 8 P. M., E.S.T., and replaces the "Good-Will Court." J. Walter Thompson is the agency.

15 Firms Spent $13,614,669 At CBS; Colgate the Leader

The 15 leading CBS clients spent $13,614,669 with the network this year, December, however, representing an estimate by CBS statisticians. Colgate-Palmolive-Peet, Ford, Campbell's Soups and Lever Bros. are the first four. Their expenditures and the trailing eleven follow:

Client	Agency	Time Expenditures
Colgate-Palmolive-Peet	Benton & Bowles	$1,536,220
Ford Motor Co.	N. W. Ayer	1,528,026
Campbell Soup Co.	F. Wallis Armstrong	1,314,209
Lever Bros.	J. Walter Thompson; Ruthrauff-Ryan	1,239,812
Liggett & Myers	Newell-Emmett	1,094,460
Wm. Wrigley & Co.	Neisser-Meyerhoff	1,021,486
R. J. Reynolds Tobacco Co.	Wm. Esty	950,749
General Mills	Blackett-Sample & Hummert; Knox Reeves Adv. Co.	854,046
Philco Radio & Television	Hutchins Adv. Co.	717,770
American Home Products	Blackert-Sample & Hummert	710,172
Continental Baking Co.	Batten, Barton, Durstine & Osborne	641,182
American Tobacco Co.	Lord & Thomas	571,896
Great A. & P. Tea Co.	Paris & Peart	566,060
Chrysler	Ruthrauff & Ryan	493,972
U. S. Tobacco	Arthur Kudner	374,610

More Programs Renewed

"Kaltenmeyer's Kindergarten," NBC program sponsored by Quaker Oats, has been renewed for 52-weeks beginning Jan. 2. Lord and Thomas, Chicago, is the agency.

Also renewed for a full year beginning Jan. 5 is Edgar Guest's "Welcome Valley" series, sponsored by the Household Finance Corp., Batten, Barton, Durstine & Osborne, Chicago, is the agency.

Father Coughlin to Talk

Father Charles E. Coughlin, who announced his retirement from the air shortly after the late election, will return to the CBS web on Friday, Jan. 1, from 5:15 to 5:45 P. M., E.S.T., to deliver a New Year's message. The broadcast will emanate from the Shrine of the Little Flower, Royal Oak, Michigan.

Burns, Connor, Et Al

Short Shots: Bob Burns has been named as inaugural guest on the new Jack Oakie series which gets under way on Tuesday over CBS. . . . Nadine Connor, a virtual unknown hereabouts, has won one of the most coveted jobs in radio as co-star with Nelson Eddy on the Vick's "Open House" series. She replaces Francia White and will be heard for the first time Sunday. . . . Bandleader Ted Lewis will be Eddie Cantor's guest this same evening. . . . Clair Trevor, Michael Whalen and Isabelle Jewell will re-enact scenes from their forthcoming pictue, "Career Woman," on "Hollywood Hotel" Jan. 1. . . . Oscar Wilde's "Happy Prince," Christmas fantasy, will be broadcast by the CBS "Workshop" players on Saturday from 8:30 to 9 P. M., E.S.T. . . . Bill Bacher, producer of "Hollywood Hotel," leaves Hollywood for New York on Christmas Day for a vacation. Ken Niles will produce the program in his absence. . . . National Ice, sponsors of the CBS "Home Makers Exchange" adds 17 additional CBS stations as of Jan. 26, giving the program an outlet over 44 stations. . . . Thomas K. Smith, president of the American Bankers Ass'n, will guest speak on the Philadelphia Orchestra program on Jan. 1. . . . B. A. Rolfe's orchestra will guest play on the "Magazine of the Air" Jan. 1. . . . Joe Penner's current series has been renewed for an additional 13-week period effective as of next Sunday's broadcast.

Memphis Gasps a Bit

MEMPHIS, Dec. 23.—Memphis is still gasping over the radio boner unintentionally pulled by Arline Judge while here on a visit last week-end.

Grounded on an airline trip to New York, Miss Judge liked Memphis so well that she decided to remain overnight instead of proceeding via a later, more circuitous route to Manhattan.

A guest of several prominent Memphians at a party that night in the ballroom of the Peabody Hotel, Arline was invited by Jack Denny to say a few words over the mike. Not realizing that Denny was broadcasting via WREC at the time, Miss Judge indavertently uncorked a choice flow of verbiage that sent control room engineers scurrying for the switch.

Station was off the air for fully a minute before Denny stepped to the microphone with the announcement that he would dedicate the next number to Miss Judge. Title of the selection: "You Do the Darndest Things, Baby."

Takes On Symphony Hour

NEW HAVEN, Dec. 23.—WELI will broadcast the hour program of the New Haven Plectral Symphony Orchestra, at 4 P. M., Dec. 27. Assisting groups will be the YD Auxiliary Chorus, Sacred Heart Chorus Glee Club, Harriette Bortle, soprano; and Mack Parker and Anthony Loro, baritones.

NBC Corraling Coast Shows; Union Oil One

LOS ANGELES, Dec. 23.—Union Oil inaugurates a new program entitled "Thrills" Jan. 20 over NBC-Red. The program will consist of dramatized events of the day. David Broekman's orchestra will be featured also. Jack Rynyon of the west coast office of Lord & Thomas is producing.

Another program which will go over to NBC is the California Chain Store hour, which leaves the Don Lee network on Jan. 3, several days after Don Lee affiliates with Mutual.

These new accounts are the first of eight new programs slated to switch over to NBC by Feb. 1. It is understood that NBC will take over a local theatre because of the west coast program expansion.

D. V. Martin to Broadcast

PITTSBURGH, Dec. 23.—Darrell V. Martin, radio editor of the *Post-Gazette*, will be Phillips Lord's (Seth Parker) guest on the latter's "We the People" program Sunday night. Martin will tell of his experiences when he crashed the studio for an Amos 'n' Andy broadcast in their early radio days.

While in the east, Martin will spend several days doing special radio articles for his paper.

Movie Gossiper Gets Sponsor

KANSAS CITY, Dec. 23.—KCKN's 15-minute "Movie Gossip" program now is being sponsored by Schneider Jewelry in Kansas City, Kas. On each broadcast Ruth Royal, the "Screenland Reporter," who conducts the program and who is the *Kansas City Kansan's* station's musical director, is explaining how listeners may get an autographed picture of a star without cost.

Stokowski to Use Stage

HOLLYWOOD, Dec. 23.—Leopold Stokowski will broadcast his Christmas Eve program directly from Paramount's scoring stage. The complete symphony orchestra will play Christmas carols, and the music will go out over the CBS network from 7 to 7:30 P. M., P.S.T.

Colmery to Broadcast

KANSAS CITY, Dec. 23.—Harry W. Colmery of Topeka, American Legion national commander, will broadcast nationally over NBC a Christmas message to World War veterans Thursday evening. The talk will originate at WDAF, station of the *Kansas City Star*, here.

WDBJ in New Station

ROANOKE, Va., Dec. 23.—Station WDBJ is now occupying its new $105,000 studio building on West Kirk Ave. A formal opening is planned following the Christmas holidays, according to Manager Ray Jordan.

Seek a Haunted House

KANSAS CITY, Dec. 23.—KXBY says it is trying to find a haunted house from which to broadcast "Stories of the Supernatural." The station now is offering $50 for one.

'Phone Co. Goes Sponsor

NEW HAVEN, Dec. 23.—Southern New England Telephone Co. is sponsoring a new program, "The Sunday Call," over WELI, beginning Jan. 3.

Variety Club

Dallas

DALLAS, Dec. 23.—About 800 tickets were sold for Variety Club's second annual show-dance at the Adolphus Hotel with Chief Barker BOB O'DONNELL pronouncing the affair a success. Proceeds went to the surgical ward of the Free Memorial Clinic for crippled children.

HYMAN CHARNINSKY'S orchestra played for dancing and entertainment was provided by night clubs of Dallas and Fort Worth.

The local tent will raise additional money for its charity work by sponsoring a midnight show Jan. 8 at the Majestic. DAVE APOLLON'S revue and a WILBUR CUSHMAN unit headed by KARYL NORMAN will furnish entertainment.

Kansas City

KANSAS CITY, Dec. 23.—Barkers of Tent 8 will make "deluxe whoopee" New Year's Eve here in the grand ballroom of the Hotel Muehlebach. Among other feats promised by the committee in charge, which is headed by CHARLIE SHAFER, is "endless entertainment elaborately exhibited endlessly!" Someone's going to remember that phrase the morning of Jan. 1.

HARRY MCCLURE heads the entertainment committee; FRANK BOWEN the tickets; R. R. BIECHELE and A. F. "PECK" BAKER the favors and arrangements, and PAUL BAYZMAN of Columbia, publicity.

Milwaukee

MILWAUKEE, Dec. 23. — CHARLES TRAMPLE has been named president of the Variety Club Tent. He succeeds EDWARD J. WEISFELDT.

Other officers named are: Vice-president, H. J. FITZGERALD; secretary, BEN MILLER (reelected); treasurer, OSCAR RUBY (reelected); directors, TRAMPLE, FITZGERALD, WEISFELDT, MILLER, RUBY, HAROLD MIRISCH, ROY PIERCE, JACK LORENTZ, E. L. WEISNER, SAM SHURMAN and HOWARD HERZOG.

WEISFELDT was presented a gold watch.

The tent's next theatre party will be a midnight showing of "Camille" at Fox's Wisconsin on Jan. 16.

Price Hits Censorship

A sharp attack on censorship was voiced yesterday by Joseph M. Price, chairman of the board of trustees of the City Club, coincident with his election to the executive committee of the National Board of Review. He praised the influence of the National Board in the development of intelligent thought concerning the screen, and lauded its method of classification and selection, instead of straight censorship.

Seek Bay State Lottery

BOSTON, Dec. 23.—A bill for the legalization of a state lottery, a project defeated after close fights during the past few years with theatre interests among the opponents, has again been filed with the legislature. A number of tax measures, invoking industry attention, have also been entered for legislative consideration. The Massachusetts Legislature gets under way Jan. 2.

Miss Cornell Excels in a Play Below Her Artistry

(Continued from page 1)

in her hands. The word of these has gotten a wide circulation by this time.

But even as sterling an artist as Miss Cornell should not have placed on her strong and eminently capable shoulders the almost complete task of carrying off an evening in the theatre. She is entitled to a vehicle which, if it should have nothing weighty to say for itself, by its construction and by its impact certainly should maintain its pace for whatever period the playwright may have allotted for it. In other words, this department goes insistent long enough to insist that the piece be worth its star.

Story Rather Unwieldy

This does not happen in "The Wingless Victory." Here, Anderson selects Salem and 1800 as his year. Walter Abel is back after seven years of the seven seas with a particular concentration on the waters that wash the Indies. Miss Cornell, a Malayan princess who had defied her father, a sultan of the Celibes, is with him as his wife, together with their two children. The dramatic development swings slowly and, it is regrettable to have to report, ponderously around the immediate conflict which tears back and forth. Arrayed on the one side are icebound Salem town folks—represented at large by all of Abel's family except one younger brother and the local girl who once loved the seafarer, now returned a wealthy man. On the other is Miss Cornell, proud in her own right, ready to bow a willing knee to the strange customs of a chilly people whose ways she does not know, but whose selfishness she quickly enough grasps.

Moving inexorably toward its climax, the hastening circumstance is a threat to reveal how Abel acquired his vessel with connotations of piracy and a hangman's noose in the offing. But, as important, is the reassertion of his native New England narrowness which recoils under the failure of his own people to accept the Malayan wife. Actually, the piracy menace gives him his excuse to urge their separation. On the vessel that is to take Miss Cornell, her children and her servant to her own world, that night the stoicism of the East dictates to them that they shall die. Black hemlock does it, but not before Abel, this reviewer no longer crediting the strength of character the first act gives him, attempts to heal the break. The play ends on a note of complete despair for him and the author's conclusion that only death will bring him solace for the vacillations of his earthly existence.

The chief theme, developed often by beautiful prose which is Anderson's forte, is the reiterated exposition of the old one about the east and the west and their dogged determination not to meet. It has been done before, as all and sundry must know by now. There might be read into it, Anderson's scoffing of the alleged superiority of the Aryan, too, the writer's scorn of the Hitler philosophy. But that might be carrying symbolism further than the intent.

Being all very well as it is, the conclusion also is that it is not well enough. Not for last night's evening and not for Miss Cornell. Abel came back from Hollywood for this part. He apparently came back with a rush, a swagger and a propensity for "acting" that stamped his performance as something considerably removed from the desirable. This department liked Effie Shannon as the mother, Kent Smith as the prosecuting reverend and brother and Myron McCormick as the youngest of the males in the family.

Theme Not New

This department, to finish this off now, was also reminded very strongly of a something written by Joseph Hergesheimer some years ago. It was called "Java Head" and had the same general story idea. Paramount made it with Leatrice Joy, which gives you an idea of dates, and recently it was re-filmed in England with Anna May Wong in the lead.

Miss Cornell? That's different. They've been trying for a long spell now to persuade her about films. It would be a ten-strike and a further mark of distinction for the entire celluloid institution if some honey-tongued impresario should induce a change of heart.

Out Hollywood Way

HOLLYWOOD, Dec. 23.—"Espionage," an original by WALTER HACKETT, will be started at M-G-M about Jan. 1 with EDMUND LOWE and MADGE EVANS featured.

D. B. CATHCART to be CEDRIC GIBBONS' assistant on "The Emperor's Candlesticks," M-G-M. . . . Paramount to do a special on the Canadian fur trade. . . . PAUL SCHOFIELD and RALPH SCOTT working on the story. ERICH WOLFGANG KORNGOLD assigned by Warners to do a score for "The Prince and the Pauper."

CHARLES R. ROGERS presents a Buick sedan to DEANNA DURBIN. . . . NORMAN KRASNA off to New York for the holidays. . . . MARGARET LINDSAY suffering from a throat ailment. TRAVIS BANTON gets a new contract at Paramount. . . . GARY COOPERS celebrate their third wedding anniversary.

✚

Casting—RALF HAROLDE and JACK LARUE in "The Love Trap," B. P. SCHULBERG. . . . GUY KIBBEE in "Special Orders," NAT PENDLETON in "Ever Since Adam," and ROBERT MCCLURG in "Dick Tracy" at Republic. . . . HELEN VALKIS in both "Marry the Girl" and "The Go-Getter," Warners. . . . EDWARD DUNNE and ROBERT KEENE in "To the Victor," M-G-M. . . . JOSEPH SCHILDKRAUT in "A Star Is Born," Selznick International.

Short Subjects

"March of Time, Vol. 3, No. 5"

(Radio)

The first part of this reel might hold the avid interest of entertainment seekers, or an audience after enlightenment on serious problems. Titled "Girls in Business," it unreels as a pictorial probe into the economic difficulties the young woman faces when she arrives in New York to begin her career. The imperative facts which face her existence are shown, minus the gloss. Finally, the social services say "Unless you have enough money to support yourself in the city for a full year, stay home."

Of different import is "A New China," the second part. Quite up to the minute, it presents the work and ideals of Chang Kai-Shek, who is getting no little space in the newspapers for the past week. Taking a definite stand the film reveals his past efforts to build up his country for a stand against the encroachment of Japan. In its quickly succeeding flashes it is exciting in a revelatory manner. No production code seal. Running time, 20 mins. "G."

"Knights for a Day"

(Universal)

That trio of amusing monks, Meany, Miny and Moe, play Santa Clause to a family of unfortunate ducks in this cartoon, which should prove a nicely timed offering for the approaching holidays. The monkeys raid the Christmas Eve setup of Henrietta Hen and bring it to the poor family. The indignant Henrietta seeing the happiness she could bring forgets the affair and joins in the merriment. Production Code Seal No. 2,770. Running time, 7 mins. "G."

Warner Pittsburgh Managers Are Moved

PITTSBURGH, Dec. 23.—A number of Warner managers have just been shifted by C. J. Latta, assistant zone manager. Larry Huttinger has resigned as manager of the Hollywood and will be replaced by Henry Berger, former assistant at the South Hills, and Jules Green, assistant at the Stanley, goes back to the Stanley in a similar spot. The Stanley post goes to Alton Rea, former assistant at the Enright, and Paul Williams, from the Cameraphone, takes over Rea's job.

Edward Auth, assistant manager at the Schenley, moves to that job at the Strand, succeeding Walter (Gus) Davis, who has been promoted to Bill Clark's assistant in the shorts booking department.

Sherman to Aid Ball

Al Sherman, short subject publicity director and editor of the *Columbia Mirror*, has been appointed to the national publicity committee for the nationwide birthday ball for President Roosevelt, to be held Jan. 30.

Stuart Joins Dish Firm

BOSTON, Dec. 23.—Harry Stuart has been appointed New England representative of the Wilcox dish giveaway outlet in New England. Stuart has long been in the poster business here.

Drop in Erpi Parts Revenue Is Described

(*Continued from page* 1)

and vice-president of Erpi, which was resumed yesterday from Tuesday.

Following the declaration of Wilcox that Erpi's repair business was not profitable, but that the replacement business was, Becker introduced into the record figures showing that the total gross revenue from repairs and replacements was: in 1928, $296,000; 1929, $1,032,000; 1930, $1,627,000; 1931, $857,000, and 1932, $293,000.

Profits were: 1928, $61,000; 1929, $77,000; 1930, $89,000. Losses were sustained in the two following years, amounting to $112,000 in 1931 and $60,000 in 1932.

Becker attempted to prove, by documentary evidence and through examination of Wilcox, that the drop in revenue was occasioned by the fact that Erpi was unable to offer replacement parts which were the equal of those manufactured by competing companies, and that exhibitors were buying outside parts. Wilcox insisted, on the other hand, that the drop in revenue was chiefly due to the depression.

Rule Circumvented

The purchase of parts from companies other than Erpi actually was in violation of the original contract provisions with theatres, Becker said, but Erpi did nothing about these violations, pointing to a declaration from John E. Otterson, then president of Erpi, to the effect that the company no longer could rely on the compulsory purchase of parts clauses in the Erpi theatre contracts.

Becker sought to bring out that this shift in policy followed a letter from Spyros Skouras, theatre operator, to Otterson, in which the former was said to have declared it his belief that Erpi's insistence on the compulsory purchase clauses was a violation of the anti-trust laws.

Becker introduced into the record a series of complaints from exhibitors on the excess repair and parts costs levied by Erpi, the prices for parts being considerably higher than outside supply dealers were asking for superior parts, the special counsel declared.

Testimony brought out that Erpi had repeatedly asked Western Electric to take steps to reduce the cost and improve the quality of the parts manufactured, so that costs might be reduced to theatres. But, Becker contended, the contract by which Erpi was formed as a Western Electric subsidiary in 1926, forced Erpi to buy all its material from W. E. and the Bell Laboratories, which fact in turn forced Erpi to maintain its high charges to theatres.

It was pointed out that when Graybar Electric Co. was underselling Erpi on certain parts, an agreement was finally reached whereby the two firms sold the same part at the same price.

Repair Rates Established

Exhibitor contracts were altered in 1932, it was brought out, so that it was no longer necessary for exhibitors to buy all parts from Erpi, but with the condition that if non-Erpi parts were used, the exhibitor must waive any claim against Erpi relative to the operation of the Erpi equipment in the theatre, and that repairs would be charged for on the basis of $35 per day per man, plus expenses and transportation.

In the course of his testimony, Wilcox declared, "The repair business has always been a headache, and always will be. It is not profitable."

The only solution to the problem, it was brought out, was the reduction of prices or the enforcement of replacement contracts. Prices were cut, it was said, to include a very small margin of profit, but an effort was made to avoid a price war.

R. E. Anderson, former treasurer of Erpi, was brought to the stand, shortly before the close of yesterday's short session, but was excused after brief testimony on the setup and operation of the General Service Studios on the coast, wholly owned Erpi subsidiary. The studio was leased from Educational, it was brought out, and formerly was the Metropolitan Sound Studio. A recording license taken by Christy in 1928 was assigned to Metropolitan with the consent of Erpi.

The hearings will be resumed here on Monday.

$175,281,675

As of Nov. 18, this year, there were pending 22 suits against Erpi involving the anti-trust laws, with aggregate damages asked, figured on a triple-damage basis, of $175,281,675, it was indicated yesterday in the course of the F.C.C. investigation of Erpi, by Samuel Becker, special counsel to the commission.

The figures were obtained, he said, from Western Electric in response to a question on the matter.

Keller-Dorian Color Film Compares Well with Others

(*Continued from page* 1)

subjects selected offer a wider range of color and the results are frequently impressive.

The Keller-Dorian process probably achieves its best effects in blue and shades of blue and in flesh tints in closeups. These appeared to best advantage in the demonstration subjects and were the most often utilized. In distance shots facial outlines are no more clearly defined than they are in other color processes. Sponsors of the Keller-Dorian color, however, claim that no makeup is required for photographing with their process and assert as well that the projection machine used for the demonstration was not specially equipped for the showing.

With the color results on the screen comparing favorably with other color systems now in use, the outstanding advantage of Keller-Dorian color would appear to be centered upon the economies claimed for it. Its makers assert that color negative costs are as much as 80 per cent less with Keller-Dorian; that print costs are about two-thirds less; that rushes are available on approximately the same time basis as for black and white, and that it requires a minimum of extra equipment for camera and projection machines. A wide shutter for cameras and a filter for projection machines are said to be the only essential basic extras required in the use of the process.

Foreign Interests to Control

Negotiations are now under way for use of the Keller-Dorian process in five features to be produced by a major company next year, it was said. Control of 70 per cent of the company's outstanding stock is scheduled to pass to European financial interests under an option to purchase 350,000 shares, which may be exercised in the near future, according to George E. Quigley, former vice-president of Vitaphone, who is fiscal agent for the purchasing interests.

Tries 5 Cent Scale

Plymouth, O., Dec. 23.—A new low in admissions for this territory has been established by the Plymouth, which is charging five cents for both adults and children during the current week.

Local merchants are cooperating with Manager Ed. E. Ramsey on the theory that parents doing their Christmas shopping can park their children in the theatre at the minimum cost, and that parents also may use the theatre for a "rest period."

Court Is Told RKO Plan Will Be Contested

(*Continued from page* 1)

corporation and in another action brought by a Milwaukee stockholder it is charged that the 1931 RKO refinancing plan under which the company's old Class A stock was exchanged for new common was an invalid procedure. The company's present plan of reorganization is attacked by the stockholder on that basis.

Judge Bondy yesterday postponed to Jan. 14 the scheduled first hearing of RKO creditors on the reorganization plan. The postponement was requested by attorneys for the unsecured creditors' committee and was not opposed by any other creditor groups. Hearings on several other petitions which had also been scheduled for yesterday were adjourned to Jan. 14, as well.

Pathe Gets Dividend

Pathe Film Corp. has received a special dividend of $245,000 from its holdings in the DuPont Film Mfg. Co., it was made known yesterday.

Pathe employes were paid a Christmas bonus for the first time in several years.

Sale Tax Case May Go Over To February

(*Continued from page* 1)

completed yet and the calendar will be made up during the next few days. If the brief is not filed by the time the calendar is published there would be little likelihood of the case being heard before February, it was said yesterday.

The appeal involves an assessment made by the city against the rentals collected by the local United Artists exchange, which was contested by the law firm of O'Brien, Driscoll & Raftery, counsel for the distributor. On appeal from the city's assessment the Appellate Division held that film rentals collected from theatres within the city limits were subject to the tax, but that rentals collected by the local exchanges from theatres outside the city were not. The appeal from that decision is now being taken to the Court of Appeals with major distributors, who regard the United Artists assessment as a test case, retaining Wood to represent all local distributors.

City Also to Appeal

The city itself is appealing to the same court from that portion of the lower court's decision exempting rentals originating outside city limits. Distributors contend that film rentals are not subject to a municipal tax.

Pending the outcome of the litigation, the tax is being passed on to exhibitors by the local exchanges. It is estimated that the tax liability of the local exchanges is not in excess of $3,000,000.

Sound Services New Erpi English Branch

LONDON, Dec. 14.—The flotation of Sound Services, Ltd., indicates the transfer to a new organization of all those activities of Western Electric Co., Ltd., the British branch of Erpi, concerned with "advertising, propaganda and educational purposes."

E. P. L. Pelly, director, and about 30 members of W. E.'s London staff, will be attached to the new company. Sound Services will have a nominal capital of £120,000 in 20,000 six per cent cumulative preference shares and 100,000 £1 ordinaries.

Fox's Plans

An interested spectator during the session of the F. C. C. investigation into Erpi's sound film business yesterday was none other than William Fox.

Caught by a *Motion Picture Daily* representative at the elevator, during a five-minute recess at 1 P. M., Fox was asked, "Have you any immediate plans for the future?"

"Yes," responded Fox, "I am going downstairs."

"For lunch?"

"Yes," and the elevator door closed in front of Fox's grin.

"Theodora" Is Wild 2nd Time At Washington

WASHINGTON, Dec. 23. — "Theodora Goes Wild," playing a return engagement at the Metropolitan, shot the gross to $7,500, to top average by $3,200, and went into another week.

"Born to Dance" at Loew's Palace took $16,500, over par by $600, and also went into its second week. Abetted by Leon Errol and company, "Pennies from Heaven," at the Earle topped par by $300 for a take of $18,700. A return engagement at Loew's Columbia of "Come and Get It," took $4,000, over average by $400.

Total first run business was $69,800. Average is $76,700.

Estimated takings, exclusive of tax:

Six Days Ending Dec. 15:

"REMBRANDT" (U. A.)
RKO-KEITH'S—(1,836), 25c-55c, 6 days (on second week). **Gross:** $5,100. (Average, first week, $10,600)

Week Ending Dec. 16:

"BORN TO DANCE" (M-G-M)
LOEW'S PALACE—(2,370), 35c-55c, 7 days. **Gross:** $16,500. (Average, $15,900)

Week Ending Dec. 17:

"PENNIES FROM HEAVEN" (Col.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Leon Errol & Co., with Sunnie O'Dea, Lou Ashe, Yola Galli, John Crabbe, Jack Wood, Gresham & Blake, 12 Hollywood Models. **Gross:** $18,700. (Average, $18,400)

"BANJO ON MY KNEE" (20th-Fox)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Dave Apollon and company, with Johnny Woods, Lyda Sue, Charles & Charlotte Lambert, Johnny Barnes, Tommy Brent, Yvonne Moray. **Gross:** $16,000. (Average, $20,900)

"COME AND GET IT" (U. A.)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days (return engagement). **Gross:** $4,000. (Average, first run, $3,600)

"THEODORA GOES WILD" (Col.)
METROPOLITAN—(1,591), 25c-40c, 7 days (return engagement). **Gross:** $7,500. (Average: first run, $4,300)

Week Ending Dec. 18:

"LOVE IN EXILE" (G. B.)
"LIFE OF EDWARD VIII"
BELASCO—(1,140), 25c-65c, 7 days. **Gross:** $2,000. (Average, $3,000)

Latin America Turns To Films in Spanish

WASHINGTON, Dec. 23.—Films produced in Latin American and European countries are gaining prestige in Peru at the expense of American films, according to a report to the U. S. Dep't of Commerce from Assistant Commercial Attache A. C. Crilley, Lima.

Last year, the report points out, American film companies accounted for 90 per cent of films exhibited in Peru, a proportion which has declined to approximately 80 per cent.

A feature produced in Argentina which is now being shown in Lima in second and third run theatres has earned more than advertised American features shown in first run houses, the report states.

Named Ohio Manager

CANTON, O., Dec. 23.—George A. Delis, district manager of Interstate Theatres, Inc., has named Ralph H. Shaffer manager of the Garden at Portsmouth.

"Banjo" Is Fair in Slump at Montreal

MONTREAL, Dec. 23.—A pre-Christmas slump is something more than that in this town; it's a box-office collapse. "Banjo On My Knee" was the only attraction to get any place at all, and that wasn't far. The take of $8,500 at the Capitol was $1,000 below normal. The other half of the dual bill was "Come Closer Folks."

Every other first run was away off.

Total first run business was $35,000. Average is $43,000.

Estimated takings for the week ending Dec. 18:

"BANJO ON MY KNEE" (20th-Fox)
"COME CLOSER FOLKS" (Col.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $8,500. (Average, $9,500)

"A SONG OF FREEDOM" (British)
"ME AND MARLBOROUGH" (British)
HIS MAJESTY'S—(1,700), 25c-35c-40c-50c, 7 days. **Gross:** $4,000. (Average, $5,000)

"MAKE WAY FOR A LADY" (Radio)
LOEW'S—(3,115), 25c-34c-40c-50c-60c, 7 days. Stage: "Spices of 1937" vaudeville unit. **Gross:** $9,000. (Average, $10,500)

"A WOMAN REBELS" (Radio)
"WITHOUT ORDERS" (Radio)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $8,000. (Average, $11,000)

"TARZAN ESCAPES" (M-G-M)
"GENERAL SPANKY" (M-G-M)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $5,500. (Average, $7,000)

"Born Dance" Hits Indianapolis Peak

INDIANAPOLIS, Dec. 23.—"Born to Dance" did smash business of $14,000 at Loew's, $8,000 above normal. The show brought the house its all-time one-day attendance record when 10,000 persons crowded in on Sunday. The one-day receipt record, however, remained safely back in the old 55c top days.

Business generally felt the Christmas slump the last two days of the week. The weather was cold as the week drew to an end.

Total first run business was $29,200. Average is $21,000.

Estimated takings for the week ending Dec. 18:

"CAN THIS BE DIXIE?" (20th-Fox)
APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $2,500. (Average, $4,000)

"EAST MEETS WEST" (G. B.)
"WITHOUT ORDERS" (Radio)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $4,200. (Average, $4,000)

"BORN TO DANCE" (M-G-M)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $14,000. (Average, $6,000)

"POLO JOE" (W. B.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: "Bell's Hawaiian Follies" and vaudeville. **Gross:** $8,500. (Average, $7,000)

"Pennies" Is Pittsburgh's Wow, $13,500

PITTSBURGH, Dec. 23.—"Pennies from Heaven" rolled up a huge $13,500 take in 10 days at the Alvin, thereby proving that a pre-Christmas slump can be beaten down. Average for this house is $5,500 for seven days.

A re-issue of "One Way Passage" and "Mr. Cinderella" rolled up $7,100 at the Warner, topping normal by $2,600, and "Three Men on a Horse" was $2,500 into the profit column on a take of $13,500 at the Penn.

Total first run business yas $51,550. Average is $44,000.

Estimated takings for the week ending Dec. 17:

"PENNIES FROM HEAVEN" (Col.)
ALVIN—(2,000), 25c-40c, 10 days. **Gross:** $13,500. (Average, 7 days, $5,500.

"TUNDRA" (Indie)
"TWO IN A CROWD" (Univ.)
FULTON—(1,750), 25c-40c, 7 days. **Gross:** $3,200. (Average, $4,500)

"THREE MEN ON A HORSE" (W.B.)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $13,500. (Average, $11,000)

"THE JUNGLE PRINCESS" (Para.)
STANLEY—(3,600), 25c-60c, 7 days. Stage: Rudy Vallee's Varieties with Roy Atwell, Judy Starr, Jack Guilford, Fred Lightner and Roscella, the Variety Gamboliers, Ford, Bowie and Bailey, Master Michael and the Stewart Sisters. **Gross:** $14,250. (Average, $18,500)

"ONE WAY PASSAGE" (W.B.)
"MR. CINDERELLA" (M-G-M)
WARNER—(2,000), 25c-40c, 7 days. **Gross:** $7,100. (Average, $4,500)

Toronto House Goes Dark

TORONTO, Dec. 23.—For the first time in local records a big theatre has been closed in midwinter. The Uptown, ace 3,400-seater of the Famous Players' circuit, is dark for the week prior to Christmas for an overhaul. One feature of the work in hand is the installation of new seats from top to bottom.

"Dance" Takes Detroit Lead By Big Margin

DETROIT, Dec. 23.—"Born to Dance" was a sensation. It piled up $15,500, over normal by $5,500, at the United Artists.

"Hideaway Girl," with a stage show, took $24,600 at the Michigan. This was $4,600 in the profit column. "Banjo on My Knee," also with a stage show, was good for $23,500 at the Fox.

Total first run business was $80,100. Average is $65,000.

Estimated takings for the week ending Dec. 17:

"NORTH OF NOME" (Col.)
"LUCKIEST GIRL IN THE WORLD" (Univ.)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $3,500. (Average, $5,000)

"BANJO ON MY KNEE" (20th-Fox)
FOX—(5,100), 15c-75c, 7 days. Stage: Manhattan Scandals, Frank Gaby, Petch & Deauville, Charles Carrer, Lucien Le Riviere, Ivy & Neecie Stevens. **Gross:** $23,500. (Average, $20,000)

"HIDEAWAY GIRL" (Para.)
MICHIGAN — (4,100), 15c-75c, 7 days. Stage: Milt Britton's band, Walter Powell & Tito, Billy Austin & Dave Van Horn, Jack & Jane Blair, Manning & Mitzi, The Duffins. **Gross:** $24,600. (Average, $20,000)

"LOVE ON THE RUN" (M-G-M)
"ACCUSING FINGER" (Para.)
STATE—(3,000), 10c-40c, 7 days, 3rd week. **Gross:** $4,500. (Average, $5,000)

"BORN TO DANCE" (M-G-M)
UNITED ARTISTS—(2,070), 15c-65c, 7 days. **Gross:** $15,500. (Average, $10,000)

"A WOMAN REBELS" (Radio)
MADISON — (2,000), 15c-65c, 7 days. **Gross:** $8,500. (Average, $5,000)

Duals Hit London, Ont.

TORONTO, Dec. 23.—Regarded as the last stronghold of single features, London, Ont., has at last succumbed, partially at least, to the policy of dual bills. Duals have just been adopted by five of the seven theatres, the change being effected at the Patricia, Palace, Grand, Centre and Rex.

"Man I Marry" And Show Sets Boston's Pace

BOSTON, Dec. 23.—Pre-Christmas buying proved heavy competition, but "The Man I Marry" led the field with "Continental Varieties" on the stage, grossing $15,000 at the RKO Boston. $4,000 over par.

"The Charge of the Light Brigade" fell short of average with a take at the Metropolitan of $21,500. The "King's Scandals" was the stage attraction featuring Gil Lamb.

"Tarzan Escapes," with "Adventure in Manhattan," drew $13,500 at the Loew's Orpheum, above par by $1,500, and $1,000 above par, or $12,000, at the Loew's State.

The weather was fair with moderate temperature. A midget auto race at the Boston Garden offered very little competition.

Total first run business was $87,800. Average is $79,500.

Estimated takings for the week ending Dec. 17:

"JUNGLE PRINCESS" (Para.)
"DOWN THE STRETCH" (W. B.)
FENWAY—(1,382), 30c-50c, 7 days. Ray Millard in person one day only (Sat.). **Gross:** $5,000. (Average, $4,500)

"REMBRANDT" (U. A.)
RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days. **Gross:** $13,000. (Average, $12,000)

"TARZAN ESCAPES" (M-G-M)
"ADVENTURE IN MANHATTAN" (Col.)
LOEW'S ORPHEUM—(2,970), 35c-45c-65c, 7 days. **Gross:** $13,500. (Average, $12,000)

"TARZAN ESCAPES" (M-G-M)
"ADVENTURE IN MANHATTAN" (Col.)
LOEW'S STATE—(3,537), 34c-45c,65c, 7 days. **Gross:** $12,000. (Average, $11,000)

"CHARGE OF THE LIGHT BRIGADE" (W. B.)
METROPOLITAN—(4,332), 35c-50c-65c, 7 days. Stage: "King's Scandals" with Gil Lamb, Alexander and Santos. **Gross:** $21,500. (Average, $22,000)

"JUNGLE PRINCESS" (Para.)
"DOWN THE STRETCH" (W. B.)
PARAMOUNT—(1,793), 25c-50c, 7 days. One day only (Saturday), Ray Millard in person. **Gross:** $7,800. (Average, $7,000)

"MAN I MARRY" (Uni.)
RKO BOSTON—(3,246), 25c-50c-65c, 7 days. Stage: "Continental Varieties." **Gross:** $15,000. (Average, $11,000)

"Pennies" Grosses $30,000 2nd Week

The second and final week of "Pennies from Heaven" at the Paramount with a stage show wound up with approximately $30,000. "College Holiday" and a new band is now current.

"The Man Who Lived Again" garnered about $11,000 at the Rialto in 11 days.

The Roxy is expected to finish the first week of "Stowaway" and a stage show tonight with approximately $36,000. The picture is being held a second week. "Rainbow on the River" tallied close to $80,000 for the first seven days at the Music Hall.

Estimated grosses for pictures completing runs tonight are: "Three Men on a Horse," on 11 days of the fourth week at the Strand, $11,000; the last 10 days of "Rembrandt" at the Rivoli, $20,000; "Accused" and "Captain Calamity" in eight days at the Criterion, $9,000.

To Honor Frank Drew

CLEVELAND, Dec. 23.—Frank Drew's 10 years as local M-G-M branch manager will be honored by his friends at a testimonial dinner, tentatively set for Dec. 28. Dave Miller, Universal manager, is in charge of the affair.

"Born Dance" Kansas City's Only Grosser

KANSAS CITY, Dec. 23.—Christmas shopping left first runs groggy with the exception of Loew's Midland, where "Born to Dance" took $17,400, $5,900 over par. Three days of Jane Cowl in "First Lady" at the Orpheum was regarded as mild competition.

"Hideaway Girl" took $6,800 at the Newman, where $7,000 is average. But "Winterset" and "Smartest Girl in Town" did only a fair $7,100 at the Mainstreet, off $900, and "The Plot Thickens" left the Tower $500 under $6,500 average.

Total first run business was $40,300. Average is $37,500.

Estimated takings:

Week Ending Dec. 16:

"WINTERSET" (Radio)
"SMARTEST GIRL IN TOWN" (Radio)
MAINSTREET—(3,100), 25c-40c, 7 days. **Gross:** $7,100. (Average, $8,000)

Week Ending Dec. 17:

"BORN TO DANCE" (M-G-M)
MIDLAND—(4,000), 25c-40c, 7 days. **Gross:** $17,400. (Average, $11,500)

"HIDEAWAY GIRL" (Para.)
NEWMAN—(1,900), 25c-40c, 7 days. **Gross:** $6,800. (Average, $7,000)

"THE PLOT THICKENS" (Radio)
TOWER—(2,200), 25c, 7 days. Stage: Floyd Christy & Co., the Three Pearsons, Goss & Barrows, and Giles & Pike. **Gross:** $6,000. (Average, $6,500)

"IN HIS STEPS" (G. N.)
"LAUGHING AT TROUBLE" (20th-Fox)
"FUGITIVE IN THE SKY" (W. B.)
"HATS OFF" (G. N.)
UPTOWN—(2,000), 25c-40c, four days for the first two, four days for the second two. **Gross:** $3,000. (Average, 8 days, $4,500)

Schach Sets 2 Films At Outside Studios

LONDON, Dec. 14.—Max Schach of Capitol Film Prod. is staging his next two pictures at Sound City and Welwyn studios. A Tom Walls-Ralph Lynn comedy goes on at Sound City, and "The Lilac Domino," is set for Welwyn.

Schach, who made his first films at British & Dominions' Elstree plant, transferred operations to Denham when the B. & D. studio was burned down. Through his Trafalgar unit, Schach has a United Artists release, but it is not indicated whether his future U. A. pictures will be made at Denham, generally regarded as earmarked for all U. A. British releases. Capitol productions are released through General Film Distributors.

Victoria Film Ban Lifted by Tyrrell

LONDON, Dec. 14.—Lord Tyrrell, president of the Board of British Film Censors, has declared it will be permissible to introduce the figure of Queen Victoria in films released after June 20, 1937. The Lord Chamberlain had previously indicated a similar concession in regard to stage plays.

Following the recent announcement of Herbert Wilcox that he will produce "Victoria the Great," and that of London Films that "Queen Victoria" will be made for September release, Michael Balcon of Gaumont British said the company also would produce a Victoria film, using either the Sil Vara play, "Girlhood of a Queen," or another story.

German Film Import Rules Made Public

WASHINGTON, Dec. 23.—Conditions under which imports from Germany could be arranged without running counter to the anti-bounty provisions of the Tariff Act were made public today by the Treasury Dept.

Under the regulations, German films might be brought into the country to be paid for, in whole or in part, with the use of controlled mark credits, providing that such credits, from the time they became subject to German Government control, were continuously owned by the person for whose actual account the merchandise is purchased.

The films might be paid for, also, from the proceeds of sales in Germany of pictures exported from the United States by the person buying the German product.

An exchange of merchandise between single German and American parties without any monetary transaction actually taking place also would be acceptable.

About 100 Turn Out For Ampa Luncheon

(*Continued from page* 1)

Temple photographs, mirrors and flip-books. Other novelties included balloons, handkerchiefs, Popeye dolls, and miniature cowbells.

Ed Riley, agent, arranged the entertainment, which featured Buddy Page and his orchestra, Ortiz and Margo, dance team; Betty Lou, acrobatic dancer; Jimmy Barret, banjoist; the Three Blue Jackets, colored tap dancers, and the Seven Loria Brothers, whose ages ranged from four to 12. Page was master of ceremonies.

Jack Alicoate talked briefly on behalf of the *Film Daily* Relief Fund. Everyone who attended enjoyed the festivities which lasted about two hours.

Warner 'Change Has Big Christmas Party

The local Warner exchange club yesterday afternoon held an elaborate Christmas party with an orchestra furnishing music while the employes partook of a catered buffet spread. Several executives of the home office attended.

Nat Cohn, New York district manager for Columbia, was host to all of his employes at the local exchange at a special luncheon at the Astor.

The local Paramount and 20th Century-Fox exchanges will hold parties this afternoon. Milt Kusell, New York state district manager and eastern captain for the Zukor Silver Jubilee drive, will return today from Pittsburgh to act as host at the Paramount branch.

Ross, Becker Get New Theatre Profit Jobs

Max G. Felder, president of Theatre Profit Sharing Corp., has appointed Louis M. Boas as representative in Boston and Richard Beck, Chicago representative. Several other appointments will be made within the next week.

J. Krumgold, general sales manager, is in Chicago now, and will spend the weekend in Minneapolis. He is making a tour of the country.

Johnson to Reopen Memphis Orpheum

MEMPHIS, Dec. 23.—The Orpheum, Memphis' finest house, will reopen Saturday as a combination stage-and-screen theatre operated under a 30-month lease by W. H. Johnson, Shreveport capitalist.

The pool of downtown theatre interests under which the Orpheum was closed for a year, with the single exception of a Thanksgiving presentation of George White's "Scandals," by M. A. Lightman, was not renewed upon expiration, and local bondholders made arrangements for the lease to Johnson interests during the past week.

Johnson was represented by Virgil Posey, of Jackson and Shreveport, while J. L. Ross, of the National Bank of Commerce, handled the deal for the bondholders.

Lou Hellborn, of Denver, Orpheum manager under the RKO regime, is returning as manager.

Andre Lasky's "French Revue" is the first stage attraction booked. It will be followed by a unit from the Chicago State-Lake, the Sally Rand touring troupe, Dave Apollon, probably Olsen and Johnson, and Morton Downey, with others to follow as available. Contract for a band was signed with Nate Evans, Memphis maestro.

The management is angling for pictures, with most of the major releases tied up until next fall under present contracts.

Asks Court to Allow Music Academy Bids

Authorization for the acceptance of sealed bids for the sale of the Academy of Music, located on 14th St. in Manhattan, was requested by Milton Weisman, receiver for Fox Theatres, at a hearing held yesterday before U. S. Circuit Judge Martin Manton sitting as a district judge.

Weisman told the court that the theatre is now being operated by Skouras Brothers at a deficit and that on the current plan indications are $200,000 will be needed in the next five years. Skouras Brothers, he said, had made an offer of $100,000 for the property and had deposited a check for $15,000 with him as a guarantee. He said he believed better offers could be obtained in sealed bids.

Weisman also said that he believed that out of the $35,000,000 claims against Fox Theatres $7,500,000 would be allowed. The corporation now has $777,000 in the treasury, he said, and he expressed the opinion that a 10 per cent dividend might be advisable in the future.

Music Suit Is Filed

A suit charging that the song "Midnight in Paris," from "Here's to Romance," plagiarizes a composition known as "Passa I'Amore" by Cesare A. Bixio, and asking $1,000,000 damages for copyright infringement, and an injunction, was filed in U. S. District Court here yesterday.

Plaintiffs in the action in addition to Bixio are the Foreign and Domestic Music Co., Samuel Cummins and the Societa Anonima Musicale Bixio. Defendants named in the action are Twentieth Century-Fox, Movietone Music Corp., Sam Fox, Harry Fox, music publishers; Con Conrad and Herb Magidson, authors of "Midnight in Paris," and Nino Martini.

Chicago Police to Start Games Drive

(*Continued from page* 1)

to have all such games stopped within 48 hours.

His decision to take action came after a conference with the corporation counsel, who ruled that such games are illegal in Chicago. State Attorney General Kerner in Springfield today confirmed his earlier decision that Bank Night is "criminal in Illinois." Theatre operators here say they will continue the games until the police stop them. Three hundred theatres here would be affected by a ban on giveaways.

Seek B. N. Injunctions

BELOIT, WIS., Dec. 24.—An injunction to restrain T. M. Ellis, Jr., and Gerald A. Turner, local exhibitors, from using Bank Night or any device of like character is sought in Municipal Court by District Attorney John H. Matheson.

The district attorney is also seeking judgment against J. C. Dillon, who the complaint states, was the winner of the drawing Dec. 18.

Ellis, operator of the Majestic and cooperator with Turner of the State, recently invited the district attorney to start action against him, declaring that he would abandon Bank Night if he was convicted, even though the court assessed the minimum fine.

Zukor Receives Scroll

HOLLYWOOD, Dec. 23. — Adolph Zukor has received a scroll signed by 63 members of the Cinema Veterans, London organization, congratulating him on his 25th year in the industry, which will be celebrated next month.

Graham Coming for Jubilee

LONDON, Dec. 23. — John Cecil Graham, managing director for Paramount, is on the *Franconia* en route to Hollywood for the Adolph Zukor Jubilee celebration.

Wall Street

Most on Board Rise Slightly

	High	Low	Close	Net Change
Columbia	35	34⅛	35	+ ⅝
Columbia, pfd.	41¼	41	41¼	+1¼
Consolidated	4⅞	4¾	4⅞	+ ⅛
Consolidated, pfd.	17	16¾	16¾	+ ⅛
Eastman	170½	169¾	170	— ½
Gen. T. Equip.	30¼	29½	29⅝	+ ⅛
Loew's, Inc.	63⅝	62¼	63¼	+ ½
Paramount	22⅜	21⅝	22¼	+ ¾
Paramount 1 pfd.	155	150¾	155	+4¾
Paramount 2 pfd.	20¼	19⅝	20¼	+ ⅝
Pathe Film	9⅝	9⅛	9⅝	+ ⅛
RKO	8	7½	7¾	+ ⅛
20th Century-Fox.	35⅜	35	35⅜	+ ⅝
20th Century, pfd.	44	44	44	+ ½
Universal, pfd.	101	101	101	—1
Warner Bros.	17⅜	16⅜	17⅛	+ ⅝

Uneven Curb Trading

	High	Low	Close	Net Change
Grand National	3½	3⅜	3½	+ ⅛
Sentry Safety	⅝	⅝	⅝	— ⅛
Sonotone	2	2	2	.....
Technicolor	20⅝	20¼	20¼	— ⅛
Trans-Lux	4¼	4	4¼	+ ⅛

Little Bond Activity

	High	Low	Close	Net Change
Loew's 3½s '46	100⅝	100½	100½	.....
Paramount B'way 3s '55	72	72	72	— ¼
Paramount Pict. 6s '55	100⅜	100¼	100⅜	+ ⅛
RKO 6s '41	116	116	116	.....
Warner Bros. 6s '39	99¼	99	99	+ ¼

(Quotations at close of Dec. 23)



25 MILLION PEOPLE ARE WATCHING YOUR MARQUEE!

The Liberty-Pete Smith Amateur Movie Contest makes "WANTED—A MASTER" the most wanted Short Subject you ever played!

HERE'S WHY!

The first big Amateur Movie Contest ever held!

The Biggest direct-to-box-office Short Subject Tie-up!

Creating the greatest interest of any contest in years!

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Liberty's CASH PRIZE CONTEST

BOOK IT WHILE IT'S HOT!

25 million readers of Liberty see the full page spreads for 10 weeks.

6 million readers of other MacFadden magazines ditto.

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Millions more read it on news stand placards.

THIS SHOWMAN WORKED FAST! GET THIS FREE PROMOTION!

"After hearing about the M-G-M tie-up with LIBERTY Magazine, we contacted Mr. Davidson of the Louisiana News Company, distributors of the Liberty Magazine in this city and got the following cooperation: 350 11x14 cards with copy tying-in the details of the M-G-M LIBERTY Contest on 'WANTED—A MASTER'. These cards will be distributed by the News Company representatives to more than 100 magazine and news dealers for window display. At the same time, too, we are privileged to insert 5,000 heralds, with copy along the same lines, in that many Liberty Magazines which will go directly into homes. We feel that these and other angles will give us some fine tie-up publicity on 'WANTED—A MASTER'."

Rodney Toups, State Theatre, New Orleans.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry In All Branches

VOL. 40. NO. 150 NEW YORK, SATURDAY, DECEMBER 26, 1936 TEN CENTS

Stadium Bid For Orpheum Is Approved

RKO Company Will Give $700,000 for Title

Stadium Theatres Corp., a wholly owned subsidiary of RKO, was authorized by Federal Judge William Bondy on Thursday to offer $700,000 for uncontested title to all of the Orpheum Circuit's assets which were taken over by Stadium in 1932. The offer will be submitted to Orpheum creditors by Marcus Heiman, trustee in bankruptcy, in the near future and, if accepted, will permit the winding up of Orpheum's affairs with an indicated cash settlement of approximately 30 cents on the dollar for the $3,100,000 of claims outstanding against the company.

Judge Bondy on Thursday also signed an order which will permit RKO Rhode Island Corp. to retain

(*Continued on page 4*)

RKO Reorganization Objector Files Plaint

It was Edward J. Hickey, an RKO stockholder, who on Thursday filed with Judge William Bondy a petition declaring that the current reorganization plan of RKO is aimed at giving control to RCA and asked that the current court action be dismissed.

Hickey charges that RKO has reclassified Class A stock in a manner causing present owners of Class A to lose three-fourths of their holdings. He further alleges that the stock represented to be held by Atlas Corp. was obtained from holdings of stock illegally acquired from RKO. These holdings, he claims, are bound up and co-mingled with the rights and inter-

(*Continued on page 4*)

Ostrers Sail Today After 2 Months Here

Isidore and Maurice Ostrer, president and assistant managing director of G.B., will sail today for home on the *Normandie* after spending two months here and in Hollywood.

During their stay, the Ostrers had one meeting with Joseph M. and Nicholas M. Schenck and Sidney R. Kent at which the G.B. executives offered to buy the 49 per cent stock interest in Metropolis & Bradford Trust, holding company for G.B., from 20th Century-Fox and Loew's. The proposition was turned down after the Schencks and Kent evinced little interest in disposing of the M. & B. stock.

What Happened in Radio

The three major networks—NBC, CBS and Mutual—not only increased their gross business this year over last, but kept abreast of the public consciousness by sizeably augmenting their sustaining programs in the field of music, education, national affairs, sports and others as well.

The detail makes an interesting resume and will be found in detail on page 3 today.

Twin City Houses Vote Ban on Duals

MINNEAPOLIS, Dec. 25.—Voting unanimously to maintain a single feature policy 56 members of the Twin City branch of Northwest Allied have signed an agreement by which they promise to refrain from showing double features for one year. The instrument, however, will permit reopening of discussion of the plan after March 7, 1937.

The meeting of independent exhibitors representing an almost 100 per cent Twin City membership was enthusiastic in its support of the single bill program, particularly with "the coming of better times assured."

At the same time, S. D. Kane, secretary of the Allied group, received word from the Minnesota Amusement Co. that it would not use dual bills without giving the independent exhibitors ample time for consideration. The Minnesota circuit now plans to install double features in two loop theatres, the State and Astor.

FitzPatrick Back to Finish MGM Lineup

James A. FitzPatrick, who returned Thursday from England on the *Normandie* after a three-month stay, will leave for Hollywood on Jan. 2 to complete the balance of the current season's lineup of Traveltalks for M-G-M. Six remain to be finished.

While in London, FitzPatrick completed production on "Auld Lang Syne," the life, poetry and songs of Robert Burns. This is the third of eight pictures he will make in

(*Continued on page 3*)

Studios Strike Peak In Face of Holiday

HOLLYWOOD, Dec. 25.—Studios hit their highest production peak in two months here the past week despite the Christmas season with shooting schedules showing 43 features and four shorts before the cameras. The figures were a decided jump over those of the preceding week which showed only 38 features and no shorts in work. Although all studios are taking advantage of the three day holiday both Christmas and New Year's,

(*Continued on page 3*)

Mexico Producers Exempt from Tax

By JAMES LOCKHART

MEXICO CITY, Dec. 25.—Mexican producers operating within the Federal District, which includes this city, will be exempt from all municipal taxes, starting in 1937, by the terms of a new Congressional decree.

The measure is a modification of the proposition which Congress rejected earlier, and which called for exemption for all branches of the domestic industry throughout the country, from all Federal, state and municipal taxes. The first proposal was rejected because Congress considered such a drastic measure would mean too great a loss to the national treasury.

The majority of producers in this country have their studios within the boundaries of the Mexico City Federal District.

Para. Dividend Aid For Allied Owners

The recent payment of a $12 per share dividend on Paramount's first preferred stock has enabled Allied Owners Corp. to pay off applications for fees for services in its reorganization, the company advised Federal Judge Robert Inch in U. S. District Court in Brooklyn on Thursday.

Allied Owners reported to the court that it had received dividends amounting to $600,000 on the first preferred Paramount stock which it received in settlement of its claim against Paramount in the latter's reorganization proceedings 18 months ago. Judge Inch set Dec. 29 for a hearing on the payment by Allied Owners of the $298,958 of fees for its trustees, counsel and reorganization committees.

Phila. Independent Books "Great Guy"

PHILADELPHIA, Dec. 25. — "Great Guy," James Cagney's latest film, has been booked into the Arcadia, downtown independent house, starting Jan. 8.

This confirms the report that Warners have passed up the Grand National picture.

Bill Hitting Theatres Has 3-Year Grace

Gives Producers Time to Unload Holdings

By BERTRAM F. LINZ

WASHINGTON, Dec. 25.—Producer-distributor owners of theatres will be given a period of grace in which to dispose of their exhibition facilities in the event Congress enacts Representative Patman's bill to divorce manufacture from retail distribution.

Determination to press his fight for further control of trade practices was voiced this week by the Texas Congressman, co-author of the Robinson-Patman anti-price discrimination act.

However, in order to prevent a disruption of business and to give manufacturers now engaged in retail trade an opportunity to dispose of their retail outlets, the new measure would not become effective until three years after its enactment.

Motion pictures will be covered by the bill, by a specific provision that "the exhibition of a motion picture, for a charge, shall be deemed to be a sale at retail."

As did the Robinson-Patman act, the new bill will amend the Clayton Act on the ground, to be expressed in the measure, that it "is necessary in order to protect commerce from restraints and monopolies which result in certain cases where persons are

(*Continued on page 4*)

Union Agreement Is Reached at Meeting

A satisfactory settlement of previously controversial points in the union agreement among Local 306, the Allied Union and the I. T. O. A., has been reached following a second meeting of the parties involved, with the survey board appointed by Mayor La Guardia to arrange a settlement of the multiple union situation in New York. The final agreement is now being

(*Continued on page 3*)

A. P. D. to Release Twelve in England

Associated Producing and Distributors Co. will release 12 pictures this season in England, Norman G. W. Loudon, chairman of the board, stated on his arrival Thursday from London. Heretofore, the company has been distributing from five to six a year, he said.

Loudon also is managing director

(*Continued on page 3*)

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Bell May Go Back to England for Soskin

Monta Bell, who returned Thursday on the *Normandie*, may sail again for London to direct features for Paul Soskin, English producer for Columbia. Bell has had an offer which he is said to be considering seriously.

Soskin, who has been here for several months, is scheduled to sail today on the *Normandie* for England. He has been conferring with talent for his English productions.

F. J. Coyle Dead

SEATTLE, Dec. 25.—Frank J. Coyle, brother of John G. VonHerberg of Jensen-VonHerberg circuit, is dead here after an illness of several months. Coyle was well-known in the Pacific Northwest theatre field, having been manager of J. & V.'s Liberty here for the last several years. He is survived by two other brothers and a sister.

Skouras Gives Bonus

All Skouras Theatre employes, except executives, have been given bonuses of a week's salary.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Secret Valley"

(Principal Prod.-20th Century-Fox)

HOLLYWOOD, Dec. 25.—Comedy, romance and action are combined in this different type of western. Fast-moving as are the dialogue and action they are blended with credible individual performances giving a real punch to the story and result in good, average entertainment.

In order to escape an unpleasant marriage with Norman Willis, a gangster, Virginia Grey starts for Reno. Fearing mobster vengeance, she accepts the advice of Jack Mulhall, an attorney, and attempts to hide out on the ranch of Richard Arlen. Experiencing legal difficulties of his own, Arlen is sympathetic. Their relationship ripens into love as Willis and his henchmen endeavor to get hold of her. When they form a combination with Russell Hick, Arlen's enemy, the resultant situations make for tense drama comically contrasted by the antics of Willie Fung to foil Willis.

Arlen calls to his aid a group of ranchers and they join with a detachment of G-men, who are also tracking Willis. A pitched battle occurs which results in the death of Willis and permits Arlen and Miss Grey to work out their collective and romantic destiny.

In her first featured role, Miss Grey gives a good account of herself. Arlen, in a role which in the beginning has him wary of women only to surrender wholeheartedly in the end, does a neat job. The balance of the cast, principally Willis, Sid Saylor, Maude Allen, Hicks and Mulhall, check in with acceptable performances. Dan Jarrett, Earle Snell and Paul Franklin did the screen play from the story of Harold Bell Wright. Howard Bretherton directed.

Production Code Seal No. 2,883. Running time, 60 minutes. "G."

Overseas Previews

"Pagliacci"

Trafalgar-United Artists

LONDON, Dec. 12.—Karl Grune has done a clever piece of work here, in transposing one of the most popular operas in the world into a film which substitutes real life for stage conventions without sacrificing any of the essential musical values promised by the title.

Additional attraction to the appearance of Richard Tauber in one of the greatest of tenor roles is the fact that about one-third of the footage, including a straight version of the last act of the opera, is in color. The process used, British Chemicolor, is new and its standard came as a pleasant surprise. Nothing so good has been made from a British process before and plenty worse has been sent from America.

Grune has treated the first part of the opera libretto as a film story, has taken it out of the theatre and presented the drama of jealousy between Casino, the tenor; Nedda, his wife, and Silvio, the young cadet, as an episode of the traveling theatre's journey across the Alps in wintertime. This has given reality, variety and a series of striking backgrounds and yet has enabled the songs to be retained without a jolt in the action. There is a particularly fine sequence as the coachload of players, singing, descend from the snow peaks, through the St. Bernard monastery with its big dogs to the market place of Cremona.

Tauber, who sings the prologue as well as his own part, acts admirably and is magnificent in "On With the Motley," which is presented as sung by the broken-hearted clown to his own reflection in his dressing room mirror. Steffi Duna is at her best in the color sequences of the play within a play. Arthur Margetson, not a very sinister Tonio; Esmond Knight, as Silvio, and Diana Napier, Trina, are the other names.

Brainy adaptation and skilled direction has made box-office material of a classic; the liberties taken with the opera are too slight to impair the appeal to the musical public. It looks first-class audience material.

Running time, 90 mins. "G."

ALLAN

("Pagliacci" was reviewed briefly by cable on Dec. 12.)

Schenck Going South

Nicholas M. Schenck, president of Loew's, will leave next week for Miami for an extended vacation. Some time ago, Schenck purchased a home in Miami and he is having a swimming pool added.

Offices Have Parties

Christmas parties were held at the local United Artists, RKO, Paramount and 20th Cetntury-Fox exchanges last Thursday. George Skouras gave a party for all his employes at the circuit's headquarters.

Purely Personal

SOL LESSER sails today on the *Normandie*. He is bubbling with joy over the decision of the Music Hall to hold "Rainbow on the River" a second week. On the same boat will be the cast of Folies D'Amour, which recently completed an engagement at the French Casino and is bound for a London booking.

•

FRANK CAHILL, sound and production director for Warner theatres, has returned from Atlantic City and Philadelphia where he supervised the opening of the two theatres. He will leave Sunday for Chicago with JAMES E. COSTON, Chicago branch manager.

•

HOWARD S. CULLMAN had a very busy Wednesday and Thursday. On the first day, he gave a birthday party to his father celebrating his 82nd year. On the second day, he took his wife and baby, MARGUERITE PATRICIA, home from the Lenox Hill Hospital.

•

ARTHUR LEE gave a Christmas party at the Tavern Thursday for his associates. Among those attending were KENNETH HODKINSON, REG WILSON, GEORGE WEEKS, BUDD ROGERS and several others.

•

JOE SEIDELMAN, head of the Columbia foreign department, gave a Christmas party for his employes at Jack Lyons on Thursday. That night he left for a weekend at Pinehurst. He's due back Monday.

•

GEORGE PRATT, head of Erpi's west coast office, left Hollywood last night for New York. He will be a witness next week in the F.C.C.'s Erpi, Western Electric and A. T. & T. probe here.

•

EDWARD G. ROBINSON, who returned from England on Thursday, plans to spend the holidays in New York before leaving for the coast.

•

CHRIS DUNPHY, director of advertising and publicity of the Paramount studio, left yesterday for the coast after 10 days in New York.

•

DINTY MOORE, metropolitan district manager for Warner theatres, tendered his employes a party at the Strand Thursday afternoon.

•

ARTHUR GREENBLATT, eastern division head for G. B., left yesterday for Miami for an indefinite vacation.

•

C. C. MOSKOWITZ and HARRY BRANDT gave parties to their employes at the Astor on Thursday.

•

FRIEDRICH FEHER spent his Christmas in bed. A bad attack of la grippe.

•

HARRY H. THOMAS has been home for the past few days with bronchitis.

•

HERMAN STARR is due back from Hollywood on Monday.

•

HARRY C. ARTHUR is due from St. Louis today by plane.

•

JAMES CAGNEY is at the Waldorf.

CBS Staff Jubilant; Gets 1 Week's Bonus

There is a Santa Claus after all. Or so CBS employes believe, at any rate. After giving up hope of receiving a bonus, the employees were happily surprised on Thursday by finding an extra week's pay included in their salary envelopes.

The NBC staff received the news glumly.

Goes to Five a Week

Lever Bros.' "Big Sister" program, broadcast Mondays through Thursdays over CBS, will add a Friday broadcast to its schedule starting Jan. 8.

Melton, Gerard, Et Al

Short Shots: James Melton is bedded with grippe, forcing the cancellation of scheduled vaudeville appearances . . .Myrt and Marge 'planed back to Chicago to spend the Christmas holidays at home and return to New York tomorrow . . . WMCA's "Five Star Final" program tomorrow will feature dramatic reenactments of the 10 most interesting news stories of the year . . . James W. Gerard will speak over WHN on Monday . . . Lanny Ross will guest "em-cee" tonight's "Saturday Night Party" program . . . The CBS Elgin series concludes with tonight's broadcast . . "Sing Me a Love Song," the featured tune in the Warner picture of the same title, was written 19 years ago . . . Alec Templeton and Pat O'Malley, both of Jack Hylton's band, will guest appear on Richard Himber's program tonight . . . Stations KGU, Honolulu, and WDAF, Kansas City, have been added to the list of stations carrying the transcribed Jack Pearl offerings . . . Mayor Edward J. Kelly of Chicago will present New Year's greetings to Chicagoans over WGN. The address is an annual custom of the mayor . . . Ted Husing and his assistant, Jimmy Dolan, will broadcast a description of the Orange Bowl game between Duquesne and Mississippi State over CBS on Jan. 1 beginning at 2:15 P. M., E.S.T. . . . "Murder in Hollywood" is the title of the mystery drama that will be presented on the "Detective Drama" program Jan. 1 over WMCA . . . NBC to spend several thousand dollars for a new type RCA microphone for the pick-ups from the stage of the Metropolitan Opera . . . Ray Knight's "Cuckoo Hour" replaces Benny Rubin and the amateurs on WOR-Mutual beginning Jan. 3.

Suggests Censorship Of History in Films

LONDON, Dec. 14.—Lord Mersey in the House of Lords asked the Government to institute some form of control over films purporting to present history. Saying Henry VIII had been represented as "a comic buffoon" and that the pre-execution meeting of Mary Queen of Scots and Elizabeth in "Mary of Scotland" was another liberty with fact, he suggested that an officer of the Board of Education should be attached to the British Board of Film Censors to prevent such errors.

For the Government Lord Dufferin and Ava said there were grave political objections to preventing people taking artistic license in such matters, and that it was not possible to intro-

Networks Note Sharp Jump In Non-Sponsored Programs

In addition to writing many millions of dollars more business this year than last, all three major networks show an appreciable increase in broadcasts of international and national affairs, educational, and cultural programs during 1936 over 1935.

Following is a comparison of sustaining programs this year and last of the three national networks:

Columbia Broadcasting System

Classification	1935 Hours	1935 B'dcasts	1936 Hours	1936 B'dcasts
Outstanding Music	440¾	807	523	1,031
Education	208¼	945	208	945
Children's Programs	148¾	249	205¾	508
Civic Welfare	43¾	198	52¼	215
Religious	80	217	105¼	302
International	50¼	154	91¾	296
National Affairs	113¾	377	133¼	277
Labor	6¾	25	4½	14
News	100¼	841	101	856
Dramatic	15	31	26½	53
Sports	60¾	118	108	208
Totals	1,268	3,962	1,559¼	4,705

National Broadcasting Co.

NBC noted increases in all divisions this year except in the general group described as women's programs, of which there were 240 broadcasts representing a decline of 6.3 per cent over 1935. This is the breakdown for that network:

Classification	Estimated 1936 Hours	% Increase Over 1935
Music	11,830	10.0
Literature	2,480	9.4
Talks	1,280	14.4
Special Events	400	39.9
Current Topics	540	2.9
Women's Programs	240	—6.3
Children's Programs	680	3.5
Religion	250	13.1
Reports	110	22.2
Novelty	840	15.1

Total programs broadcast over NBC during the year are given as 52,000. In the 11 divisions above, the total is 18,650.

Incidentally, President Roosevelt made 12 more radio appearances this year than last. His speeches were carried by all three networks. Also, Vice-President Garner spoke over the networks six times this year; not once in 1935.

Mutual Broadcasting System

The Mutual network, two years after its inception, now finds itself on the verge of expanding as a coast-to-coast web. Its highlights, this year and last, in brief are these:

In July 1935, Mutual had 15 hours weekly sold commercial time. A year later, 27¼ hours were sold commercially every week. Mutual grossed $1,000,000 in billings for 1935. For this year billings will exceed $2,000,000.

This year, Mutual's Special Events Dep't completes the first full year of its existence with a total of 345 special broadcasts for the fiscal period. Of the total, 43 were connected with the presentation of spot news as it happened; 57 were of the human interest variety especially by the division.

The remaining programs were presented for national and international events, topical presentations, and the like. Some of the more important subjects covered by the department include the death of King George V, the New England floods, the Lindbergh kidnapping case, the political conventions and election, the Spanish civil war, the world series and other notable news events.

Union Agreement Is Reached at Meeting

(Continued from page 1)

drafted by attorneys for the two unions and the theatre group.

The original basis of the agreement was for the absorption of Allied by Local 306, with a salary increase for present Allied members who are employed in theatres belonging to members of the I. T. O. A. It is expected that the agreement will be completed in its final form and signed within a short time.

FitzPatrick Back to Finish MGM Lineup

(Continued from page 1)

England. Andrew Cruikschank is starred in the name role.

Upon completion of the six Travel-talks, FitzPatrick will make a trip to Peru and then return to the Sound City Studios in London to start on his fourth feature.

Accompanying FitzPatrick on his return from abroad was Norman Loudon, managing director of Sound City Studios.

Xmas Talk of Pope Being Re-broadcast

HOLLYWOOD, Dec. 25.—The annual Christmas Eve message from Pope Pius which was broadcast locally between 3:30 and 4:30 A. M. through KHJ over the CBS network was re-recorded by the Don Lee network. KHJ then broadcast the recording between 1 and 2 P. M. today. Don Bernard, production manager for KHJ, planned the recording to give listeners a chance to hear the Pope's message at a convenient time of day.

The recording carried a translation from Italian to English.

NBC Signs Loveland

SEATTLE, Dec. 25. — Archie Loveland and his orchestra, playing in the Olympic Bowl of the Olympic Hotel here, have been signed for Pacific Coast chain broadcasts over the NBC Red. Three nights weekly the dance group will broadcast for a half-hour on a sustaining program over eight Pacific Coast stations between here and Los Angeles.

Join WICC Music Staff

NEW HAVEN, Dec. 25.—Carl Lawrence of Norwalk and Jeanette Gwynne of Westport have joined the WICC roster as pianists.

Studios Strike Peak In Face of Holiday

(Continued from page 1)

21 features and five shorts are being rushed through the preparation stage and scheduled for shooting within two weeks.

Thirteen new films went before the cameras during the week while eight finished. The new ones were "Racketeers in Exile" and "Whether or No" at Columbia, "Ada Beats the Drum," "Dangerous Number" and "Espionage" at M-G-M, "Wiakiki Wedding," "Interest Can't Take Money" and "The Love Trap" at Paramount, "Paradise Express" and "Dick Tracy" at Republic, "The Last Slaver" at 20th Century-Fox and "We've Had Our Moments" and "Person to Person Call" at Universal. M-G-M had the heaviest production with eight pictures working.

Columbia had three features shooting, two preparing and nine editing. M-G-M had eight, zero and 10; Paramount six, six and seven; Republic two, two and five; Radio five, two and five; Roach one, zero and two; Selznick International one, zero and zero; 20th Century-Fox six, three and six; Universal five, one and one; Walter Wanger one, zero and one; Warners five, three and 13 and the independents zero, two and three.

In the short subject division Columbia had one in work, two preparing and two in the cutting rooms. M-G-M had two, one and five; Radio one, one and one; Roach zero, zero and one; Warners zero, one and one.

A.P.D. to Release Twelve in England

(Continued from page 1)

of Sound City Studios and is here to look over the studios for latest developments. The studios are equipped with RCA sound. He will go to Chicago on Jan. 2, spend a day there and then fly to Hollywood. He is scheduled to sail for home on the *Aquitania* on Jan. 13.

Stadium Bid For Orpheum Is Approved

(*Continued from page* 1)

the leases on the Albee and Victory at Providence under a new mortgage agreement which runs to 1956. The agreement eliminates an RKO liability of $287,500 on lease defaults on the theatres in consideration for which Laura F. Albee, to whom the mortgage was assigned, was permitted to file a claim for that amount against RKO and have it allowed at $187,500 in the company's reorganization proceedings.

Acceptance by Orpheum creditors of the RKO offer will give the latter company a clear title to all of the going assets of the old Orpheum Circuit. The equity of RKO and Keith-Albee-Orpheum in Orpheum Circuit assets was assigned to Stadium in 1932, following which that company declared Orpheum notes amounting to approximately $2,800,000 to be in default. Stadium then took possession of the Orpheum assets and has been operating the properties since.

Acceptance Means Title

Several legal actions were threatened by Orpheum subsequently in an effort to regain the assets from Stadium on the ground that the notes assigned to RKO and K-A-O were invalid and that mismanagement of Orpheum properties was involved prior to the latter's bankruptcy. The Orpheum trustee, however, was prevented from prosecuting the actions by a lack of funds. If the $700,000 offer is accepted now, these causes of action would be withdrawn and clear title to the Orpheum assets would be given to Stadium.

Orpheum's preferred stockholders, who have retained Attorney Isidor J. Kresel in an effort to establish an equity for themselves in Orpheum assets, would not participate in the benefits of a liquidation in the event the $700,000 offer is accepted. Indications are that they will lay claim to a right to participate in the RKO reorganization when creditors' hearings on the plan open in Federal Court here next month.

Irving Trust Co., trustee for RKO, presented both the Orpheum and Rhode Island theatre petitions to Judge Bondy through its counsel, Donovan, Leisure, Newton & Lumbard.

Doran to Columbia In Production Post

D. A. Doran, former stage producer and at one time head of the Paramount editorial board, has joined the Columbia production forces. He is now in Hollywood in his new post. The last play Doran produced on Broadway was "Seen But Not Heard."

Stop Game Advertising

New Orleans, Dec. 25.—Since the Circuit Court of Appeals has declared Bank Night a lottery, the theatres using the giveaway, and who had advertised it in the newspapers as a "special attraction night" have discontinued the advertising, but the drawings are held as usual.

Bill Hitting Theatres Has 3-Year Grace

(*Continued from page* 1)

concerned with both the manufacturing and retailing of articles or materials."

The legislation will make it unlawful "for any manufacturer or any affiliate of such manufacturer to directly or indirectly transport or cause to be transported, in commerce, any article or material produced by such manufacturer for sale or distribution at retail by such manufacturer or by an affiliate of such manufacturer."

Producers' Theatres Affected

The measure thus strikes at theatre companies which are affiliates of producers as well as at producers directly operating theatres, and considers them affiliates if one has over the other actual or legal control, whether direct or indirect, or any direct or indirect power or influence (whether arising through direct or indirect ownership or control of stock or other capital, evidences of indebtedness, or physical properties or equipment, through contract, lease, or agency arrangements, through interlocking directorates or officers, or through any other means or circumstances, which can be used to affect, in any substantial manner, the policies or conduct of the retail organization).

By giving producers a three-year period in which to dispose of their outlets, Congressman Patman believes his measure can be made effective without disrupting business or forcing losses upon those who become subject to the law. This is probably one of the most important provisions of the whole measure, it being estimated that billions of dollars are invested by producers and manufacturers in theatres, retail stores, filling stations and like facilities. There is hardly any line of trade in which manufacturer-owned stores are not a factor.

State Taxes Cause Worry

Taxes are regarded as of the most immediate concern to the industry in state legislative sessions soon to start.

Indications are that no new Federal taxes affecting the industry will be introduced in Congress at the forthcoming session, beginning Jan. 5.

The legislatures of 42 states are scheduled to convene in January and the 43rd, Florida, convenes in April. The only states which have no legistive sessions scheduled for 1937 are Alabama, Kentucky, Louisiana, Mississippi and Virginia.

Santa Moskowitz

Harry Brand wired Joe Moskowitz from Hollywood on Thursday appointing him vice-president in charge of extending holiday greetings. Moskowitz spent all of the afternoon executing the duties of his office.

Mecca Lab Opens Monday

The new Mecca Film Laboratories in the Film Center Building will be dedicated formally on Monday, with the hosts to be Harry Glickman, president, and John N. Weber, treasurer of the company.

Out Hollywood Way

Hollywood, Dec. 25.—Cecil B. DeMille will start his 64th picture, "Buccaneer," immediately after Christmas. . . . Opening scenes will be made at New Orleans.

Robert Kalloch, designer, has returned to the Columbia studios after a year in New York. . . . Raymond K. Johnson starts "Special Agent K-7" at the International Studios. . . . Linda Perry, Warner player, celebrated 21st birthday by buying five acres in Laurel Canyon. . . . Lew Pollack, who wrote the original theme song for "7th Heaven," working on a new one for the remake. . . . Sally Eilers and Harry Joe Brown soon to break ground for new Beverly Hills home. . . . Mildred Taradash and Mary Taylor latest additions to Republic's talent school.

David Lewis, former production assistant to Irving Thalberg, stays at M-G-M as associate producer with Harry Rapf. . . . "Old Sock," starring Wallace Beery to start shortly after New Year's at M-G-M. . . . Dan Jarrett and Ewing Scott signed by George Hirliman to do an original for George O'Brien's next after "Park Avenue Logger" . . . William Wellman resumes work on "A Star Is Born," Selznick International.

George O'Brien taking Dan Jarrett, Ewing Scott and George Sherman to New York for New Year's Eve. . . . "Diamonds vs. Bullets," with Frankie Darro and Kane Richmond, starts at Conn Studios. . . . Kubec Glasmon signed by Universal to produce his own story, "The Cop."

✚

Casting — Miles Mander and Francis Ford in "The Last Slaver," 20th Century-Fox . . . Rose Tyrell in "Marked Woman," Warners.

✚

New Contracts—Radio gives new contracts to P. J. Wolfson and J. Robert Bren, writers; Ray Mayer, actor, and Joe Lerner, director.

Sigfried Rumann signed to a long term contract by 20th Century-Fox. . . . Maurice Hill given term pact by Douglas MacLean.

✚

Story Buys—Universal acquires "Wild Catter," an original by Tom Van Dycke.

Robert Linzley and Betty Laidlaw signed by Grand National to write "Broadway Chiselers" . . . Mignon Eberhardt sells an original, "Dead Yesterday," to 20th Century-Fox.

✚

Writers—Charles Freeman and Arthur Rothafel doing an untitled original for Universal. . . . Viola Brothers Shore doing additional dialogue for "Robber Barons," Radio.

RKO Reorganization Objector Files Plea

(*Continued from page* 1)

ests of the holders of Class A stock and therefore should not be recognized.

Hickey claims that Judge Bondy lacks the necessary full knowledge of the case.

Irving Trust Co., as trustees for RKO, has been granted six months from Jan. 1 until July 1, 1937, in which to disaffirm any lease, contract or agreement in which RKO is a party.

The trustee's petition disclosed that certain leases have recently come to his attention which heretofore had been unnoticed.

Para.-Trustees Suit Shifted

Federal Judge John C. Knox on Thursday signed an order granting the request of Charles D. Hilles, Eugene W. Leake and Charles E. Richardson to remove the suit against them as trustees of Paramount Pictures from Supreme Court to Federal Court.

The action was brought by William Yoost and other stockholders who charged the trustees with improper settlement of claims with Erpi and Southern Enterprises, Inc.

Billy Rose at N. O.

New Orleans, Dec. 25.—Billy Rose, producer of Casa Manana at Fort Worth, is discussing with local civic leaders a proposal to stage a musical extravaganza featuring historical events in Louisiana, particularly the Battle of New Orleans. The show will be staged here as a Mardi Gras feature. John Murray Anderson, associate of Rose, will join him in the New Orleans venture, if it goes through.

Wall Street

Fractional Gains on Board

	High	Low	Close	Net Change
Columbia	35½	34⅞	35	.....
Columbia, pfd.	42¼	41	41	— ¼
Consolidated	4⅞	4⅞	4⅞	.....
Consolidated, pfd.	16¾	16¾	16¾	.....
Eastman Kodak	172	170¼	172	+2
Eastman, pfd.	162	162	162	+1½
Gen. T. Equip.	30½	29⅜	30½	+ ⅞
Loew's, Inc.	63¾	62½	62½	— ¾
Paramount	23¼	22⅜	22⅞	+ ⅝
Paramount 1 pfd.	162¼	156	161½	+6¼
Paramount 2 pfd.	21⅛	20½	20⅞	+ ⅝
Pathe Film	10⅛	9	9⅝	.....
RKO	8	7⅞	7⅞	+ ⅛
20th Century-Fox	35¾	35¼	35¼	— ⅜
20th Century, pfd.	44½	44	44½	+ ½
Warner Bros.	17¾	17⅛	17⅛	.....
Warner, pfd.	67	67	67	—1½

Little Curb Activity

	High	Low	Close	Net Change
Grand National	3⅝	3⅜	3½	.....
Sentry Safety	⅝	⅝	⅝	.....
Sonotone	2	2	2	.....
Technicolor	20¾	20⅛	20⅛	.....
Trans-Lux	4¼	4¼	4¼	+ ¼
Universal Pict.	10	10	10	.....

Bonds Up Slightly

	High	Low	Close	Net Change
Loew's 3½s '46	100⅝	100⅝	100⅝	+ ⅛
Paramount B'way 3s '55	72	72	72	.....
Paramount Pict. 6s '55	100⅜	100¼	100¼	— ⅛
Warner Bros. 6s '39 wd	99½	99¼	99⅜	— ⅛

(Quotations at close of Dec. 24)

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Expect Deluge of Laws Aimed At Broadcasts

Congress, Legislatures to Get Varied Bills

By BERTRAM F. LINZ

WASHINGTON, Dec. 27.—A veritable deluge of legislation affecting the radio industry is expected when Congress and 44 state legislatures get under way next year.

At Washington, the eyes of the trade are turned toward the possibilities of repeal of the five per cent tax on radio sales, which with other nuisance taxes is scheduled to expire June 30.

The industry also will be affected by other legislation which is slated to come up in Congress, including the 30-hour week bill, proposed Federal incorporation of all corporations engaged in interstate commerce, revision of the social security act and the

More on Radio—Page 4

Walsh-Healey Government-contracts law, the anticipated Patman bill prohibiting manufacturers from engaging in direct selling, and Federal Trade Commission proposals to penalize "deceptive acts or practices."

In the more than two-score state legislatures which will start in January much special legislation on radio

(*Continued on page 4*)

FWC Air, Film Trade Deal Reported Again

SAN FRANCISCO, Dec. 27.—Reports persist here that Fox West Coast and the Don Lee stations, KFRC here and KHJ in Los Angeles, are negotiating a deal whereby theatre trailers will plug air programs and the stations will advertise attractions at the circuit's houses. February is reported as the effective date of the arrangement.

An indication of the F. W. C. intention to begin a new approach to the public via the air is seen in the fact

(*Continued on page 4*)

Propose Increase in Milwaukee Licenses

MILWAUKEE, Dec. 27.—A City Council ordinance proposing an upward revision in theatre license fees has been drafted here. Under the proposed measure, the fee would range from a minimum of $30 per year to

(*Continued on page 6*)

Ostrers Staying On; No GB Change Seen

Isidore and Maurice Ostrer cancelled their reservations for sailing Saturday on the *Normandie* and will remain in New York until after New Year's.

No significance is seen in the delay and there is little possibility of any meeting here with Joseph M. and Nicholas M. Schenck and Sidney R. Kent, it was learned.

Isidore Ostrer told MOTION PICTURE DAILY that the postponment was "for personal reasons." Nicholas M. Schenck left yesterday for Miami for a month's vacation and his brother is not expected from the coast for some time.

Although it was reported the Ostrers would sail for England on the next sailing of the *Champlain*, this was denied, Isidore stating "we have not made up our mind when we will leave."

Sol Lesser Sails to Make Foreign Deals

Sol Lesser sailed Saturday on the *Normandie* to negotiate foreign distribution deals for six westerns he is producing this season. He will visit Austria, Czechoslovakia, Switzerland, France and England. He will sail from England on the *Queen Mary* on Feb. 3.

Just before sailing, Lesser received reports from the Music Hall that "Rainbow On the River" grossed $20,000 on Christmas Day. He was overjoyed at this take as well as other reports on the picture all over the country.

Legion Approves All Of 17 New Pictures

The National Legion of Decency has approved, either for general patronage or adults, all of the 17 new pictures reviewed and classified in the list for the current week. Seven were passed for general patronage and 10

(*Continued on page 6*)

A Newsreel Scoop

London, Dec. 18.—The recent airliner disaster at Croydon in which 14 lives were lost, was caught by E. P. Genoc and A. W. MacGregor of Paramount British News, who happened to be on duty in the aerodrome when the plane, rising, crashed into adjacent houses and burst into flames.

Games in California Legal, Ruling Holds

REDWOOD CITY, CAL., Dec. 27.—Bank Night, Ten-O-Win and Merchants' Cash Night are not illegal under the state and county lottery laws, City Attorney Albert Mansfield told the Redwood City Council here this week after study of the local situation.

The decision is of interest to theatre operators throughout the state, as well as in San Mateo County, because Mansfield's legal opinion was admittedly based on a consideration of giveaways published in the November issue of the California Law Review, organ of the School of Jurisprudence, U. of C. The logical assumption is that other city or district attorneys in California might come to a similar decision based on the same source material.

Mansfield gave no decision on

(*Continued on page 6*)

Police Clamp Down On Chicago Prizes

CHICAGO, Dec. 27.—Police Commissioner Allman started his drive yesterday against Bank Nights and other giveaways with the tacit understanding that he would allow theatres a chance for one more drawing before clamping down.

Theatre managers are silent on their plan of action, although it is understood they will go to court and try to get the games organized on a basis satisfactory to the Police Dept.

December Gets Fast Start, But Grosses Fall 2d Week

December key city grosses started off with a rush that brought the total up within hailing distance of the four-year record set Labor Day week. The total for the week ending Dec. 4-5 was $1,946,078. This was for 176 first runs in 29 cities. The record Labor Day week total for 173 houses was $2,090,144.

The pre-Christmas slump set in the following week when the number of first runs dropped off to 172 and the gross fell to $1,613,087. This was the lowest figure since the opening of the season, with the exception of the week ending Nov. 27-28 when many houses switched their opening days for Thanksgiving day and played weak films for six days to take advantage of the holiday rush.

(Comparative tabulation will be found on page 6.)

Cullman Seen Chairman for New Roxy Co.

Offer of Post Already Has Been Made

Howard S. Cullman, trustee for the Roxy, most likely will be named chairman of the board of the new operating company to be set up by 20th Century-Fox after the Roxy is reorganized. This is expected about April 1 or April 15. The new operating company will be a subsidiary of National Theatres which is the holding company for all 20th Century-Fox exhibition interests.

Cullman has been offered the post, it is understood, but has turned it down, the reason given said to be that he will not consider any proposals while representing the court in the present operation of the theatre.

Harry Arthur and Jack Partington of Artco also are scheduled to continue with the theatre under a long-term management contract with the new company. Executives of 20th Century-Fox are said to be satisfied with their handling of stage shows and bookings of the house since Cullman brought them into the picture. There have been several talks, but no agreement has been reached as yet.

Arthur arrived over the weekend from St. Louis, presumably to discuss a deal with 20th Century-Fox. A hearing on the reorganization plan presented recently by the Roxy bondholders' committee to Federal Judge Francis G. Caffey is scheduled for Jan. 15.

Dutch Theatres Win Music Rights Fight

By PHILIP DE SCHAAP

AMSTERDAM, Dec. 12.—The Dutch M.P. Federation has won an important decision with respect to the use of music in pictures played by theatres. The controversy arose between the Federation and the BUMA, an organization handling the music rights of composers, which requires payment from theatres for the use of music.

The BUMA has set an embargo on

(*Continued on page 6*)

Warners Go to Duals In Chicago Theatres

CHICAGO, Dec. 27.—Warners have decided to put their houses here on a dual basis. This makes double billing practically 100 per cent in the B and C week houses, with smaller theatres slated to follow soon.

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Erpi Inquiry Resumes

Hearings here in the investigation by the Federal Communications Commission of the sound film operations of Erpi, part of the F.C.C. inquiry into A. T. & T., will be resumed this morning. The hearings locally are expected to end on Wednesday.

Ruth Baggott Dead

HOLLYWOOD, Dec. 27.—Ruth Baggott, divorced wife of King Baggott, was buried here yesterday. She is survived by her son, Robert King Baggott.

Irene Fenwick Buried

HOLLYWOOD, Dec. 27.—Funeral services for Irene Fenwick, wife of Lionel Barrymore, who died at her Beverly Hills home Dec. 24, were held here yesterday.

Mrs. Skinner Funeral Held

Mrs. Maud Durbin Skinner, wife of Otis Skinner, the actor, will be buried here today following private services at the home of the deceased. Mrs. Skinner died Dec. 25 after a brief illness. She is survived by her husband and daughter, Cornelia Otis Skinner.

Insiders' Outlook

By RED KANN

NICE for those letters to continue popping in. Nice, too, on days like Saturday when one of the chief occupations, because of the extended holiday, was looking down from this thirtieth story turret on the ice skaters gyrating and whirling on the new Rockefeller Plaza rink. Lazily, it occurred someone around the 20th Century-Fox office might have Sonja Henie show them how to the usual battery of newspaper photographers. Never mind "One in a Million" which heads into the Roxy in a couple of days. Anyway, the letter, it came from Elinor Hughes, dramatic and motion picture editor of the *Boston Herald*, is house copy for MOTION PICTURE DAILY, but also something considerable beyond. . . .

▼

This is Miss Hughes:

"I suspect that I am not only taking a good deal on myself, but that I am also a little late. None the less, I have been for some time meaning to write to you and congratulate you on the play reviewing department which you instituted not long ago in your valuable publication.

"Not that I always agree with your anonymous reviewer, but I have read enough to respect his judgment, especially when I remember that he is approaching the New York offerings less as plays than as fodder for films. In particular, I thought his article on 'Stage Door' excellent, particularly in view of the subsequent announcement concerning the purchase price of the Kaufman-Ferber play. 'Stage Door' is in no way an important play and certainly it has nothing in it for Hollywood except its success on Broadway. What can RKO possibly do with a play whose entire theme is the unfortunate effect upon acting and writing talent of the picture business? Yet they paid somewhere in the neighborhood of $130,000 for a name! It doesn't make sense.

"My work is divided between the theatre and the screen—yes, there is a theatre season in Boston and you'd be surprised to find that there are still quite a few persons who pay to see actors in the round—so that my sympathies are also divided. I believe that there is room in the world for both forms of entertainment, but I believe—and I know you do, too—that this indiscriminate buying of successful plays, regardless of their use, is pretty silly. After all, theatre audiences and film audiences are not the same and what makes a good play is by no means sure to make a good picture. Plays still rely on conversation, films on action, and if that seems too primitive a distinction, I suspect that it is, in the main, true.

"'Stage Door' is a hit in New York because it says what the theatre-minded audiences in that city want it to say and because Margaret Sullavan—improved rather than harmed by Hollywood—is giving a nice performance. What will happen to it on the screen, I can't even imagine, but it won't be recognizable, I'm sure. I'm sure also that it couldn't be recognizable and be a good film. None the less, I hope it goes on tour, because even a pretty good play is better than none, and those who can't go to New York should not be deprived entirely of their theatre. Films and plays need not kill each other; they can stimulate business for one another, but they should not go in for slavish imitations.

"I'm afraid this isn't of much interest to you, but I have been meaning for some time to write to you about MOTION PICTURE DAILY which I read regularly and enjoy.

"It's a relief to find one trade publication whose reviews of pictures can be trusted, after acres of tiresome and unreliable blurbs."

▼ ▼

The purchase of stage plays, regardless of their use, actually is a pretty silly business, as Miss Hughes points out and as this column, as well, has with persistence. Yet, in all fairness, there is another angle and it is the angle of Hollywood, the feudal land of the caste system and dollar society. You formerly were judged in these parts largely on the rate of your annual income. Today it's the size of the income tax, but the idea is identical. Now imagine, if you can, what might transpire if all the New York stage successes and all the best-sellers were to end up in Louis Mayer's lap. Suppose Dave Selznick did not nab an occasional "Gone with the Wind." Or Sam Briskin, a "Stage Door" and Jack Warner, a "Tovarich"? Social revolution, that's what would result. Everybody would be taking sides, indulging in internecine warfare and nobody would make pictures. Not even bad ones. . . .

Newmade to Have Party

Newmade Products Corp. will open its new offices at 427 West 42nd st. on Wednesday with a party which will get under way at 1 o'clock.

K. C. House Bombed

KANSAS CITY, Dec. 27.—Damage estimated at $700 was caused by a dynamite blast at H. A. Parker's 41st St. Theatre here over the holiday.

Wilmington Studies Marquee Amendment

WILMINGTON, Dec. 27.—Legal advice is being sought by the board of directors of the Street and Sewer Dept. on amendment of the city ordinace governing marquees and theatre signs. At present marquees are limited to half the width of theatre fronts and signs above them are prohibited.

The Stanley-Warner company wants to erect signs, and Benjamin Shindler, manager of the Ace, is opposing an order to take down a sign.

F. & M. to Close Two

ST. LOUIS, Dec. 27.—F. & M. has served notice on the staffs of the Orpheum and Shubert-Rialto that the houses will be closed, the former on Jan. 3 and the latter Jan. 7. F. & M. has been dickering with the I.A.T.S.E. since it took the houses over from Warners with the idea of getting the number of stagehands reduced from four to two at each house, but has failed to obtain a concession.

Jack Keegan Promoted

MILWAUKEE, Dec. 27.—Jack Keegan, with the Warner circuit for several years, has been named assistant to Al Kvool, general manager of the Warner-Saxe Theatres, Keegan has been manager of the Warner here as well as state district manager for the circuit. In addition to his local duties, he will supervise the operation of the Warner theatres in Racine and Sheboygan.

Duals Heavy in K. C.

KANSAS CITY, Dec. 27.—Out of 43 subsequents advertising one day last week, only two, the downtown Liberty and the suburban Fox Plaza, singled. The Central, Roanoke and Circle tripled. Of first runs none could be said to have offered a single feature attraction. The Tower had picture and stage show, the Newman a lengthy short, in addition to a regular feature, and the others had double bills.

Albert Laile, Jr., Weds

CINCINNATI, Dec. 27.—Albert Laile, Jr., manager of the Americus, a neighborhood house in the Associated Theatre circuit, and Ruby Warner, Cynthiana, Ky., were married at Covington, Ky., Christmas Eve. Laile is a son of Frank Laile, Sr., manager of the Park, another Associated neighborhood unit.

Warners File Denial

Warners have filed a general denial to a suit brought against them by Richard Carroll and William Drake. They say that the story "Conquest" was submitted to them in 1934 and they rejected it. A dismissal of the action is asked.

Tyrone Power at Cincy

CINCINNATI, Dec. 27. — Tyrone Power, Jr., spent Christmas with his mother here, leaving by plane today for New York. A dinner was given in his honor by Jim Grady, local Paramount branch manager.

All Markets Closed

All financial markets were closed Saturday in observance of the Christmas weekend.

START THE

NEW YEAR

WITH A

THRILL

•

THE THRILL
THAT STOOD 'EM UP AT

STATE LAKE THEATRE

CHICAGO

•



CHESTERFIELD'S

"THE HOUSE OF SECRETS"

FROM THE PLAY AND NOVEL BY SIDNEY HORLER



WITH

Leslie Fenton
Muriel Evans
Morgan Wallace
Sidney Blackmer
George Rosener
Noel Madison

CHESTERFIELD
MOTION PICTURE CORPORATION

A HAPPY NEW YEAR

GEORGE R. BATCHELLER, Pres.

Expect Deluge of Laws Aimed At Broadcasts

(*Continued from page* 1)

is expected. This will range all the way from excise taxes on radio sales to the banning of automobile receivers and the Nevada proposal to require state registration of trade marks.

In anticipation of a busy winter, radio trade leaders already are preparing for the appearance of strong representatives before all legislative bodies considering radio bills, particularly those which would tend in any way to limit the market.

Lawyers to Present "Lincoln" Law Cases

CHICAGO, Dec. 27.—With actual lawyers, court clerks, prosecutors and judges taking the places of the customary radio actors, a dramatic series entitled "Lawyer Lincoln," using cases from Lincoln's legal career as material, is to make its bow over WLS at 8 P. M., Jan. 14. This program, which is to be a weekly affair, will be presented under the auspices of the Lawyers' Legislative League of America, whose president is Irving S. Roth. Names of the participating men will be revealed for radio listeners.

The "Good-Will Court" was sunk after various legal groups had objected to the participation of lawyers and judges in it. But that, of course, was a commercially sponsored program.

FWC Air, Film Trade Deal Reported Again

(*Continued from page* 1)

that the circuit's northern division has dropped its trade deal with Ralph Brunton's Northern California Broadcasting System, which has been in effect for several months.

Another report has it that F. W. C. has contracted with a national advertising agency for a statewide program on a cash basis, entertainment to include a weekly community sing, with film stars as guest masters of ceremonies. Mutual is talked of as the network to be used for the broadcasts.

Manny Marget Quits KXBY

KANSAS CITY, Dec. 27.—Manny Marget, program director of KXBY, has resigned to become chief of a new station at Moorehead, Minn. Herb Nelson, commercial manager for KXBY, will add program direction to his other job.

Promote Robert Jennings

CINCINNATI, Dec. 27.—Robert Jennings has been promoted to assistant to Frank M. Smith, sales manager of WLW. He formerly was assistant sales manager of WSAI. His successor has not been appointed.

Mary Paxton Young Signed

CINCINNATI, Dec. 27.—Mary Paxton Young, vocalist, has been given a contract by WLW following a recent audition as a guest artist. She has been with WFBM, a CBS outlet, at Indianapolis.

Seven New Programs Start the New Year

January will find seven new sponsored programs on the CBS schedule, several featuring fresh talent.

Beginning Jan. 1, Hal Kemp's orchestra takes over the Friday Chesterfield series formerly featuring Andre Kostelanetz. The latter, however, will continue to broadcast for Chesterfield on Wednesdays with Nino Martini.

On Jan. 5, Al Pearce and Gang, supported by Larry Marsh's orchestra, inaugurate a new series for Ford. The following day Myrt and Marge celebrate their return to the air waves by opening in a new series for Colgate-Palmolive-Peet. The program will be heard Mondays through Fridays at 2:45 P. M.

A bright spot in the CBS schedule will kindle into life Jan. 7 when Alexander Woollcott ushers in his new series for Liggett & Myers. The "Town Crier" will be heard twice weekly, Tuesdays and Thursdays, at 7:30 P. M.

After 10-years of broadcasting exclusively over NBC, Jessica Dragonette will make her widely-heralded debut on the CBS air channel for Colgate-Palmolive-Peet Jan. 13. The time is 9:30 to 10 P. M. Earlier that same morning (9:30 to 9:45 A. M.) Allen Prescott inaugurates a new twice weekly script series for Manhattan Soap Co.

All programs are E. S. T.

Chains Prepare News Dramas

Because two news events are tied for second, third and eleventh places, CBS's "Twelve Crowded Months" program will feature re-enactments of 15 major news events of the year instead of the dozen originally planned. The selections are based on returns from 117 newspaper editors, as well as the press associations and Press-Radio. The program will be broadcast tomorrow night from 11:30 P. M. to 12:30 A. M., E.S.T.

The re-enactments will be the abdication of King Edward (a unanimous choice); re-election of President Roosevelt, the Spanish War (tie); Hitler's re-occupation of the Rhineland, Italy's conquest of Ethiopia (tie); execution of Bruno Richard Hauptmann; floods and drought of last spring and summer; death of King George V; Supreme Court's AAA, NRA and TVA decisions; labor troubles; the Hindenburg and China Clipper flights; Inter-American Peace Conference; payment of soldiers' bonus, Olympic Games (tie); Schmeling-Louis fight.

The Mary Astor case received nods from 16 editors. It will not, however, be dramatized.

NBC, not to be outdone, will also broadcast the headline stories of 1936 over the Blue network beginning at 9 P. M., E.S.T., on New Year's Eve, Dec. 31. The stories, selected by Associate Press editors, will comprise the British Empire crisis (death of King George V, abdication of Edward VIII, and succession of George VI); the national election; Spanish Civil War; conquest of Ethiopia; the war in labor's ranks; business recovery; Germany's re-militarization of the Rhineland; the droughts and floods; the Schmeling-Louis fight; and the kidnapping of Chang Kai-shek.

Radio-News Ass'n Hook-Up

CBS, in collaboration with INS and Universal News, will present program entitled "Forecasting 1937" on Saturday, Jan. 2 from 5 to 6 P. M., E.S.T. Those who will speak from INS and Universal are George Holmes, chief of the Washington staff; Dave Walsh, sports editor; B. C. Forbes, financial writer; William Hillman, European chief of staff; and Louella Parsons, who will offer film predictions for the coming year.

Grunt by Grunt

Kansas City, Dec. 27.—KCKN is sponsoring, the remainder of December, grunt-by-grunt accounts of the wrestling shows sponsored by the American Legion and the VFW in Memorial Hall.

To Select Her Hopefuls

Elza Schallert, NBC's Hollywood commentator, will begin the New Year by offering her selection of the coming year's most promising young actors and actresses. In addition to the selections, Mrs. Schallert will interview Arthur Treacher, English film comedian.

Two Renewals Over WOR

"The Woman Reporter," featuring Adelaide Hawley and broadcast Mondays through Saturdays at 1:40 P. M., E. S. T. over WOR, renews for 13-weeks effective as of tomorrow's broadcast. Crax Biscuits sponsors through the John W. Queen agency.

Another WOR renewal as of Jan. 4 is the Sitroux Co.-sponsored "Allie Lowe Miles Club," heard Mondays from 3:30 to 4 P. M., E. S. T. Franklin Bruck is the agency.

Millander, Artz, Et Al

Short Shots—Lucky Millander's band will have an NBC wire when it opens in Buffalo Jan. 11. . . . Webb Artz, UP radio editor, off for a vacation, and returns on Jan. 5. . . . Ed Roecker on the Pick and Pat series while the Landt Trio and White vacation. . . . Both NBC and CBS will carry a broadcast of the marriage ceremonies of Princess Juliana of Holland and Prince Bernhard Zur Lippe Biesterfeld at The Hague. The program will be heard Jan. 7 at 6 A. M., E.S.T., on both networks. . . . Phil Baker's wife, the former Peggy Cartwright, will perform for the first time in some time Jan. 3 when she will appear on her husband's program. . . . James J. Braddock, who unexpectedly found himself without a network program some days ago, returns to the mike Wednesday morning at 10:30 A. M. when he will play a belated Santa Claus to poor kiddies over WHN. Louis K. Sidney, managing director of the station and Charles C. Moskowitz of Loew's are donors of the toys and food packs. . . . Dave Schooler's orchestra will broadcast three times weekly over WHN beginning tomorrow. . . . Before opening at the Met, Lotte Lehman will guest appear on Floyd Gibbons' "Speedshow" on Jan. 2. . . . Irving Mills returns to New York after a three-month absence in a few days.

And from Chicago

Howard C. Luttgens, NBC division engineer; William K. Cole and J. H. Platz, control supervisors; and Ralph Brooks, maintenance engineer, are on sick leaves with colds and flu. . . . Russell B. Sturgis, studio engineer, returned after a week of illness. . . . Among the artists on sick leave are Ruth Lyon and Charles Sears. . . . The stork's so close to the Charles Butlers (Chicago NBC engineer) that he may have had his heir even as this is being written.

And from San Francisco

Short Shots—Bob Baldwin has been named by Station Manager Tom Breneman to act as KFRC technical director in place of Allen McCormack, who has joined KSFO. Howard Hardy is a new KFRC staff addition. . . It is reported that KRE, Berkeley, will ask the FCC for an increase in transmission power very shortly. . . Ralph Brunton, general manager of Northern California Broadcasting System, has withdrawn his request to move KQW to Sacramento from San Jose and erect a new lower-powered station in the peninsula city. Now he wants to leave KQW where it is, but with increased transmitting power. It is understood Brunton plans eventually to add a new Sacramento station to his present chain of three outlets.

Hold CBS-KSFO Party

SAN FRANCISCO, Dec. 27.—Columbia Broadcasting System inaugurated its official adoption of KSFO by a reception here attended by radio editors, agency account executives, artists and staff members. CBS will expand the present KSFO offices in the Russ Building by leasing the entire sixth floor for business headquarters.

Among those present were Donald W. Thornburgh, vice-president in charge of coast operations, who flew up from San Francisco; John M. Dolph, coast sales manager; Hugh Cowan, CBS traffic manager; Philip G. Laski, KSFO station manager, and Allen McCormack, former KFRC technical director, who moved over with Columbia to KSFO to handle coast traffic.

Robinson Joins NBC

CHICAGO, Dec. 27.—Kenneth L. Robinson, formerly circulation promotion manager for the *Evening American,* becomes NBC Chicago assistant continuity editor. He replaces Beverly Latham who is now with Warners on the west coast.

Plan Servicemen's Party

HARTFORD, Dec. 27.—A committee of representatives from the five independent Radio Service Men's groups in Connecticut will meet at the Bond on Tuesday to set the date and discuss plans for an annual servicemen's banquet to be held the end of January.

Quits Station Position

NEW ORLEANS, Dec. 27.—J. D. Starr, who has been connected with station WJBW as advertising salesman, has resigned to become assistant publicity secretary of the association of commerce and editor of the association's news bulletin.

To Air Year's Highlights

KANSAS CITY, Dec. 27.—WHB will present an unusual program Jan. 1, "Milestones of 1936," being station-made transcriptions of outstanding programs during the year.

WBRY on Networks

NEW HAVEN, Dec. 27.—After Jan. 1, WBRY, formerly WIXBS, will handle network programs exclusively in the state for Mutual-Colonial.

Variety Club

Cincinnati

CINCINNATI, Dec. 27.—The annual Christmas party for institutional children, held at the Netherland Plaza, was the best of any so far given by Tent No. 3, approximately 1,200 youngsters attending. They were provided transportation to and from the party, given candy, fruit, presents and a vaudeville and picture show. BILLY BEIN was chairman of the committee, which was composed of JAMES J. GRADY, RALPH KINSLER, E. V. DINERMAN, JOSEPH CULAHAN, M. J. WHITMAR, PAUL KRIEGER and MAX STAHL.

New barkers enrolled are: BOB KENNETT, production manager WLW; FRANK SMITH, general sales manager WLW and WSAI; NAT GALLEY, Rialto, under resident classification. ROSS SPENCER, Paramount exchange, semi-resident, and HARRY SCHWARTZ, Southland Amusement Co., Louisville, as non-resident.

Columbus

COLUMBUS, Dec. 27.—More than 500 children were guests of Tent No. 2 for the sixth annual Christmas party, held at the Deshler-Wallick. A turkey dinner was served, and a vaudeville and picture program presented. Presents were distributed by Barker Ross E. ANDERSON. After the party baskets were taken to the wards of the Children's Hospital. J. REAL NETH and JOHN B. GARDINER were in charge of the arrangements.

Dallas

DALLAS, Dec. 27.—About 600 members and guests of the local tent attended the second annual dance held in the Junior Ballroom of the Adolphus Hotel.

BOB O'DONNELL, chief barker, was presented a bronze plaque bearing his likeness and holding the hand of one of the crippled children from the Freeman Clinic.

Seattle Men to See Game

SEATTLE, Dec. 27.—When the University of Washington Huskies tackle the Pittsburgh Panthers Jan 1 in the Pasadena Rose Bowl, Seattle film and theatre men will be there in force.

At the present time, the list of those planning to see the game includes John Hamrick and Frank L. Newman of Hamrick-Evergreen Theatres; B. F. Shearer of the B. F. Shearer Supply Co.; Frank Mercy, Sr., of the Mercy Circuit; Jimmie O'Neal, independent exchange executive; Al Oxtoby, Warner branch manager; George Blair, steward of the Northwest Film Club; Pete Higgins, exhibitor; Louis Goldsmith, RKO booker, and John VonHerberg, Jensen-VonHerberg circuit.

Centralize at St. John

TORONTO, Dec. 27.—Leading film exchange enterprises of the Dominion are identified with the construction of a central film distributing building in St. John, N. B., for the accommodation of branch offices to serve the Maritime Provinces. This is the last of the six key centers of Canada to have grouped film branches either in one building or in a film row, the others being Montreal, Toronto, Winnipeg, Calgary and Vancouver.

Purely Personal

GEORGE STONE, who directed a picture for Warners in England, will remain in New York for a few days before returning to the Warner studios on the coast.

•

HAL HORNE, who is making a number of screen tests for "Vogues of 1937," his first for Walter Wanger, will leave for the coast in about a week.

•

ROBERT SCHLESS, French representative for Warners, will spend a month's vacation here. He doesn't plan to visit the coast.

•

NAT KARSON is in Bermuda, working on a script for a musical version of "Alice in Wonderland."

•

NATHANIAL SHILKRET, musical director for Radio studios, is in town for a vacation.

•

HAROLD WINSTON is touring eastern colleges on a talent hunt for Columbia.

•

PAULINE FREDERICK may do a show for the Theatre Guild.

•

EDWARD ELLIS is here from Hollywood on vacation.

•

ARTHUR MCMANUS, ad sales manager in the St. Louis exchange of 20th Century-Fox, and MRS. MCMANUS are in town for the holidays.

•

GRANT MITCHELL will reach here from the coast tomorrow to start rehearsals in the play, "Tide Rising," in which he will play the lead.

•

LUCINDA REICHENBACH postcards the delights of Rio de Janeiro where she is spending the winter.

•

ARTHUR M. LOEW and MRS. LOEW, NORMAN HULBERT and ALAN HALE are due on the *Berengaria* today.

•

IRVING MILLS will return to New York about the first of the year from a three-month tour.

•

MACK D. WEINBERGER, general sales manager for General Pictures, will return today from a midwest trip.

•

A. H. SCHWARTZ is in Lake Placid hunting deer.

Brown an Aide

Boston, Dec. 27.—Joe E. Brown has been named civilian aide to Governor-elect Charles Hurley.

Warners to Open House

TORRINGTON, CONN., Dec. 27.—Following the purchase of the unfinished theatre building in the center of the city by Levine and Jacobson of Bridgeport, to open in February, Warners report they will open the Alhambra, third run, about Jan. 15.

Out Hollywood Way

HOLLYWOOD, Dec. 27.—TALLULAH BANKHEAD tested by Selznick for a featured role in "Gone with the Wind."

Warners assign second lead in "Kid Galahad" to HUMPHREY BOGART. . . . EDWARD G. ROBINSON, who will have the top role, is due back from New York Jan. 6. . . . "Night Must Fall," an original by MELVYN WILLIAMS, goes into production shortly after the New Year. . . . CHESTER FORREST and ROBERT WRIGHT doing a song "Be Careful of My Heart" for M-G-M's "To the Victor."

"Espionage" started at M-G-M. . . . CECIL B. DEMILLE looking for 19th century flintlock guns for "The Buccaneer" as there are only 200 in Hollywood. . . . FERNAND GRAVET leaving for Paris New Year's Day. . . . Will return in April. . . . VELMA WAYNE will do a dance specialty in "The King and the Chorus Girl," Warners. . . . Mrs. LELAH ROGERS to Baltimore to direct a Little Theatre production of "Rain from Heaven" . . . Director H. BRUCE HUMERSTONE's option lifted by 20th Century-Fox. . . . MICHAEL BROOKS in New York for the holidays. . . . J. M. TOBIN to Boston.

✚

Casting—MICKEY ROONEY on loan from M-G-M, MINNA GOMBELL and J. P. MCGOWAN in "The Last Slaver," 20th Century-Fox. . . . C. AUBREY SMITH in "Prisoner of Zenda," Selznick International. . . . BRADLEY PAGE, FUZZY KNIGHT and DOROTHY PETERSON in "The Love Trap," B. P. SCHULBERG.

HORACE MURPHY, RUSS POWELL and ANTHONY PAWLEY in "Paradise Express," "Republic. . . . CHARLES JUDELS in "Marry the Girl," Warners. . . . KETTI GALLIAN on loan from Paramount in "Espionage," M-G-M. . . . Paramount castings include LLOYD NOLAN in "Internes Can't Take Money," ANTHONY QUINN in "Waikiki Wedding" and LYNNE OVERMAN in "Murder Goes to College." . . . GENE LOCKHART in "Ada Beats the Drum," BARBARA BEDFORD, NAOMI CHILDERS and MARY ANITA LOOS in "To the Victor."

FORD STERLING, DIANA GIBSON and FRANKLIN PANGBORN in second Superba short at Radio.

✚

Writers—GLADYS UNGAR signed to a term contract at M-G-M. . . . PAUL GERARD SMITH signed to do the screenplay on "Radio City Patrol," Radio.

✚

Title Changes — "Miss Customs Agent" changed to "China Passage," Radio. . . . "Ada Beats the Drum" now Burnt Fingers" and "To the Victor" changed to "Man of the People," M-G-M.

✚

Term Contract — MORRIS STALOFF given new term pact as head of Columbia's music department.

✚

Story Buy—DAVID L. LOEW has acquired "See How They Run," by ROBERT ANDREWS and will use it for JOE E. BROWN.

Short Subjects

"Stranger Than Fiction No. 30"

(*Universal*)

The usual collection of interesting oddities is again found in this number of the series. Included herein are a natural lemonade spring, a private fire department in Connecticut, reviving lung fish shipped in mud from Africa and a ranger who shaves with an axe, among others. It holds attention. Production Code Seal No. 01,300. Running time, 10 mins. "G."

"Singing Wheels"

(*Van Beuren-Radio*)

Automobile racing, from soapbox vehicles to the engineering marvels in the recent race on the Roosevelt Raceway for the Vanderbilt Cup, is covered in this Bill Corum short. The action and danger of the speeding cars, the historical comparison, drivers and other sidelights of the game are well presented in successive camera clips. It is interesting and will please. Production Code Seal No. 01,321. Running time, 10 mins. "G."

"Stranger Than Fiction No. 31"

(*Universal*)

Another clever compilation of the unusual. Well edited and cleverly commentated upon, it should make an entertaining and diverting few minutes. This issue among other items includes a dog who pumps water for cattle, the queer storeyard of a lamp post factory, a blind boat builder and stingless bees. Production Code Seal No. 01,301. Running time, 9 mins. "G."

"Don't Be Like That"

(*Radio*)

Jack Norton gets himself involved in a series of complicated situations following a spat with Muriel Evans, his wife. Miss Evans leaves to go to her mother and aboard ship there is standard chase and slapstick done in no unusual manner. The fadeout reunion clears the deck for more fighting. Entertaining in spots. Production Code Seal No. 2,430. Running time, 20 mins. "G."

"Grandma's Buoys"

(*Radio*)

A slapstick farce revolving about Zeffie Tilbury's refusal to drink the family product, bottled sarsaparilla. She prefers something stronger. Tom Kennedy and Harry Bowen, sailors on her yacht, lure Miss Tilbury ashore and in a waterfront dive they stage the wow finish, a brawl resulting from inability to pay the check. Moderate stuff. Production Code Seal No. 2,498. Running time, 20 mins. "G."

Cinema Club Policy Set

BOSTON, Dec. 27.—The Cinema Club, recently formed, has decided to carry on along the lines of the Friars' Club with fraternal and charitable activities.

Officers are: President, Charles Repec; first vice-president, Harry Martin; second vice-president, William J. Cuddy; treasurer, Dave Grover; secretary, Harry Smith; executive committee, Sam Berg, Herbert Higgins, Thomas Fermoyle and Gerald Gowan.

Games in California Legal, Ruling Holds

(Continued from page 1)

Screeno, as that premium game is no longer played in Redwood City since F.W.C. recently acquired the New Redwood. The original demand for prosecution of theatres using games was made by J. C. Chastain, publisher of a local weekly, who charged that they came under the same laws as slot-machines, against which San Mateo County wages a perpetual, if dubiously successful, police campaign.

Coincident with the legal decision, persistent reports around the San Francisco peninsula and bay region are to the effect that many theatre operators are planning to suspend cash payments to patent-holders of Bank Night because of the recent Denver decision that Bank Night is not entitled to copyright protection. C. B. Milton, local representative of Bank Night, however, declares that there is no truth in the reports, and that there has been no change in the local situation as a result of the Federal Court decision.

Drop Bank Night in Mobile

MOBILE, ALA., Dec. 27.—Bank Night has been dropped by the Saenger, Crown and Empire here in view of adverse rulings throughout the country affecting Bank Night drawings. A statement issued by the theatres explained the reason for the withdrawal, and said the game may be revived if the Bank Night situation is clarified.

Conn. Town Bans Bingo

ROCKVILLE, CONN., Dec. 27.—Bingo has been banned in the city by Bernard J. Ackerman, prosecutor. This follows similar rulings in Bridgeport. The Princess, Rockville, which runs Bank Night, is not affected.

Dutch Theatres Win Music Rights Fight

(Continued from page 1)

the receipts of the Rembrandt here in connection with the showing of a Ufa production. A decision was rendered in favor of the Federation. BUMA was forced to remove the embargo, the court holding that in the contract between the composer and the producer for the use of music, the rights to reproduction are also included.

* * *

There were 35 film theatres, with a total seating capacity of 19,333, in Amsterdam at the close of 1935, which compares with 29 houses seating 14,675 in 1933, it was revealed in figures just published. During 1935, a total attendance of 8,400,000 was recorded for theatres in this city, the total gross having been 4,000,000 guilders.

* * *

Two newsreel theatres will open in Rotterdam in January, interest in this type of program having increased greatly in the past year.

Poli Firms Dissolved

NEW HAVEN, Dec. 27.—Final certificates of dissolution have been filed for S. Z. Poli Theatre Co. and S. Z. Poli Theatrical Enterprises, Inc., both of New Haven, formerly operating the Poli New England Theatres.

December Gets Fast Start, But Grosses Fall 2d Week

Comparative grosses for the latest available periods:

	Week Ending Dec. 11-12		Week Ending Dec. 4-5	
	No. Theatres	Gross	No. Theatres.	Gross
Boston	7	$88,500	7	$129,000
Buffalo	5	49,610	5	60,008
Chicago	8	128,800	8	146,600
Cincinnati	8	54,200	9	58,800
Cleveland	5	61,750	5	52,000
Denver	7	30,500	7	41,000
Detroit	6	79,800	6	80,200
Houston	4	39,400	4	40,500
Indianapolis	4	28,200	4	30,400
Kansas City	5	34,000	5	47,400
Lincoln	5	11,850	5	13,400
Los Angeles	10	100,827	10	132,600
Louisville	7	21,500	5	30,000
Milwaukee	5	23,000	5	30,000
Minneapolis	3	30,000	5	37,500
Montreal	5	38,000	5	46,000
New Haven	4	27,700	4	26,600
New York	9	254,000	9	287,000
Oklahoma City	4	11,700	4	18,300
Omaha	4	27,300	4	39,000
Philadelphia	7	70,000	9	130,250
Pittsburgh	5	49,350	5	75,550
Portland	5	33,300	6	34,500
Providence	5	40,200	5	45,000
San Francisco	8	84,800	9	88,320
St. Louis	7	67,750	7	76,500
St. Paul	4	15,200	4	25,500
Seattle	8	44,350	8	46,450
Washington	8	67,500	7	77,700
	172	$1,613,087	176	$1,946,078

Key city grosses from September to the week ending Dec. 11-12:

Sept. 4-5	163	1,747,748
Sept. 11-12	173	2,090,144
Sept. 18-19	176	1,806,350
Sept. 25-26	177	1,744,332
Oct. 2-3	177	1,705,308
Oct. 9-10	175	1,625,287
Oct. 16-17	174	1,780,168
Oct. 23-24	175	1,690,044
Oct. 30-31	177	1,625,216
Nov. 6-7	178	1,629,560
Nov. 13-14	180	1,711,209
Nov. 20-21	180	1,654,312
Nov. 27-28	176	1,568,247
Dec. 4-5	176	1,946,078
Dec. 11-12	172	1,613,087

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Propose Increase in Milwaukee Licenses

(Continued from page 1)

$75. At present, all houses seating over 250 pay an annual fee of $30.

The new ordinance would provide a $30 fee for theatres seating 500 or less, $40 for those seating between 500 and 750, $50 for those with 750 to 1,000 seats; $65 for 1,000 to 1,250 seats and $75 for all over 1,250 seats.

Would Raise Fees in Beloit

BELOIT, WIS., Dec. 27.—A proposed ordinance raising the theatre license fee from $50 to 25 cents per seat and excluding from licensing any new theatre with a total investment of less than $75,000 has been introduced before the Common Council here and laid over under the rules.

Beloit, with a population of over 23,000, now has three theatres, the Majestic, operated by T. M. Ellis, Jr.; the Rex, by G. A. Turner, and the State, operated jointly by Ellis and Turner. There have been rumors from time to time that a circuit proposed erecting another house here.

Legion Approves All Of 17 New Pictures

(Continued from page 1)

for adults. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Champagne Waltz," "Beloved Enemy," "Great Guy," "Grenzfeuer" (German), "A Man Betrayed," "Men of Affairs," "Stowaway." Class A-2, Unobjectionable for Adults—"After the Thin Man," "Camille," "Captain Calamity," "College Holiday," "Crackup," "Ich Glaub Nie Mehr An Eine Frau" (German), "Night Waitress," "One Way Passage," "She Shall Have Music," "Yellow Cargo."

Para. Has School Short

CHICAGO, Dec. 27.—Bell & Howell, through its dealer and branch library organization, is distributing a one-reel Paramount film, "The Spirit of the Plains." An educational subject, it is designed for non-theatrical showing.

Shift Fox Midwest Men

KANSAS CITY, Dec. 27.—W. L. Barritt, manager of the Fox at Hutchinson, Kan., has been made manager of the Fox Palace at Wichita, succeeding Willard Clark, resigned.

Dale Havelone, assistant at the Fox Granada in Kansas City, Kan., has been named manager of the Fox Madrid, Kansas City, Mo., and Manford Finch, Madrid assistant manager, goes to the Granada as assistant to Jerry Baker.

Tom Brennan, formerly in the office of L. E. Pope, purchasing agent for Fox Midwest, goes to the Fox Strand at Hutchinson as manager.

Loew-Poli Men Changed

NEW HAVEN, Dec. 27.—Harry F. Shaw, Loew-Poli division manager, has promoted Bob Carney, student assistant at the College, to assistant manager under Ben Cohen. Eddie Dolan, as assistant for the past few months, has been shifted to the Poli, Waterbury, as temporary assistant to fill the place of Al Weir, resigned. Joe Dina of the Poli, Bridgeport, has been made student assistant at the Majestic in that city, while Ed Domain, former doorman at the Poli, moves up to the assistantship.

Transfer Dickinson Executives

KANSAS CITY, Dec. 27.—Mark Jenkins, assistant manager of the Dickinson at Lawrence, Kan., has been made manager of the Dickinson at Hiawatha, Kan.

B. K. Brown, erstwhile manager of the Dickinson at Hiawatha, goes to the Dickinson at Ellsworth, Kan.

John Krieger, who was assistant manager of the Uptown, Parsons, Kan., a Dickinson unit, has been shifted to the Dickinson at Paola, Kan., in the same capacity.

Move Loew Boston Managers

BOSTON, Dec. 27.—A shift of Loew's managers in New England has been made by Division Manager H. M. Addison. Joseph Boyle goes from Loew's State to Loew's Orpheum here. James Devlin goes to Loew's in Providence, while D. Etchberger comes to Loew's State here. William Hatkoff has been named manager of the Capitol in Danbury. Frank Morin goes from Danbury to the Regal in Hartford, succeeding James West, resigned.

Shakeup in Canada Managers

TORONTO, Dec. 27.—With the opening of the new Capitol at Sarnia, Ont., Famous Players Canadian Corp., has made a shakeup in managers in the Western Ontario district.

W. J. Fawcett, manager of the Capitol at St. Thomas, has been placed in charge of the new house at Sarnia and has been succeeded by Fred Doney of the Palace, London. William Burke, assistant manager at the London Capitol, has been appointed to the Palace.

Rippingale Promoted

NEW HAVEN, Dec. 27.—Fred Rippingale, local M-G-M office manager, has been promoted to the Washington office, to replace Harold A. Weinberger, who has gone to the studio. Frank E. Mullen, former booker, is now office manager here, while Charles Lazarus and Philip Gravitz are bookers.

'Rembrandt' Is Philadelphia's Lead, $12,500

PHILADELPHIA, Dec. 27. — "Rembrandt" and "Stowaway" helped to keep off the pre-Christmas Week blues. They were the only offerings to top average.

"Rembrandt" drew $12,500 at the Aldine. "Stowaway" took $18,000 in its initial week at the Fox, but will probably do better its second week.

"Man I Marry" could get but five days at the Boyd, finishing with a $6,000 gross. It was followed by "After the Thin Man" which started out like a b. o. mopup.

Total first run business was $72,600. Average is $74,960.

Estimated takings for the week ending Dec. 24:

"REMBRANDT" (U.A.)
ALDINE—(1,300), 40c-55c-65c, 7 days. **Gross:** $12,500. (Average, $8,160)
"LOVE ON THE RUN" (M-G-M)
ARCADIA—(600), 25c-40c-50c, 7 days, 2nd run. **Gross:** $2,800. (Average, $2,800)
"MAN I MARYY" (Univ.)
BOYD—(2,400), 40c-55c, 5 days. **Gross:** $6,000. (Average, 7 days, $14,000)
"PENNIES FROM HEAVEN" (Col.)
EARLE—(2,000), 25c-40c-55c, 6 days, 2nd run. **Gross:** $11,000. (Average, 7 days, $14,000)
"STOWAWAY" (20th-Fox)
FOX—(3,000), 40c-55c-65c, 7 days. **Gross:** $18,000. (Average, $14,000)
"WINTERSET" (Radio)
KARLTON—(1,000), 25c-35c-40c, 7 days, 2nd run. **Gross:** $2,800. (Average, $4,000)
"THREE MEN ON A HORSE" (F.N.)
KEITH'S—(2,000), 30c-40c-50c, 7 days, 2nd run. **Gross:** $3,000. (Average, $4,000)
"BANJO ON MY KNEE" (20th-Fox)
STANLEY — (3,700), 40c-55c, 7 days. **Gross:** $12,000. (Average, $14,000)
"FUGITIVE IN THE SKY" (W.B.)
STANTON—(1,700), 30c-40c-50c, 6 days. **Gross:** $4,500. (Average, 7 days, $7,000)

"Hunter" Dual Is Fair in Providence

PROVIDENCE, Dec. 27. — Christmas Week lived up to its reputation here and exhibitors took it on the chin, not one house reaching anywhere near par. The Majestic came closest with "White Hunter" and "Girl on the Front Page" which caught $5,800 on a $7,000 par.

Loew's brought in only $7,500 with "Our Relations" and "Alibi For Murder," down by $4,500 and the Strand was under the usual $6,500 average by $3,500, booking "Legion of Terror" and "Country Gentlemen."

"Banjo on My Knee" moved down from the Majestic to Fay's to a take of $5,100 on a dual with vaudeville.

Total first run business was $25,000. Average is $39,500.

Estimated takings for the week ending Dec. 24:

"LEGION OF TERROR" (Col.)
"COUNTRY GENTLEMEN" (Republic)
STRAND—(2,300), 15c-40c, four days. **Gross:** $3,000. (Average, $6,500)
"WHITE HUNTER" (W. B.)
"GIRL ON THE FRONT PAGE" (Univ.)
MAJESTIC — (2,400), 15c-40c, 7 days. **Gross:** $5,800. (Average, $7,000)
"BANJO ON MY KNEE" (W. B.)
FAY'S—(1,600), 15c-40c, 7 days. **Gross:** $5,100. (Average, $7,000)
"MAKE WAY FOR A LADY" (Radio)
"HATS OFF" (G. N.)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $3,600. (Average, $7,000)
"OUR RELATIOONS" (M-G-M)
"ALIBI FOR MURDER" (Col.)
LOEW'S STATE—(3,800), 15c-40c, 7 days. **Gross:** $7,500. (Average, $12,000)

"Theodora" Is Seattle's Top For 4th Week

SEATTLE, Dec. 27.—All houses went below normal in the usual pre-Christmas slump. "Theodora Goes Wild," in its fourth week at the Liberty, made the best comparative showing by getting $4,950, within $50 of a first week par.

"Born to Dance" fell off to $2,800 in its fifth week and "Love on the Run" took only $5,900 in its second week at the Fifth Avenue.

The Orpheum dual, "Banjo on My Knee" and "Thank You Jeeves," was moved to the Music Box and "Love on the Run" was switched to the Blue Mouse. The weather was cool and rainy.

Total first run business was $35,600. Average is $41,000.

Estimated takings for the week ending Dec. 25:

"BORN TO DANCE" (M-G-M)
BLUE MOUSE—(950), 25c-40c-55c, 7 days, 5th week, extended run from Fifth Ave. **Gross:** $2,800. (Average, $4,000)
"LOVE ON THE RUN" (M-G-M)
FIFTH AVE.—(2,500), 25c-40c-55c, 7 days, 2nd week. **Gross:** $5,900. (Average, $7,000)
"THEODORA GOES WILD" (Col.)
LIBERTY—(1,800), 15c-25c-40c-55c, 7 days, 4th week. **Gross:** $4,950. (Average, $5,000)
"LIBELED LADY" (M-G-M)
MUSIC BOX—(950), 25c-40c-55c, 7 days, 6th week, extended run from Fifth Ave. **Gross:** 2,950. (Average, $4,000)
"LOVE IN EXILE" (G.B.)
"MAD HOLIDAY" (M-G-M)
MUSIC HALL—(2,275), 25c-35c, 7 days. Stage: Vaudeville headed by Hap Hazard. **Gross:** $4,400. (Average, $4,500)
"BANJO ON MY KNEE" (20th-Fox)
"THANK YOU JEEVES" (20th-Fox)
ORPHEUM—(2,450), 25c-30c-40c, 7 days. **Gross:** $5,350. (Average, $6,000)
"THE FINAL HOUR" (Col.)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Vaudeville headed by Ming Toy. **Gross:** $4,100. (Average, $4,500)
"IN HIS STEPS" (G.N.)
"SMARTEST GIRL IN TOWN" (Radio)
PARAMOUNT—(3,050), 25c-30c-40c, 7 days. **Gross:** $5,350. (Average, $6,000)

"Born to Dance" Is Best in New Haven

NEW HAVEN, Dec. 27.—"Born to Dance" in its second week at the College, was the only attraction to make the grade with all stores filled and most theatres half empty. The take was $3,000, over par by $200.

The Poli took $5,300 on "White Hunter and "Our Relations," short by $1,700. "Little Miss Marker" was pulled from the Paramount dual with "Horsefeathers," and "Annapolis Farewell" substituted for the last three days, and the gross was $3,500. "Polo Joe" and "Case of the Black Cat" at the Roger Sherman fell to $3,200.

Total first run business was $15,000. Average is $19,300.

Estimated takings for the week ending Dec. 24:

"BORN TO DANCE" (M-G-M)
COLLEGE—(1,499), 35c-50c, 7 days, 2nd week. **Gross:** $3,000. (Average, $2,800)
"LITTLE MISS MARKER" (Para.)
"HORSEFEATHERS" (Para.)
PARAMOUNT—(2,348), 35c-50c, 7 days. **Gross:** $3,500. (Average, $4,800)
"WHITE HUNTER" (20th-Fox)
"OUR RELATIONS" (M-G-M)
POLI—(3,040), 35c-50c, 7 days. **Gross:** $5,300. (Average, $7,000)
"POLO JOE" (W.B.)
"CASE OF THE BLACK CAT" (F.N.)
ROGER SHERMAN—(2,200), 35c-50c, 8 days. **Gross:** $3,200. (Average, $4,700)

"Valiant" and Show $15,003 in Buffalo

BUFFALO, Dec. 27. — Better than average offerings lured Christmas shoppers and all houses kept in the black. "Valiant is the Word for Carrie," with Major Bowes' all-girl unit on the stage at the Buffalo, took first place with a $15,003 gross, over par by $3,003.

The Lafayette's dual, "East Meets West" and "The Luckiest Girl in the World" garnered $7,500, topping normal by $1,500. "Born to Dance," in its second week at the Great Lakes, took $8,700 and "Can This Be Dixie?" and "Mr. Cinderella," at the Century, went to $7,200. Both houses were $1,400 over the line.

Total first run business was $46,003. Average is $38,400.

Estimated takings for the week ending Dec. 19:

"VALIANT IS THE WORD FOR CARRIE" (Para.)
BUFFALO—(3,000), 30c-50c, 7 days. **Gross:** $15,003. (Average, $12,000)
"ONE WAY PASSAGE" (W. B.)
"IN HIS STEPS" (G. N.)
HIPPODROME—(2,500), 25c-40c, 7 days. **Gross:** $7,600. (Average, $7,300)
"BORN TO DANCE" (M-G-M)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $8,700. (Average, $7,300)
"CAN THIS BE DIXIE?" (20th-Fox)
"MR. CINDERELLA" (M-G-M)
CENTURY—(3,000), 25c, 7 days. **Gross:** $7,200. (Average, $5,800)
"EAST MEETS WEST" (G. B.)
"THE LUCKIEST GIRL IN THE WORLD" (Univ.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $7,500. (Average, $6,000)

"Gold Diggers" Hit $8,300 at Portland

PORTLAND, Dec. 27. — "The Gold Diggers of 1937" at the United Artists got a swift start with $8,300, over average by $3,300.

"Love on the Run" and "Two in a Crowd" were held for a third week at the Broadway after taking $6,000, or $1,000 better than average. "Libeled Lady" was held for a seventh week at the Mayfair, grossing $4,000.

Total first run business was $36,200. Average is $24,700.

Estimated takings for the week ending Dec. 19:

"LOVE ON THE RUN" (M-G-M)
"TWO IN A CROWD" (Univ.)
BROADWAY—(1,912), 30c-35c-40c, 7 days, 3rd week. **Gross:** $6,000. (Average, $5,000)
"CHARGE OF THE LIGHT BRIGADE" (W.B.)
"LADY BE CAREFUL" (Para.)
BLUE MOUSE—(1,700), 30c-35c-40c, 7 days, 4th downtown week. **Gross:** $2,000. (Average, $1,700)
"LIBELED LADY" (M-G-M)
"CASE OF THE BLACK CAT" (F.N.)
MAYFAIR—(1,700), 30c-35c-40c, 7 days. downtown week. **Gross:** $4,000. (Average, $3,000)
"WHITE HUNTER" (20th-Fox)
"WALKING ON AIR" (Radio)
ORPHEUM—(1,700), 30c-35c-40c, 7 days. **Gross:** $7,000. (Average, $5,000)
"COLLEGE HOLIDAY" (Para.)
"CHARLIE CHAN AT THE OPERA" (20th-Fox)
PARAMOUNT — (3,008), 30c-35c-40c, 7 days. **Gross:** $7,500. (Average, $5,000)
"GOLD DIGGERS OF 1937" (W.B.)
UNITED ARTIST—(945), 30c-35c-40c, 7 days. **Gross:** $8,300. (Average, $5,000)

J. M. Jackson Gaining

CINCINNATI, Dec. 27.—Jerome M. Jackson, owner of the Jackson, neighborhood, is recovering from a heart attack suffered recently.

Jackson was key witness for defendants at the recent pre-examination at Cleveland in the preferred playing time suit of RKO vs. State of Ohio.

"Pennies" Is Only Draw in Philadelphia

PHILADELPHIA, Dec. 27.—"Pennies from Heaven" was the only film of the week to duck the pre-holiday slump. Staying 10 days at the Stanley, it grossed $22,500, an excellent take.

The rest of the town was way under par. The Arcadia, normally a second run house, booked "Love in Exile" and "King Edward," but didn't crash big with it. Matinees were good, but the nights were off. The take was $1,500 in six days.

"Winterset" took $10,500. "White Hunter" and "Jungle Princess" at the Fox and Earle, respectively, were also in the doldrums.

Total first run business was $73,000. Average is $86,960.

Estimated takings for the week ending Dec. 17:

"GARDEN OF ALLAH" (U. A.)
ALDINE—(1,300), 40c-55c-65c, 7 days, 3rd week. **Gross:** $7,000. (Average, $8,160)
"LOVE IN EXILE" (G. B.)
"LIFE OF KING EDWARD" (G. B.)
ARCADIA—(600), 25c-40c-50c, 6 days. **Gross:** $1,500. (Average, 7 days, $2,400)
"WINTERSET" (Radio)
BOYD—(2,400), 40c-55c, 7 days. **Gross:** $10,500. (Average, $14,000)
"JUNGLE PRINCESS" (Para.)
EARLE — (2,000), 25c-40c-55c, 7 days. **Gross:** $10,000. (Average, $14,000)
"WHITE HUNTER" (20th-Fox)
FOX—(3,000), 40c-55c-65c, 7 days. **Gross:** $11,000. (Average, $14,000)
"CAN THIS BE DIXIE?" (20th-Fox)
KARLTON—(1,000), 25c-35c-40c, 7 days. **Gross:** $2,000. (Average, $4,000)
"THEODORA GOES WILD" (Col.)
KEITH'S—(2,000), 30c-40c-50c, 7 days, 3rd run. **Gross:** $3,300. (Average, $4,000)
"PENNIES FROM HEAVEN" (Col.)
STANLEY—(3,700), 40c-55c, 10 days. **Gross:** $22,500. (Average, 7 days, $14,000)
"DANIEL BOONE" (Radio)
STANTON—(1,700), 30c-40c-50c, 7 days. **Gross:** $5,200. (Average, $7,000)

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Erpi's Share In Universal Deal Revealed

FCC Hearing Told Firm Put Up $2,000,000

Erpi participated in the financing of the deal by which Standard Capital Co. took over the control of Universal last spring, to the extent of $2,000,000, it was revealed yesterday in the resumed hearings in the Federal Communications Commission investigation into the operations of Erpi. The study is a part of the F. C. C. inquiry into the A. T. & T.

The Erpi share in the Universal deal was brought out in the course of the examination of Whitford Drake, executive vice-president of Erpi, by Samuel Becker, special counsel to the F. C. C. Drake declared on the stand that the participation was dictated by Erpi's interest in "preventing a crash in that situation," referring to Universal.

At the same time it was revealed that the English group, headed by J. Arthur Rank and Lord Portal, participated to the extent of $2,000,000; that Eastman Kodak financed the deal with $1,000,000, and that the balance of the $5,500,000 total price paid for Universal was contributed by Standard Capital and several individuals.

Drake declared that Erpi "expects to get out of it as soon as it can."

Erpi and Eastman received deben-

(*Continued on page* 14)

Cowdin Will Study European Prospects

J. Cheever Cowdin, chairman of the board of Universal, will make a study of the company's prospects in Great Britain and in European centers while abroad. He is now on the high seas.

Before sailing Cowdin said business was running 15 per cent ahead of last year for the company in this country and he would report the details to his British associates.

Nebraska Expecting Trio of Film Bills

LINCOLN, Dec. 28.—Three bills affecting films are expected at the legislative session which opens Jan. 5.

One will be a renewal of the attempt to force two operators in a booth for houses seating more than 600, another will try a graduated occupations tax on circuit houses and a third will provide for a sales tax.

William Haycock is expected to be speaker of the House.

Arrests Mark Chicago Drive On Giveaways

Police Hold 15 Managers After Drawings

CHICAGO, Dec. 28.—Police carried out their Bank Night threat over the weekend by raiding theatres throughout the city. More than 15 managers were arrested and released on bail for hearings today but their cases were postponed until Jan. 15 at the request of Corporation Counsel Barnet Hodes, who stated that he plans an "airtight" case against the theatre men.

Circuits as well as independents received police visits. The police waited until drawings had been held, or prizes had been awarded, before making the arrests. Patrons booed.

Some managers advertised the drawings late at night and then held them early to avoid arrests. Others

(*Continued on page* 15)

Parlay Is Held Not B. N. Infringement

BOSTON, Dec. 28.—Holding that Bank Night entered public domain when used in theatres and that therefore it may be adopted by others without infringement, the U. S. Circuit Court of Appeals today threw out the infringement case brought by Bank Night against Meyer Gruber and Harry Bloomberg, operators of Parlay Cash Night. Judges Bingham, Wilson and Morton decreed that:

"However good and valuable an idea, plan, scheme or system may be,

(*Continued on page* 15)

Adventures to Start

Hollywood, Dec. 28.—Major Pictures will start "End of Adventure" early in January.

Trem Carr has scheduled "Adventure's End" for January.

Looks like an opportunity for a dual bill later.

Only One New Spot Abroad, Says Loew

Loew's has no immediate plans to build or acquire theatres abroad with the exception of the construction of a house in Amsterdam, Holland, it was stated last night by Arthur Loew, head of the company's foreign department, upon his arrival on the *Berengaria* from a three-months trip to England, France, Italy, Switzerland and Holland.

The site for the Amsterdam project was purchased while Loew was in Holland and details in connection with its construction will be completed shortly. The executive viewed reports from abroad about the company's building in England as unfounded. He could give no information about M-G-M's producing plans in England,

(*Continued on page* 11)

Coxe Accepts Ruling On Paramount Claim

U. S. District Judge Coxe yesterday formally accepted the ruling of the U.S. Circuit Court of Appeals in overruling Referee John E. Joyce's refusal to allow a claim of the Madison-Toledo Co. against Paramount for $18,000. The court also allowed $403 for court expenses.

The company will make the payment with $9,000 in debentures and $9,000 in first preferred stock.

Flavin Play Bad, Outdated; 'The Women' Is Baudy Fun

"The Woman"

You're apt to feel more than a trifle guilty sitting through "The Women," second Max Gordon play of the season and first in his producing combination with Harry M. Goetz. Maybe, even uncomfortable.

For, in this play by Clare Boothe Brokaw Luce with a man-less cast, 35 women disport themselves nobly and mostly otherwise in a through-the-keyhole, behind-the-scenes festival with amusing results and occasionally

(*Continued on page* 11)

"Around the Corner"

The economists and the curves in practically all indices to industry make it quite clear these days that, if the country is not currently experiencing prosperity, it must be a boom at least. Virtually everyone feels much, much better about things at large.

Withdraw that last statement. There is one who does not, his name is Martin Flavin and he brought his economic philosophy to the stage of the Forty-Eighth Street Theatre last

(*Continued on page* 11)

Yesterday in Radio—Page 12

Theatre Takes Top Last Year From 15%-20%

Loew Grosses Jump 50% On Christmas Day

Circuit grosses over the Christmas weekend were up from 15 to 20 per cent in comparison with last year, according to operating heads of Loew's, RKO and Warners.

Speaking for Loew's, Joe Vogel yesterday stated that the circuit's national business jumped 50 per cent on the Christmas holiday. He also pointed out that last year Christmas fell on a Wednesday, while this year theatres benefited enormously because of the three-day holiday weekend.

"After the Thin Man," he said, broke existing records at the State, Houston, Tex., and Palace, Indianapolis, where "Tugboat Annie" had been the blue ribbon winner.

Nate Blumberg said that RKO showed a 15 per cent differential over the preceding holiday and in many instances where "Rainbow on the River" was being shown the Bobby Breen film was doing record business.

As for the Warner circuit, Harry Goldberg, assistant to Joseph Bernhard, estimated that this year the theatres took in from 15 to 20 per cent more than last Christmas.

An executive of National Theatres, 20th Century-Fox theatre subsidiary, yesterday could not estimate the business, as many of the divisions had not reported by late afternoon.

Leading the Broadway lineup was "Rainbow on the River," which tallied $64,000 in the four-day weekend at the Music Hall. This is $11,000 less than the first week's gross and indicates the film will end up with well over $100,000 on the second week. Breen is appearing in person with

(*Continued on page* 15)

Report Films' '36 Gain $250,000,000

HOLLYWOOD, Dec. 28.—Industry grosses were more than $250,000,000 greater in 1936 than during the previous year, according to the United Press.

Theatre attendance reached a weekly average of 81,000,000, a new record, the news service states. In 1935, the weekly average was 71,000,000, while 1933 averaged 54,000,000. These figures have been published in *Motion Picture Almanac*.

Chief result of the improved business, the article says, is studio expansion by M-G-M, Warners and Radio.

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E. C. Hill May Succeed

Edwin C. Hill, former commentator for Hearst Metrotone News, was reported yesterday slated to take over "Today," the late Arthur Brisbane's daily column in the Hearst and syndicated newspapers.

Pollak Returning

BUDAPEST, Dec. 28.—Joe Pollak, his recovery from a recent accident virtually complete, expects to return to New York in a couple of weeks.

MITCHELL MAY, Jr. CO., INC.

INSURANCE

Specialists To The Motion Picture Industry

•

75 Maiden Lane, N. Y. City
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Purely Personal

SAM RINZLER of Randforce was given a birthday party at the Tavern yesterday by a number of his friends. Attending the surprise event were CHARLES MOSES, MAX A. COHEN, HAROLD RINZLER, HARRY SHIFFMAN, EDWARD RUGOFF, BILL SUSSMAN, HARRY BUXBAUM, SR. and JR., HENRY BROWN, MITCHELL KLUPT, EDWARD SCHNITZER, BOB WOLFF, ED HYMAN, MORRIS KUTINSKY, HARRY DECKER, JOE LEE, IRVING WORMSER, EDWARD GOLDSTEIN, LEO ABRAMS, MOE STREIMER, WILLIAM SAAL, MILTON BLUMBERG, LEO JUSTIN, SAM SMOLEN and HENRY GLUCKMAN.

•

Congressman SAMUEL CELLER has joined the firm of Weisman, Quinn, Allen & Spett. The new name of the company will be known as Weisman, Celler, Quinn, Allen & Spett.

•

JANE WITHERS is on a personal appearance tour which will take her to Boston New Year's Eve. After a week at the Metropolitan she will spend a week in New York.

•

HARRY BUXBAUM's local exchange rated second place in the S. R. Kent sales drive. All employes received three weeks' salary as an additional bonus.

•

ARTHUR JEFFREY, publicity head of the Criterion, was home with the grippe yesterday.

•

ABE MONTAGUE got back from Miami yesterday and JOE SEIDELMAN from Pinehurst.

•

MONROE GREENTHAL is on a cruise which will bring him back to New York after New Year's.

•

WILLIAM BARNETT will take a train to Miami on Saturday. He will vacation for a few weeks.

•

ROBERT W. PERKINS, general counsel for Warners, is due back Monday from a holiday vacation.

•

JACK D. TROP will leave for Hollywood on Saturday. This time he will take his wife along.

•

J. ROBERT RUBIN and WILLIAM ORR will go to Washington tomorrow on Loew business.

•

STANLEY RIDGES, Paramount player, will leave for the studios tomorrow by plane.

•

JAKE WILK returned yesterday from the coast. Ditto HERMAN STARR.

•

HARRY M. WARNER has gone to Yosemite Valley for a week's rest.

•

NICHOLAS M. SCHENCK has arrived in Miami for a month's vacation.

•

HARRY GANS left for Hollywood last night via American Airlines.

•

WILLIAM SUSSMAN plans to leave for a Miami vacation on Jan. 8.

•

LEON ERROL will appear in person at the Roxy starting Saturday.

•

A. W. SMITH, JR., has gone to Havana for the holidays.

•

PAT POWERS is back from Hollywood.

JULES LEVY, general sales manager for RKO, left yesterday for Chicago to confer with WALTER BRANSON, midwest district manager, and JACK OSSERMAN, Chicago branch manager.

•

CYRIL VON BAUMANN, who recently returned from the Ecuador jungles with ANDRE ROOSEVELT, expects to go back there about the middle of February to start work on another film.

•

CHARLES GOLDBERG, son of LOUIS GOLDBERG, is the father of a daughter born yesterday. LOUIS GOLDBERG is an RKO division manager. CHARLES GOLDBERG is a lawyer.

•

HARRY C. ARTHUR, who had planned to spend the holidays in New York, has delayed his trip until after New Year's.

•

BOBBY BREEN will leave for the coast Thursday, after he finishes a two-week personal appearance at the Music Hall.

•

BILL ELSON, RKO theatre partner in Minneapolis, will sail today on the *Monarch of Bermuda* for a vacation.

•

JESSE J. GOLDBURG, general sales manager of Burroughs-Tarzan, arrived from the coast yesterday.

•

EMANUEL WAXBERG, head of the RKO insurance department, became the father of a boy yesterday.

•

GERTRUDE MERRIAM is making a nice recovery from a severe case of pleural pneumonia.

•

GEORGE BURNS and GRACIE ALLEN reached New York yesterday for a 10-day vacation.

•

PAUL SOSKIN did not sail for London Saturday as per schedule.

•

DAVID LOEW, JR., is in from the coast for the holidays.

•

ETTA KLEIN down with the grippe.

•

. . . New Haven

GEORGE MILLER, Whalley manager, will marry SONNY KRAMER on Jan. 10.

HARRY and MRS. SHAW will leave for the coast the end of January for four weeks.

JIM MEMERY now has an oil burner in his year-round houseboat anchored out in the harbor.

LEO RICCI distributed one week's pay bonuses to all employes.

MARIE CLEMENTE of the Paramount has married WILLIAM MARESCA.

•

. . . Seattle

J. H. ALEXANDER of Republic Film Exchange in Pittsburgh was a visitor on Film Row, en route to the Pasadena Rose Bowl.

TONY HARTFORD, Everett exhibitor, has recovered after an automobile accident.

J. T. SHEFFIELD, president of the Sheffield Exchange system, has returned to his home here after several months at his Denver branch.

MIKE NEWMAN, Columbia, has left this week after a sojourn with LEROY V. JOHNSON and C. C. CHELLEW of the Liberty.

Tri-States Restores 55-Cent Admission

OMAHA, Dec. 28.—Tri-States Theatres, which has changed policy for the recently reopened 2,900-seat Paramount almost weekly, again has raised prices to a 55-cent top, with matinees at 25 cents until 2 P. M. and 35 cents until 6 P. M.

This time the prices will stay up, District Manager E. R. Cummings, announced, but the double feature policy will be retained. The experiment of dropping prices to a 40-cent top, with matinees at 25 cents until 6 P. M., resulted in a great loss of business instead of an increase as had been anticipated, Cummings said.

Barrymore Rites Held

HOLLYWOOD, Dec. 28.—Simple Catholic services were held today at Calvary Mausoleum for Mrs. Lionel Barrymore, who was known on the stage as Irene Fenwick. Only the family and close friends attended.

Pallbearers were: George Cukor, Paul Lukas, Sam Hofenstein, Earl Barker and Stanley Campbell. Honorary pallbearers were: Louis B. Mayer, Al Woods, Edmund Lowe, Harry Cruikshank, Winston Thomas, Arthur Cooley, G. W. Colby, Edward Sheldon and Mike Scherling.

Rev. M. J. Mullins officiated.

Joseph A. Scheffer Dies

CINCINNATI, Dec. 28.—Joseph A. Scheffer, brother of A. E. Scheffer, local booking agent, died suddenly while on a visit at Shelbyville, Ind., Saturday.

Chicago Passes "Ecstacy"

CHICAGO, Dec. 28.—"Ecstacy" was passed by the censor board here today without any cuts, and was given a general permit. It opened today at the World, with an "adults only" sign displayed. The newspaper campaign on the film is extremely mild. It is understood the censor attitude was that so much has been taken out of the film that nothing remains which can be considered harmful.

Tilley Sues Wilkerson

LONDON, Dec. 28.—Frank Tilley has filed suit against William R. Wilkerson, seeking damages for alleged misrepresentation and breach of undertaking. He claims Wilkerson persuaded him to leave his job as publicity and advertising manager for Radio Pictures, a £2,000-a-year job, on the assurance that advertising revenue from America would be sufficient to maintain *The London Reporter* for a year.

Start Patterson Case

Hearings have started before Federal Judge Leibell on the infringement suit filed by Frederick Beck Patterson against Samuel Cummins in connection with the copyright on "Shooting Big Game With a Camera." Al Krellberg is representing the plaintiff in the case.

Mullin, Pinanski West

BOSTON, Dec. 28.—Martin J. Mullin and Sam Pinanski, local Paramount partners, left today for the West Coast. Mrs. Mullin and Mrs. Pinanski accompanied them. They will attend the jubilee banquet for Adolph Zukor and will return the recent visit of Ray Milland, new Paramount star.

FLASHED TO THE FOUR CORNERS OF THE EARTH!

"CAMILLE"

IS

GREAT!

The wires are carrying this message to your waiting public. On the following pages are flashes from Hollywood correspondents, columnists and syndicated writers of hundreds of newspapers, reaching every corner of America and the world! The most complete coverage any picture ever had prior to release!



M-G-M's "CAMILLE" STARTS THE 1937 MARCH TO YOUR BOX-OFFICE!

Your patrons are reading these marvelous notices in advance!

LOUELLA PARSONS, ***Syndicated to millions of newspaper readers and radio listeners:*** "Only the genius of Irving Thalberg could give Dumas' 'Camille' the interest and beauty of this brilliant screen translation. Greta Garbo and Robert Taylor excellently teamed."

ALICE TILDSLEY, ***Philadelphia Public Ledger Syndicate:*** "Greta Garbo scores a great triumph. Robert Taylor will be hailed again a star in his own right when the public sees the picture. George Cukor's direction one of the finest jobs this year."

PAUL HARRISON, ***Syndicated to millions through Newspaper Enterprise Association:*** "A fine picture. Acting, direction, photography and all other studio departments concerned in production merit highest praise. The genuine genius, the hand of Irving Thalberg has created another magnificent motion picture."

THE FILM DAILY: "Great love drama, expertly acted and produced, holds appeal for all types of audiences. Greta Garbo and Robert Taylor in this love drama mean big box-office appeal to all classes of audiences, especially the women from whom it will elicit many a tear. Garbo is beautiful. Her emotional portrayal ranks with her best work. Taylor, handsome as ever, does the best acting of his career. In a production containing as many torrid love scenes as does this picture the dialogue is especially praiseworthy. Lavishly mounted."

HAROLD HEFFERNAN, *Motion Picture Editor Detroit News:* "The sheer magnificent translation of this classic play to the screen reflects the genius of Irving Thalberg and joins in the cinematic Hall of Fame 'Big Parade', 'Ben Hur', 'Big House,' 'Grand Hotel', 'Smilin' Thru', 'Barretts of Wimpole Street', 'Mutiny on the Bounty', 'Romeo and Juliet' and other great Metro-Goldwyn-Mayer pictures."

EDWIN SCHALLERT, *Los Angeles Times:* "This is indeed one of Irving Thalberg's most ambitious dreams fulfilled. A triumphant realization of the Dumas classic and certainly no performance of Greta Garbo's has ever approached the perfected beauty of her Marguerite Gautier. Taylor, who is starred with her, surpasses any previous effort."

TED MAGEE, *Screenbook:* "The inspired performances of Greta Garbo and Robert Taylor make M-G-M's 'Camille' a most masterful version of the great classic."

ROBERT WATSON, *Canadian, Scotch and English Publications:* "Garbo stands alone in Hollywood as an emotional actress. Taylor also excels previous best performance in 'Camille'."

SHEILA GRAHAM, *Syndicating to uncounted millions through North American Newspaper Alliance:* "Garbo gave the most sensitive performance of her entire screen career. She was gay even in sadness. Her reality of expression was very stirring."

ED SMITHSON, *Movie Classic:* "Garbo and Taylor give the best performances of their screen careers."

MOTION PICTURE DAILY: "Quality entertainment with strong emotional appeal to all types of audiences."

W. K. GIBBS, *Hollywood Magazine:* "'The Lady of the Camellias' is given new life by Greta Garbo ably abetted by Robert Taylor."

JACK GRANT, *Hollywood Press Syndicate:* "An exquisite production of 'Camille' featuring Garbo's most vital performance and Taylor's finest work in his sensational career."

Garbo's greatest role!



Isn't it wonderful! Move on to next page!

"DESTINED TO BE THE GREATEST PICTURE OF THE NEW YEAR", says Los Angeles Times!



"Speak to me, beloved!"

DAILY VARIETY: "With Garbo and Taylor, 'Camille' has magic marquee combination. The love story still stands as one of the most poignant ever told. Production is gorgeous, direction and playing of highest merit to please the most discriminating and the most naive, all of which spells box-office, a smash proposition."

ROSALIND SHAFFER, *Chicago Tribune:* "Garbo's emotional scenes are the most tender I ever saw on the screen. For a young actor Robert Taylor plays the role of Armand with great polish. This is one of Irving Thalberg's finest contributions."

CARLOS BORCOSQUE SINTONIA, *Buenos Aires Correspondent and Motion Picture Radio Commentator of all Latin America:* "The prize to the best screen performances of the year and of many years must go to Greta Garbo for her perfect human characterization of Marguerite Gautier in one of Hollywood's most outstanding pictures that is sure to mellow the hearts of the world."

FEG MURRAY, *King Features:* "Garbo was never more beautiful. She is still the greatest actress. Robert Taylor gives the best performance of his career."

COL. R. A. DUCKWORTH-FORD, *Reuters News Agency, England:* "In 'Camille' George Cukor has made himself responsible for another masterpiece of poignant artistry with Greta Garbo triumphant and Robert Taylor, Henry Daniell and Lenore Ulric assured of distinguished places in the Hollywood roll of fame."

CLARKE WALES, *Screen and Radio Weekly:* "A beautiful production of an infallible favorite. It is Garbo's best picture in years and it raises Robert Taylor to new heights."

E. M. BUCHANAN, *Correspondent to England:* "'Camille' is a poignant production presenting a new Garbo — gay, sportive, immortal — but so fragile and tragic that her performance wrung tears from men. Robert Taylor is handsome and sincere as the romantic lover."

MAYME OBER PEAK, ***Boston Globe:*** "An equal with 'Romeo and Juliet' in beauty of production. Garbo reaches new heights as the screen's finest emotional actress. Robert Taylor superb as Armand. The two stars rise to the heights of artistry under the most capable direction of George Cukor."

HARRISON CARROLL, ***Los Angeles Herald-Express:*** "I am still under the spell of Garbo's magnificent performance. She reaches the peak of her career and makes all the other glamor stars of Hollywood seem pale wraiths by comparison. If Greta Garbo in 'Camille' is not Hollywood's greatest dramatic actress in her greatest dramatic role then I have been bewitched."

JEANETTE REX, ***India Correspondent:*** "An entirely new, vivacious Garbo rises to greater heights in the M-G-M production of 'Camille' in her role opposite the number one romantic screen lover Robert Taylor."

ELIZABETH WILSON, ***Silver Screen:*** "I have gone pleasantly mad over Greta Garbo and Robert Taylor in 'Camille'. Garbo's portrayal of Marguerite Gautier is as near a complete triumph as I hope to see. Only Irving Thalberg could have endowed the Dumas classic with such brilliant a presentation."

BARBARA O'CONNOR, ***Australian Publications:*** "Outstanding performance by Garbo. The best thing she has ever done, 'Camille' is excellent."

DOROTHY KILGALLEN, ***New York Journal:*** "'Camille' is a beautiful and heart-breaking picture. I didn't see Bernhardt as Marguerite Gautier but I don't see how she could have been better than Garbo."

Winning a fortune, but broken-hearted!



HARRY NIEMEYER, ***St. Louis Post Dispatch:*** "Greta Garbo's greatest performance."

ELENA DEZARRAGA, ***Spanish Publications:*** "Greta Garbo's best picture and probably will be rated the best picture of the year. Marvelous in every way."

Wherever the news is printed they're reading about M-G-M's "CAMILLE". *Read on!*

LOVE! THE MAGNET THAT WILL DRAW THEM BY THE MILLIONS!



Press reports blanket the earth! A fortune couldn't buy them!

ALLAN HERSHOLT, *Denmark and Norway Correspondent:* "I believe 'Camille' is superior to the play. Extraordinary from every standpoint. Garbo gives the outstanding performance of her career."

IVAN SPEAR, *Box-Office:* "Among the score of highly laudatory observations that might be made concerning 'Camille'; it definitely establishes that Greta Garbo is still the number one exotic lady of the screen."

AGNES BLAIR, *Hollywood Motion Picture Review:* "Most beautiful and realistic love story. Picture should draw great raves from the country over."

EMIL BERBERICH, *Central European Correspondent:* "Performances of Garbo and Taylor are outstanding. Indeed 'Camille' as a whole is an outstanding picture."

SHOWMEN'S TRADE REVIEW: "Love story splendidly acted and produced; box-office bulls-eye. Filled with the emotion of great love. Brought to life by the artistry of Garbo and Taylor. Taylor gives his best performance to date and his fans will be fully satisfied. Garbo looks like the Camellia flower for which she is named."

J. D. SPIRO, *Screen and Radio Weekly:* "'Camille' with Garbo and Taylor should be one of the big box-office successes of the year."

FRANCIS CROWE, *Hollywood Citizen News:* "Two highly dramatic events stirred Hollywood yesterday. One was the sad farewell of Edward to his people. The other Greta Garbo's return to the American screen. Never a 'Camille' more lovely, more life-like or more heart touching."



"Crush me in your arms till the breath is gone from my body!"

RALPH WILK, ***Film Daily:*** "Greta Garbo and Robert Taylor in this superb love drama will mean big box-office. Its appeal extends to all classes."

EUGENIO DE ZARRAGA, ***Correspondent to Spain and Japan:*** "The direction is superb and the acting by all is perfect."

HARRY MINES, ***Los Angeles News:*** "The greatest performance Garbo has ever given. Destined to be the greatest picture of the New Year."

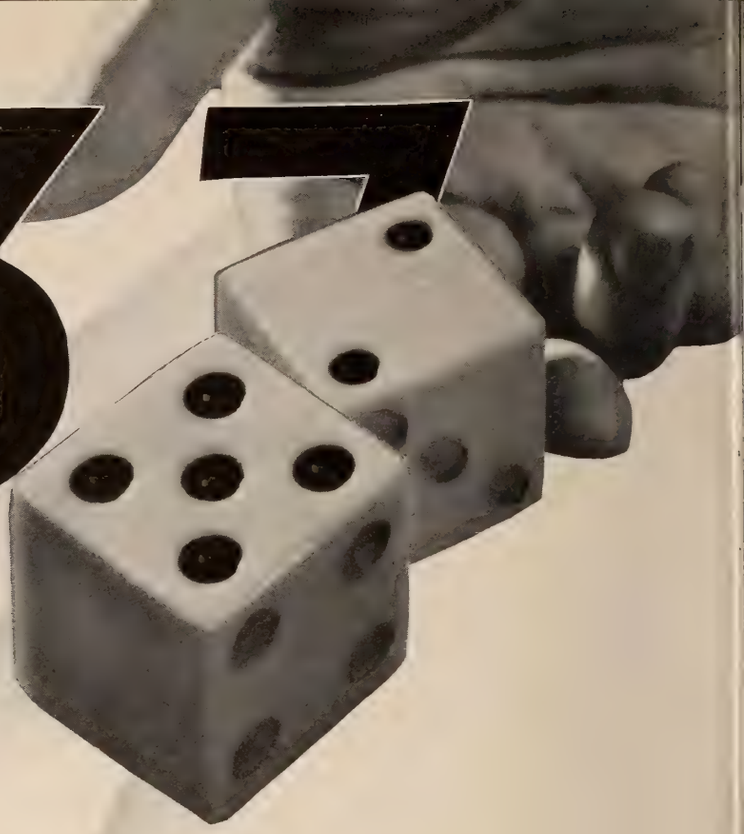
LLOYD PANTAGES, ***King Features:*** "Undoubtedly the greatest Garbo picture to date and the greatest Camille of all with the possible exception of Sarah Bernhardt."

PAZ VANMATRE, ***St. Louis Star:*** "As tender and poignant a love story as the screen has seen. Garbo is magnificent and Robert Taylor easily turns in his best performance to date in the role of Armand."

GUY AUSTIN, ***English correspondent:*** "Taylor gives a superlative performance as Armand to Garbo's Camille. This 'Camille' surpasses everything that has been done before and represents the excellent traditions of an Irving Thalberg achievement."

These Reviews could go on and on! Opinion is unanimous! "CAMILLE" is M-G-M's salute to the New Year! *And then comes—*

1937



Your Lucky M-G-M Year!

At the Metro-Goldwyn-Mayer studios the forecast for 1937 is even brighter and more ambitious than the memorable past year. Among the first attractions to come will be an epic production of Rudyard Kipling's "CAPTAINS COURAGEOUS" with Freddie Bartholomew, Spencer Tracy, Lionel Barrymore and others; "THE LAST OF MRS. CHEYNEY" with Joan Crawford, Robert Montgomery, William Powell; "PARNELL" the noted stage success with Clark Gable and Myrna Loy; "MAYTIME" with Jeanette MacDonald and Nelson Eddy; the Marx Brothers in "A DAY AT THE RACES"; "MAIDEN VOYAGE" with Robert Taylor and Luise Rainer. *And that's just the start of . . .*

Your Happy New Year!

"Love on Run" Is Loop Smash With $26,000

CHICAGO, Dec. 28.—"Love On The Run" was the shining light in the Loop last week. Matinee and night crowds took time off from shopping to see it. The gross was $26,000, or $11,000 above normal take for the United Artists.

The rest of the Loop houses found the going tough in the pre-Christmas week. Most of them played but six-day engagements in order to have new films for Christmas Day. "Born To Dance," moved over from the United Artists, did well at the Apollo. Other houses were fair except the Palace which did a dismal business and garnered only $13,000.

The weather was extremely mild, the thermometer hitting the highest temperature ever recorded for this week of the year.

Total first run business was $116,000. Average is $115,000.

Week Ending Dec. 22:

"LOVE ON THE RUN" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days. **Gross:** $26,000. (Average, $15,000)

Week Ending Dec. 24:

"WE WHO ARE ABOUT TO DIE" (Radio)
PALACE—(2,509), 35c-55c-75c, 7 days. Stage: Carroll's "Mardi Gras" Revue. **Gross:** $13,000. (Average, $19,000)

"THEODORA GOES WILD" (Col.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: "Star Varieties" Revue. **Gross:** $26,500. (Average, $32,000)

"ACCUSING FINGER" (Para.)
ORIENTAL—(3,490), 30c-55c, 7 days. Stage: "Jingle Bells" Revue. **Gross:** $15,000. (Average, $15,000)

"CHARGE OF THE LIGHT BRIGADE" (W. B.)
ROOSEVELT—(1,591), 35c-55c-75c, 6 days, 3rd week. **Gross:** $8,000. (Average, $11,000)

"BORN TO DANCE" (M-G-M)
APOLLO—(1,400), 35c-55c-65c, 6 days. **Gross:** $6,500. (Average, $4,500)

"WHITE HUNTER" (20th Cent.-Fox)
GARRICK—(900), 35c-55c-65c, 6 days. **Gross:** $6,000. (Average, $5,500)

"THE MAN WHO LIVED AGAIN" (G. B.)
STATE-LAKE—(2,776), 25c-35c-40c, 6 days. Stage: Vaudeville Revue. **Gross:** $13,000)

"College Holiday" Indianapolis High

INDIANAPOLIS, Dec. 28.—"College Holiday" was the lone above-the-line picture here as the Christmas doldrums gripped first run business. It gave the Circle $5,500, which was $1,500 above normal, and was held.

"Rembrandt," at Loew's, was but so-so, drawing a total of $5,500, which was $500 below the line.

Total first run business was $20,200. Average is $21,000.

Estimated takings for the week ending Dec. 25:

"ONE WAY PASSAGE" (W. B.)
APOLLO—(1,100), 25c-40c, 7 days. Revival. **Gross:** $2,700. (Average, $4,000)

"COLLEGE HOLIDAY" (Para.)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $5,500. (Average, $4,000)

"REMBRANDT" (U. A.)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $5,500. (Average, $6,000)

"THE WHITE HUNTER" (20th-Fox)
LYRIC—(2,000), 25c-40c, 7 days. Stage: Vaudeville. **Gross:** $6,500. (Average, $7000)

Flavin Play Bad, Outdated; 'The Women' Is Baudy Fun

"The Women"

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something less. If a male playwright had essayed a job such as this, the women of New York might have risen in something approaching revolt. But since it was Miss Boothe, or Mrs. Luce, who essayed the job of turning the microscope on her own sex, the conclusion seems a fair one to draw that the picture and the situations painted must be an approximation of the truth, or perhaps the whole of it—a melancholy thought.

It fails to bespeak much for the sex at large. Virtually the only redeeming character in it is Margalo Gillmore, 12 years married and happily and the mother of two children. Ilka Chase is an empty-headed hell-cat on two wheels, gossiping indiscriminately about those she calls her friends and the direct casus belli of the misfortune that follows. Through her chatter, Miss Gillmore learns her husband is keeping Betty Lawford whom he eventually marries and leaves two years later to return to his first wife. There are divorcees, kept women, sappy women, pregnant women, wisecracking women and he-mannish women, carrying connotations of whatever you may determine for yourself.

There is also off-color dialogue, women in negligee, women in bathtubs, women nursing new-born babies and making bad taste remarks about "jaws like a dinosaur."

Lurid Stuff Dragged In

A large percentage of "The Women" is funny if you want your fun in a ribald and bawdy sort of fashion which, no doubt, means the play that opened at the Ethel Barrymore Saturday evening probably will have a long and prosperous run in New York. It sets a pretty rapid pace for itself in the first act with its quick-changing scenery and, while the scenery maintains its speed in Acts 2 and 3, the tempo of the play does not. This reviewer, furthermore, carried away the impression that much dependence for belly laughs was placed on unnecessary inclusion of risque lines, an old technique frequently resorted to when plot and situation began to sag at the knees. If that be playwrighting, then this department doesn't know a gag man when it sees one.

"The Women" is hardly an entertainment for the kiddies. It is not entertainment which will submit itself to film treatment as it now stands either. A generous application of disinfectant is quite essential to bring this one under the line and the process of so doing might prove well nigh fatal.

"Around the Corner"

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night in a piece called "Around the Corner." You're right, the title gives it away.

It was a curious show and an unfortunate evening. Curious, because Flavin, who must have turned this one out while his right hand was busy elsewhere, has contributed to the American theatre. Curious, also, because "Around the Corner" definitely carries the stamp of something dated with a vintage hardly 1936 and almost 1937 and, if you looked only casually, conveys the idea that the author is not aware that millions have returned to work, hundreds of millions of dollars have been paid out in dividends, corporations everywhere have coughed up the bonuses they would not unless they could afford to.

These should not of necessity prove a bar to a play about depression and its defeatism. But it does strike as more than passing strange that now, of all times, was elected as the time. The topical value is gone. It's not merely yesterday's headline, but last year's and even further back and no audiences are apt to be interested, nor should they be.

Developments Telegraphed

That is not all. Not by a long shot. The play, endeavoring to reveal the spots of the depression's ravages on a Middle Western and small town family is very perfunctory and painfully routinized in its formula. Not merely do the hackneyed dramatic twists make themselves long apparent before the time rolls around for them to happen. They fairly leap out from the stage placarded all over themselves for those in the audience who would run as they read. Nobody actually ran, but plenty walked after the second act and did not return.

Subject matter would have been a violent something to overcome. But subject matter played off in almost naive denouements proved too much.

All play reviews should list the principals in the cast. Always a slave to convention, here goes:

Dodson Mitchell, Zamah Cunningham, Charles Coburn, Merle Maddern, Cyrus W. Kendall, Lillian Emerson, Milburn Stone, Boyd Crawford, Edwin Cushman and Frank Tweddell.

Theatre Report Secret

LONDON, Dec. 17. — The C.E.A. general council has adopted the report of its "redundancy" committee, suggesting means of controlling overbuilding.

E. V. Dinerman to Marry

CINCINNATI, Dec. 28.—E. V. Dinerman, director of advertising and publicity for RKO Midwest, and Margaret Works, local girl, will be married Dec. 31 by Rabbi James G. Heller.

John Dowd Given Party

Approximately 150 associates and friends of John Dowd, RKO circuit publicity and advertising head, turned out last night at the Hotel Edison where Dowd was given a party. He will be married Jan. 7.

The guest of honor was given a set of solid silver as a gift.

Book "Eternal Mask"

"The Eternal Mask," a Swiss film, will open at the Filmarte in the new future. It is being handled in this country by Arthur Mayer and Joseph Burstyn.

Claude Ezell Ill

Claude Ezell, general sales manager for Bank Night, is ill in Dallas and will enter a hospital there today.

Omaha Falls into Box-Office Slump

LINCOLN, Neb., Dec. 28.—All first runs got cobwebby around the till and the money went marching by for late Christmas shopping. The Liberty, with three changes and consuming six features, got out with a short $50 profit at $900. Everything else was away down.

"Banjo on My Knee" came within $200 of average at the Lincoln, and the Stuart's "Tarzan Escapes" got only $2,600, $500 under par.

Total first run business was $7,300. Average is $9,000.

Estimated takings:

Week Ending Dec. 24:

"LION'S DEN" (Puritan)
"AH, WILDERNESS" (M-G-M)
"FACE IN THE FOG" (Victory)
"FRISCO KID" (W. B.)
"RIDE 'EM COWBOY" (Univ.)
"BOULDER DAM" (W. B.)
LIBERTY—(1,200), 10c-15c, 7 days, three changes. **Gross:** $900. (Average, $850)

"BANJO ON MY KNEE" (20th Cent.-Fox)
LINCOLN—(1,600), 10c-20c-25c, 7 days. **Gross:** $2,000. (Average, $2,200)

"FUGITIVE IN THE SKY" (W. B.)
"GAY DESPERADO" (U. A.)
"TWO IN REVOLT" (Radio)
"WITHOUT ORDERS" (Radio)
ORPHEUM—(1,350), 10c-15c-20c-25c, 7 days, two changes. **Gross:** $1,000. No stage show. (Average, with stage show, $1,750)

"LOVE IN EXILE" (G. B.)
"HATS OFF" (G. N.)
VARSITY—(1,100), 10c-20c-25c-35c, 7 days. **Gross:** $800. (Average, $1,100)

"TARZAN ESCAPES" (M-G-M)
STUART—(2,000), 10c-25c-40c, 6 days. **Gross:** $2,600. (Average, $3,100)

Only One New Spot Abroad, Says Loew

(*Continued from page* 1)

stating that he kept clear of this phase of the business while on the other side.

Herman (Bibb) Wiener, who recently completed the construction of two houses for Loew's in South America, arrived by plane yesterday from Rio de Janeiro and met Loew at the boat. Wiener stated that he is now awaiting another assignment. He said, in commenting on business conditions, that new theatres are rapidly replacing old ones in South America and that there is a new law which makes the installation of an air conditioning system compulsory for all new theatres.

William Beaudine also arrived on the *Berengaria* after having made 11 pictures in England during the past two years. He stated that he has deals under consideration to make one picture for Gainsborough, one for A. T. P. and two for Warners but that he first intends to see what's doing in Hollywood. He leaves today for the coast to see his new grandchild for the first time. He said that he might direct the next Joe E. Brown picture for David Loew and that if this plan does not materialize he will leave for London probably around March 1.

Alan Hale, who appeared in the English production, "The Thief in the Night," for Criterion Films, will leave tomorrow for Washington from where he will go to Chicago and finally to Hollywood.

George Kamen, brother of Kay, and representative for Walt Disney Products in England, returned for his wedding to Lee Prince on Jan. 10. They will return to England shortly thereafter.

Television Is Tried Out in London House

By BRUCE ALLAN

LONDON, Dec. 17.—The demonstration of "public address television" by the Baird system, to a small press party at the Dominion here, introduced what is claimed to be the world's largest high definition television screen.

An upright picture, 8 feet, 6 inches by 6 feet, was shown. Various speakers and performers appeared, in head and shoulders shots only, and answered questions transmitted by telephone from the audience. Among others, J. L. Baird by this method supplied technical details of the system.

Designed primarily to provide a means whereby a speaker can address audiences simultaneously in all parts of the country, the "multi-mesh" system employed is obviously adaptable to entertainment purposes. The 120-line picture was remarkably free from lining or distortion, and was of fair quality. It was clearly visible from the back of the theatre. Transmission was from a theatre dressing room.

It is claimed for the Dominion that it is the first in the world to possess a permanent "cinema-size" television screen. With the regular B.B.C. transmissions barred from reproduction to audiences, it is planned to provide special exclusive transmissions from time to time.

The Dominion in Tottenham Court Road, a G. B. house, is to make television a regular program feature from Jan. 4. Special items will be broadcast by Baird Television, an associate of G. B., and possible is an extension of the idea to other G. B. theatres in the London area. Ten minute transmissions will be the limit at the start.

CEA Protests Air Talks

LONDON, Dec. 17.—The general council of the Cinematograph Exhibitors' Ass'n. has decided to send a deputation to the British Broadcasting Corp. to protest against comments over the air by the B.B.C. film critic, Alistair Cooke.

Wayne Joins WATR

WATERBURY, Conn., Dec. 28. — WATR's latest announcer is Stewart Wayne, formerly with the WTIC Playhouse group.

Street Broadcast

Omaha, Dec. 28.—KOIL sponsored singing of community Christmas carols in a special broadcast at noon on a busy shopping day at 16th and Farnam Sts., Omaha's most important downtown intersection. Song books were passed out to the crowd and the program was dedicated to the Salvation Army.

Passersby joined the chorus eagerly and the incident aroused favorable comment from many civic sources.

Mutual Goes Nat'l Today; NBC, CBS Adding Outlets

Today marks one of the most important 24-hour periods in network history, with the Mutual network expanding into the nation's third coast-to-coast chain and with NBC formally annexing the four California radio stations comprising the McClatchy chain. Both networks will signalize the expansions with special inaugural programs to be broadcast tonight.

The Mutual-Don Lee wedding will be heralded at 10 P. M., E.S.T., this evening, when Anning S. Prall, chairman of the Federal Communications Commission, officially welcomes Mutual into the coast-to-coast fold by reading President Roosevelt's message of congratulation. Thereafter, until 2 A. M., all the basic Mutual stations will present their best musical and dramatic features.

Don Lee will return the salute tomorrow night beginning at 10 P. M. and concluding at 12:30 A. M., E.S.T. Tom Lee, president of that network, will make the formal address of welcome. The west coast offerings will consist also of highlights from the regular Don Lee schedule, augmented by a 20-minute radio adaptation of the film "John Meade's Woman," starring Edward Arnold and a host of film celebrities.. Novel features will include a tour of San Francisco's Chinatown telephone exchange, and a broadcast to be provided by KGMB, Honolulu, where native entertainers will provide the entertainment.

After the amalgamation, sponsors will have their choice of any or all the 39 stations which will comprise the Mutual network. The affiliated stations will include:

WOR, Newark; WGN, Chicago; WLW, Cincinnati; CKLW, Detroit-Windsor; WSAI, Cincinnati; WFIL, Philadelphia; WBAL, Baltimore; WRVA, Richmond; WCAE, Pittsburgh; WOL, Washington; WSM, Nashville; WGAR, Cleveland; KHJ, Los Angeles; KFRC, San Francisco; KGB, San Diego; KDB, Santa Barbara; KFXM, San Bernardino; KPMC, Bakersfield; KDON, Monterey-Del Monte; KGDM, Stockton; KVOE, Santa Ana; WAAB, Boston; WEAN, Providence; WICC, Bridgeport; WTHT, Hartford; WFEA, Manchester; WSAR, Fall River; WSPR, Springfield; WNBH, New Bedford; WLLH, Lowell; WXBS , Waterbury; KWK, St. Louis; WHB, Kansas City; KSO, Des Moines; WMT, Cedar Rapids; KOIL, Omaha; KFOR, Lincoln; KFEL, Denver, andKXO, El Centro.

Reversing the usual procedure, the McClatchy stations will salute NBC in a broadcast tonight heralding the amalgamation. The program will be heard on the NBC-Blue beginning at 10:30 P. M., E.S.T. The entertainment will consist of orchestral music from the various McClatchy stations. The welcoming address will be made by George C. Hamilton, vice-president and general business director of the McClatchy newspapers and stations. The new NBC additions include KFBK, Sacramento; KWG, Stockton; KMJ, Fresno, and KERN, Bakersfield, all in California.

Additionally, NBC will usher in the New Year by adding six more stations to its networks. These include WTCN, Minneapolis; KGFH, Pueblo, Colorado; WEAN, Providence; WICC, Bridgeport; KGNC, Amarillo, Texas, and KARK, Little Rock, Arkansas.

Also slated for NBC acquisition during the coming year are WFEA, Manchester (March 1); WSPD, Toledo (May 2), and WOWO, Fort Wayne. On this date, the NBC network will comprise 114 stations, an increase of 25 stations over last year's network total.

CBS will also play an important part in the week's station addition festivities on Saturday, when the network will present a two-hour program celebrating the formal acquisition of KNX, Hollywood, and KSFO, San Francisco. The program will be heard at 10:30 P. M., E.S.T., and will feature entertainment provided by practically every artist under CBS contract.

The Mutual web is an elastic one, many of its stations sharing time with both NBC and CBS. Mutual advertisers will be able to purchase the complete network only if time is available.

Lux's "Cavalcade"

Radio's leading dramatic presentation, "Lux Radio Theatre," last night featured Madeleine Carroll and Herbert Marshall in an etherized version of the motion picture success, "Cavalcade" Radio did not suffer too badly in the transition from visual to oral presentation.

Miss Carroll and Marshall were more than adequate in the lead roles of the Noel Coward opus. This favorable reaction might have been due to the smooth manner in which the etherized version of the motion picture was produced; at any rate, the jumpiness which has characterized many of the Lux offerings in the past was lacking.

A highlight was reached in the interview between Cecil B. DeMille, Lux producer, and Noel Coward, author of the play. The English playwright apparently refused to stick by the script in a confab between scenes, and DeMille proved that Yankee humor was more effective than the staid British variety by copping the English playwright every time he attempted to vary from the script. At any rate, it seemed that playwright and producer were indulging in a bit of horseplay.

"Lux Radio Theatre" is a weekly presentation over CBS at 9 P. M., E.S.T. The weekly presentation consisting of either stage or screen re-enactments are usually first-rate. Last night's offering was no exception to the general rule.

BANNER

Another for Miss Deane

Martha Deane, WOR's feminine news commentator, adds another sponsored program to her schedule beginning Jan. 4. The series will be presented Mondays, Wednesdays and Fridays from 11:30 to 11:45 P.M., E.S.T. California Fruit Packers, in the interests of the Del Monte brand, is sponsoring.

Additionally, Miss Deane will be heard each afternoon at 2 P.M., E.S.T., over WOR, as heretofore.

WGN to Feed Mutual

Starting Jan. 3, WGN, Chicago, will feed the Mutual network two hours and 15 minutes of sustaining program time per week. This will mark the first time since the organization of the network that WGN programs will be heard elsewhere than in Chicago.

Martin, Thibault, Et Al

Short Shots: Darryl Martin, radio editor of the *Pittsburgh Post-Gazette*, leaves for home today after a week's stay in Gotham gathering news and interviewing stars. . . . Conrad Thibault has been screen tested for a role in "Desert Song." . . . Earle Ferris, crack local publicist, back at his desk after a week's stay in the south. . . . Lily Pons will guest solo on the Ford program this Sunday night. . . . Rosaline Green will guest emote on the CBS "Your Unseen Friend" program Jan. 24. . . . Jim Barton will perform with Kate Smith on the "Bandwagon" program Jan. 7. . . . Ethel Barrymore Colt will sing, not emote, on the Hammerstein Music Hall program tonight. . . . Morton Bowe returned to New York yesterday after spending a week in Florida. . . . Harry Salter and Vic Erwin both celebrate their 10th year in radio this week. . . . Bill Yolen, press agent, will tender his third annual New Year's Eve party to the press at the McAlpin Hotel. . . . Fred Waring planes to Hollywood Thursday—reason at this moment unknown. . . . Benton and Bowles have taken over from Batten Barton, Durstine and Osborne the network series entitled "Renfrew of the Mounted." . . . Kathryn Cravens, who conducts the CBS program "News Through a Woman's Eyes" sponsored by Pontiac Motor Co., has been renewed for an additional 13-week period. McManus, John, McManus, is the agency. . . . Benay Venuta, who broadcasts from New York, tenders a cocktail party to her husband, Dr. Paul Kelley, who resides and practices in Chicago. . . . James Hall goes off the WOR "Morning Matinee" program this Thursday, and will be replaced by Lawrence Gray.

No Worries, His

Apparently there is no limit to the fertile imagination of press agents. Latest p. a. pipe dream is one offered by Jimmy Davis, who represents Lynn Murray and his choral singers.

Davis solemnly assures that television will hold no terrors for Murray when it arrives, because the choral director has been assembling a chorus of 12 "full-throated" midgets whose images will fit the confines of the television screen.

NBC

Intensifies its California Coverage

Continuing its pioneering expansion on the coast
NBC adds the McClatchy stations to its networks

KFBK—Sacramento	**Stockton—KWG**
KMJ—Fresno	**Bakersfield—KERN**

IN December, 1935, NBC opened its new Hollywood studios—modern, convenient headquarters for programs featuring Hollywood celebrities. Soon to be enlarged, these studios are the finest west of the Rockies. In January, 1936, the NBC Pacific Coast Blue Network commenced service, making NBC the only broadcasting organization giving two network services to West Coast listeners as well as two network services coast-to-coast. Now NBC intensifies its service to listeners and advertisers alike with the addition of these important stations in the Sacramento-San Joaquin Valley.

The World's Largest National Advertising Medium Grows Greater!

NATIONAL BROADCASTING COMPANY, INC.

A Radio Corporation of America Service

NEW YORK • CHICAGO • WASHINGTON • SAN FRANCISCO

Erpi's Share In Universal Deal Revealed

(*Continued from page* 1)

tures convertible into Universal common stock, and the English group took one-half in debentures and one-half in the common, it was brought out. Erpi's convertible arrangement called for conversion into common stock at intervals, at prices ranging from $15 to $25 per share. It was estimated by Becker that at an average price of $20, Erpi could receive 100,000 shares of Universal common stock, under a voting trust agreement. The voting trustees were named as J. Cheever Cowdin, president of Standard Capital; Dr. A. H. Giannini, now chairman of the board and president of United Artists; George N. Armsby, Paul G. Brown, both connected with Standard; Garretson Dulin, of the firm which underwrote the stock issue; Rank and Charles R. Rogers.

Drake, Otterson Testify

The facts relative to the Universal deal came out in the course of a day's testimony, during most of which Drake was examined and which was devoted to a revelation by Becker of the financing of production, chiefly independent, by Erpi. John E. Otterson, former president of Erpi and then of Paramount, and R. E. Anderson, former treasurer of Erpi, testified briefly, after Drake occupied the morning session, but when little or nothing could be learned from Otterson or Anderson, Becker recalled Drake to the stand for the rest of the day's session.

The details leading to the conclusion of the Universal deal were recited. Otterson, in a letter to Edgar S. Bloom, president of Western Electric at that time, told of the formation of a group headed by Cowdin for film financing, and capitalized at $1,000,000, with $500,000 to come from Eastman Kodak. A deal was planned whereby the intended Standard Capital Co. would work with Exhibitors' Reliance Corp., wholly-owned Erpi subsidiary, in the financing of production. Drake declared that Otterson had approved the plan, and said it was considered valuable in relieving Erpi of the "burden" of film financing. Little was done with Standard Capital, however, Drake testified, when the Cowdin company became interested in Universal.

"U" Borrowed $750,000

Universal owed Erpi $350,000 in royalties, it was brought out, and was seeking 50 per cent of the production cost of four films, each to cost $200,000. A possible Erpi loan to Universal was discussed at that time, Drake said, but never materialized. A deal involving Universal, Standard Capital and Erpi was set in December, 1935, it was revealed, with a loan of $750,000 to Universal for production, in return for a 90-day option to purchase control. Notes and a chattel mortgage on the Universal studio equipment were used to secure the loan. The loan came from Standard Capital and Rogers.

The testimony revealed that the $375,000 share of that loan which came from Standard was the subject of an agreement between Standard and Erpi's Exhibitors' Reliance, used for financing purposes. By that agreement Erpi agreed to furnish $125,000 of the $375,000, taking six per cent of the notes and a one-sixth interest in the chattel mortgage. Erpi, by the deal, was to have no participation in the purchase option. The deal was made in November, 1935. Later, it was testified, the Erpi subsidiary made an additional loan to Universal of $300,000. The entire loan was subsequently paid in full, plus interest, Drake testified.

Erpi Film Funds Itemized

A summary of Erpi's film financing, read into the record by Becker, showed a total to Dec. 31, 1935 of $3,571,918, of which $850,000 was said to be outstanding. Financing of various small independent companies during the period amounted to $1,978,977, Becker pointed out. Becker read further that up to Dec. 31, 1935, Erpi's earnings from interest amounted to $327,399, and from royalties, $397,351, for a total of $725,250.

It was brought out that the revolving fund established by Erpi for film financing reached a 1933 peak of $800,000, which Drake said he considered at the time insufficient for higher priced pictures. Attempts were made at the time to interest banks, including the Commercial National Bank and the Manufacturers' Trust Co., in film financing, but they were unwilling to participate, it was said.

The earlier testimony yesterday covered in considerable detail the negotiations concerning the Western Service Studios on the coast and the Eastern Service Studios in New York, the latter first housed in the old Edison plant in the Bronx, and later, by lease, in the former Paramount studio in Astoria.

Becker attempted to prove at one point that Erpi was interested in developing the non-theatrical field, since the theatre equipment business had very nearly reached its saturation point, and had become for the most part a replacement business.

Dealings with E. W. Hammons of Educational and the Christies in the Metropolitan Sound Studios, on the coast which later became the Western Service Studios, were detailed.

The hearing resumes today and is expected to end in New York tomorrow.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Holy Terror"

(Twentieth Century-Fox)

HOLLYWOOD, Dec. 28—Jane Withers performs in peppy style, making this desirable amusement for adults and youngsters. The background is a naval aviation station, with a spy plot as the dramatic basis. The film blends farce, music, dancing, romance and action.

Construction of the story is credited to Lou Breslow and John Patrick, with music and lyrics provided by Sidney Claire and Harry Akst, and direction by James Tinling. These give Jane ample opportunity to display her talents, and Anthony Martin, Leah Ray, Fred Kohler, Jr., El Brendel, Joe Lewis, John Eldredge and Joan Davis are given opportunities to be effective.

Jane, buddy of the gobs, and hectic problem of her father (Eldredge), plays hob with naval discipline. As star of the station's show, which includes music and dancing, she is determined to foster a romance between Martin and Miss Ray.

Spies headed by Gavin Muir and Gloria Roy are bent on stealing plans for a radical new plane. They start their dirty work only to find that Jane is too much for them. Just as their plot seems about to succeed she alarms the officers and men, and in a parachute-jumping climax the spies are trapped. Jane is established as a heroine, and her father, no longer regarding her as incorrigible, the way is cleared for the Martin-Ray romance. The station settles down to routine operation.

The film has qualities promising appeal for general audiences, with special attraction for kids. It is lively, fast-moving, and with the music and dialogue well balanced.

Sold to emphasize the comedy content, the show should have no difficulty in pleasing.

Production Cole Seal No. 1,658. Running time, 58 minutes. "G."

Plan Norwegian Party

Twentieth Century-Fox will stage a "Norwegian Style" cocktail party at the Waldorf-Astoria this afternoon for Sonja Henie, Tyrone Power, Arline Judge and Anthony Martin. Miss Henie and Miss Judge arrived last week and Power flew in Saturday. The Norwegian girl is to start a skating tour soon and Miss Judge, who is recovering from influenza, will return to the coast next week.

Milstein Returns Today

J. J. Milstein, general sales manager for Republic, is due from the coast this morning by plane. He was to have arrived yesterday, but bad weather delayed the departure of the plane.

Shubert to Go South

Lee Shubert has recovered sufficiently from his recent illness to contemplate a Florida trip. He is due to leave for a six-week sojourn there shortly.

May Rename Salesmen

The M. P. Salesmen, Inc., tomorrow will meet to consider a new name for the organization. Induction of new officers will be held next week.

British Group Asks Experts on History

LONDON, Dec. 17.—A report of the British Film Institute's History Committee, shortly to be issued, will contain recommendations designed to secure greater accuracy of historical background in period films. It is understood the committee will advise inspection of all historical films by experts. As recommendations for revision are accepted by the producers, the film will be endorsed or deprecated as an accurate record suitable to be seen by the younger generation.

Recently, the same problem was debated in the House of Lords, where the assertion was made that Henry VIII had been pictured as a "clown," but the Government attitude was that nothing could be done to interfere with a producer's personal view of history.

4 British Films "Foreign"

LONDON, Dec. 17.—Four British films, "The Three Maxims," Herbert Wilcox; "A Woman Alone" and "The Amazing Quest," both Garrett, Klement, and "Forget Me Not," London, have been refused "British" classification for quota purposes by the Board of Trade, due to non-compliance with the British cost percentage requirements of the Films Act. They have been widely booked as British films, and the Board of Trade has intimated that consideration will be given to the fact in the case of any exhibitors showing the films who are charged with quota default.

12 Annually for Wardour

LONDON, Dec. 17.—Under the contract between Julius Hagen and Wardour Films, Ltd., the three Hagen studios at Twickenham, Elstree and Hammersmith will make 12 pictures a year, for five years, for world distribution by Wardour. The organization of Twickenham Film Distributors, Ltd., which previously handled the Hagen output direct, will be taken over partly by Wardour.

Houses Cost £380,000

LONDON, Dec. 17.—The report of Stoll Theatres Corp., for the year to Sept. 30, reveals that the price received for the Alhambra, Leicester Square, and the adjoining Charing Cross House, was £380,000. The immediate purchaser was the Covent Garden Properties Co., but the site is being used for the erection of a £600,000 Odeon by the Oscar Deutsch interests.

G. B. Company Has Profit

LONDON, Dec. 17.—A profit of £99,040 for the year ended Sept. 30 is shown in the report of P.C.T. Construction Co., Ltd., a financing subsidiary of Provincial Cinematograph Theatres, Ltd., G. B. subsidiary. After writing off £5,000 from the expenses of a preference share issue a dividend of four per cent will be paid and £4,528 carried forward.

Tudor to Make Three

LONDON, Dec. 17.—The Marquis of Ely, chairman of Tudor Films, has revealed that the company will make three for distribution by National Provincial Film Distributors in 1937.

Arrests Mark Chicago Drive On Giveaways

(Continued from page 1)

completed the drawings with the assistant managers in charge after the police had taken the managers to headquarters.

With the announcement of the delays of the trials circuit men today stated that they will stop all games in their theatres until the legal difficulties are untangled. Independents are also planning to halt the games until after the situation is aired in court.

Some houses with drawings scheduled for tonight and next week stated they would go ahead with plans. These include the Oriental and State-Lake in Loop. Managers say circuit executives have offered them no advice on what to do.

Mayor Edward Kelly today said: "These theatre managers aren't criminals. The law is being enforced simply because it is the law. We have had very few complaints about Bank Night, Screeno and similar novelties—but they are against the law."

This afternoon Alderman Walter J. Orlokoski promised to introduce an ordinance repealing the ban on prize giveaways. At the same time Police Commissioner Allman stated that no more theatre managers would be bodily arrested. Meanwhile, theatre groups and game operators are planning a legal battle when the cases come to trial in order that a definite decision may be reached.

Parlay Is Held Not B.N. Infringement

(Continued from page 1)

the moment it is disclosed to the public without the protection of a patent it becomes public property and the fact that it has been made popular by advertising and the expenditure of effort, time and money on the part of the originator does not alter the situation.

"As the plan has not been copyrighted, and, being in no sense a writing, could not be and has not been patented, we are constrained to hold that, although the plaintiff has expended time and money in originating and developing a system, it has no property right therein which has been appropriated by the defendants."

Today's decision overturns that of the local U. S. District Court from which the case was appealed after that body tossed it out on the ground that the game constituted a lottery. The circuit court cites that Bank Night has been declared not a lottery by the Supreme Courts of Massachusetts, New Hampshire, Iowa and Tennessee and declares, regarding the finding of the district court that it was a lottery, "we think that the dismissal of the bill of complaint on the ground stated was erroneous."

Bank Night probably will appeal to the Supreme Court on the ground that the game is a legally privileged publication and therefore has not been placed in the public domain.

Drop Omaha Insurance

OMAHA, Dec. 28.—Bank Night insurance plans laid by a group of local men met threats of legal action from Affiliated Enterprises of Denver and the plans were dropped.

Oklahoma Hits Insurance

OKLAHOMA CITY, Dec. 28.—Attorney General Mac Q. Williamson has ruled that any attempt to insure Bank Night payments in this state will constitute a lottery. The opinion was given upon request of County Attorney Lewis Morris.

Looking 'Em Over

"The Crimson Circle"

(Wainwright-Du World)

Standard pseudo-mystery material, projected against a London background, but dragging and too obvious, "The Crimson Circle," a British production, offers little of an entertaining nature and barely nothing in the way of novelty.

It is an adaptation from the Edgar Wallace story of the same name. Terror is struck in the hearts of a number of prominent London business men when they receive demands for money from a criminal syndicate. This is due, of course, to the fact that the threats are unerringly carried out and there follows swift death. Scotland Yard, a pair of lovers, a mystery story author, all with their individual ideas and collective aims, in a roundabout and in a moderately thrilling manner trace the "Circle" and bring about the general demise of the underworld organization. At approximately the third reel the audience will confirm its suspicions as to the identity of the master-mind, since the denouement is about given away in earlier sequences. The attempt to keep the audience guessing is not lacking.

In the cast, Noah Beery is the only name familiar to audiences here. The other players deliver rather standard performances for this sort of offering. Reginald Denham directed.

Reviewed without production code seal. Running time, 74 minutes. "G."

Out Hollywood Way

HOLLYWOOD, Dec. 28.—First musical of JEROME KERN, DOROTHY and HERBERT FIELDS and FELIX YOUNG, recently signed as a unit by Radio, will be "Joy of Living." . . . IRENE DUNNE to be starred.

Burroughs-Tarzan will release "Tarzan and the Green Goddess" in England before distributing in the United States. . . . WALTER RUF, formerly with Royal Reviews, Inc., joins Columbia publicity staff. . . . Paramount to team LEW AYRES and MARY CARLISLE again in "Danger, Men Working." . . . DAVID NIVEN, called back from North Carolina hunting trip by SAMUEL GOLDWYN, loaned to Universal for "We Had Our Moments."

WALTER PLUNKETT signed by Selznick International to design costumes for "Gone with the Wind." . . . JEANETTE MACDONALD, NELSON EDDY and LUDOVICO TOMARCHIO, operatic tenor, to sing "Santa Lucia," Italian folk song, in "Maytime," M-G-M. . . . FRANZ WAXMAN, European composer, assigned by M-G-M to handle musical detail on "Broadway Melody of 1937," M-G-M. . . . MAURICE HILL, featured in DOUGLAS MACLEAN'S, "23½ Hours' Leave," has changed his name to MORGAN HILL.

✚

Casting—ADRIAN MORRIS in "The Love Trap," B. P. SCHULBERG. . . . ARMAND KALIZ in "A Star Is Born," Selznick International. . . . M-G-M castings include ROLLO LLOYD in "Dangerous Number," FRANK REICHER in "Espionage," FRANK O'CONNOR and JACK BAXLEY in "Man of the People." . . . LYLE TALBOT in "Ever Since Adam," Republic. . . . THURSTON HALL, on loan from Columbia, in "We've Had Our Moments," WALTER BYRON and CHARLES BURRELL in "Breezing Home," EDWARD MCNAMARA, CHARLOTTE WYNTERS and ROBERT EMMETT O'CONNOR in "Person to Person Call," all at Universal.

MISCHA AUER in "Marry the Girl" and ERIC PORTMAN in "The Prince and the Pauper," all at Warners. . . . GEORGE CLEVELAND and LESTER DORR in "Paradise Express," and LILA LEE in "Old Lady Ironsides," Republic. . . . NOAH BEERY, JR., MAURICE MURPHY and EUGENE GARRICK in "The Road Back," Universal.

✚

Director—LLOYD CORRIGAN signed by Universal to direct "Night Key," starring BORIS KARLOFF.

✚

Writers—SCOTT DARLING, who has just finished "Short Haul," re-signed by TREM CARR to do script of "Adventure's End" for JOHN WAYNE'S next. . . . ETHEL BORDEN working on "Satisfaction Guaranteed," Radio. . . . JOHN BRIGHT finishes work on B. P. SCHULBERG'S "John Meade's Woman" and leaves for New York vacation.

✚

Story Buys—Columbia acquires "Pals in Paradise," "Upsey Daisy" and "Question of Honor" by PETER B. KYNE. . . . M-G-M buys "Arouse and Beware," latest novel by MACKINLEY KANTOR.

Quota to Special Body

LONDON, Dec. 18.—The council of the C.E.A. has remitted to a special committee problems created by the Moyne report on revision of the Films Act. The committee is expected to contact the Film Group of the Federation of British Industries, as well as the K.R.S. before reporting to the February meeting of the C.E.A. Council.

Theatre Takes Top Last Year From 15%-20%

(Continued from page 1)

the stage show. The police had their hands full with the lines around the side of the theatre which made it impossible for pedestrians to use the sidewalk.

The Paramount had a bang-up take on the five days of "College Holiday." The Jack Benny film and the Casa Loma band on the stage has garnered $45,500 since it opened last Wednesday and is headed for a $65,000 week. Up to 1 P. M., 9,200 visited the theatre yesterday. This, according to Paramount, is a new attendance record.

"Beloved Enemy" took in approximately $20,000 for the first three days at the Rivoli, indicating that the picture will end the week with close to $40,000.

"Stowaway" at the Roxy in the first three days of a second week grossed $28,000 and is expected to do $42,000 in six days. "One in a Million" will open Thursday.

The Astor turned in a surprise week just before Christmas started with "Lloyds of London," getting $10,500. All shows have been sold out since Friday and it is possible the current week will top the $17,000 opening week.

Set Laemmle Foundation

HOLLYWOOD, Dec. 28.—Carl Laemmle, Sr., has filed articles of incorporation of the Carl Laemmle Foundation, a non-profit organization to encourage and provide for charitable, social, educational and recreational endeavors and works. Carl Laemmle, Jr., and Rosabelle Laemmle Bergerman are also directors of the foundation.

Wall Street

Short Losses Dominate Board

	High	Low	Close	Net Change
Columbia	35⅝	35	35½	+ ½
Columbia, pfd.	41	40½	40½	— ½
Consolidated	4⅞	4¾	4¾	— ⅛
Consolidated, pfd.	16½	16½	16½	— ¼
Eastman	172½	172	172	....
Eastman, pfd.	160½	160½	160½	—1½
Gen. T. Equip.	31¼	29⅝	29⅝	— ⅞
K.-A.-O., pfd.	110	110	110	+1
Loew's, Inc.	63	61¾	63	+ ½
Paramount	23¼	22½	22⅝	— ¼
Paramount 1 pfd.	161	158	158	—3½
Paramount 2 pfd.	21¼	20⅜	20⅝	— ¼
Pathe Film	9⅞	9¼	9⅜	— ¼
RKO	7⅞	7⅝	7⅝	— ¼
20th Century-Fox	35⅜	35	35	— ¼
20th Century, pfd.	44	43½	43½	—1
Universal, pfd.	101	101	101	....
Warner Bros.	17⅜	16¾	16¾	— ⅜

Curb Down Slightly

	High	Low	Close	Net Change
Grand National	3⅝	3½	3½	....
Sentry Safety	¾	¾	¾	+ ⅛
Sonotone	1⅞	1⅞	1⅞	— ⅛
Technicolor	20½	20	20⅜	— ⅜
Trans-Lux	4⅛	4	4	— ¼

Bonds Gain Fractionally

	High	Low	Close	Net Change
Loew's 3½s '46	100⅞	100⅝	100⅞	+ ¼
Paramount Pict. 6s '55	100¼	100¼	100¼	....
Warner Bros. 6s '39 wd	99½	99¼	99½	+ ⅛

(Quotations at close of Dec. 28)

When Your Programs Sparkle

with the

LAUGHS • MUSIC • DANCING

AND HUMAN APPEAL OF THESE SHORT SUBJECTS



What's PUTTING THE IN THE *Happy New Year!*

BUSTER WEST and TOM PATRICOLA
IN
"THE SCREEN TEST"

"Ranking high in West-Patricola series... comedy smash windup"
...M. P. Herald



THE CHESAPEAKE BAY RETRIEVER

A TREASURE CHEST Production

"Very classy . . . A very appealing dog number . . ." *Film Daily*





SYLVIA FROOS and James Brierly
IN
"TRANSATLANTIC LOVE"

NEILA GOODELLE and Bob Nolan
IN
"HIGH-C HONEYMOON"





Coming



BUSTER KEATON

Presented by
E. W. HAMMONS

TERRY-TOONS

"KIKO THE KANGAROO in SKUNKED AGAIN"

"SALTY McGUIRE"

Educational Pictures
"THE SPICE OF THE PROGRAM"

Distributed in U. S. A. by 20th CENTURY-FOX FILM CORPORATION



A famous comedy pair from the air waves

SISTERS OF THE SKILLET

Ed East and Ralph Dumke

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 153 NEW YORK, WEDNESDAY, DECEMBER 30, 1936 TEN CENTS

Republic Goes To Unit Plan Of Production

Four Producers Will Be Added to the Roster

Republic in the next three weeks will drop mass production for the unit system idea with six to seven producers scheduled to turn out the company's annual program, it was learned yesterday. Nate Levine, current production head, will personally produce from seven to eight pictures a year under the new setup.

Four producers, who are not affiliated with the company at present have been lined up already and it is expected two others will be added before an official announcement will be made. Each producer, with the exception of Levine, will be responsible for four to five pictures a year.

Under the new plan, Levine will be relieved of the responsibility of turning out the entire program, which he has been doing since the company was organized.

J. J. Milstein, general sales manager, returned yesterday from a four-week trip during which he visited the studios and saw "Join the Marines." He arrived by plane, 14 hours late.

Court Test Looms on Local 802 Election

Permission has been granted by the American Federation of Musicians to members of Local 802 to start a court contest on the results of the election held Dec. 17. Billy Van will act as representative of the defeated candidates.

Court authority will be asked for an inspection of the "manila tickets" given out to members as they arrived. These were intended to show the hold-

(*Continued on page* 8)

B. & D. May Decide To End Production

LONDON, Dec. 29.—Abandonment of production will, it is expected, be recommended by the board of directors of British & Dominion at a meeting to be held tomorrow. If this is decided upon, the company's interests would be limited to the Pinewood Studios.

No Paper Friday

***Motion Picture Daily* will not publish on Friday, Jan. 1, which is New Year's Day.**

Efforts to Merge TOCC and ITOA Ended; Former May Be Dissolved

Efforts to merge the T.O.C.C. and I.T.O.A. have been abandoned and the committees appointed by each organization to get together on the amalgamation have disbanded. The reason given for dropping the plan was that the committee could not agree on terms.

Meanwhile, the T.O.C.C. maintains offices in the Times Bldg. The organization is inactive and will most likely pass out of the local exhibition picture quietly.

Members of the I.T.O.A. will hold their regular meeting today at the Astor. Labor will again be discussed. The organization on Jan. 23 will begin publishing *The Independent*, a new semi-monthly house organ, with Lionel Toll as editor.

Considered Dropping Erpi, Says Gifford, AT&T Head

The disposal of Erpi by the A. T. & T., whose subsidiary the sound film company is, through Western Electric, has been considered from time to time, Walter S. Gifford, president of A. T. & T., declared in testimony yesterday at the closing session of the hearings here into the telephone system's operations in the film field.

The hearings were adjourned yesterday by Paul A. Walker, chairman of the telephone division of the Federal Communications Commission, who presided at the five days of hearings with Thad Brown, member of the commission. Walker said the hearings will be resumed in Washington next Thursday, Jan. 7. Samuel Becker, special counsel to the commission, said after the hearing yesterday that the investigation into the film affairs of A. T. & T. has been concluded.

Gifford revealed the discussions relative to the possible disposal of Erpi under questioning by Becker, but emphasized that the matter has been

(*Continued on page* 8)

Philadelphia Group Meets Rodgers Here

Lewen Pizor, president, Charles Segall and Abe Sablosky, acting as a committee of the U.M.P.T.O., yesterday discussed problems of members of the organization with William F. Rodgers, general sales manager of Loew's; Tom Connors, eastern division head; Bob Lynch, district manager; and Salem Appelgate, Philadelphia branch manager.

The meeting, which was held at the distributor's home office, lasted about an hour during which no mention was made of an impending date strike. The Quaker City group returned to Philadelphia last night.

Rodgers will leave today for a two-week vacation at Hollywood, Fla.

Chicago Moves on Games Hit a Snag

CHICAGO, Dec. 29.—While Alderman Walter J. Orlikoski prepared to present a repeal ordinance to enable theatres to continue giveaways the Attorney General's office pointed out today that the state constitution contains a definite ban against lotteries.

The section referred to reads: "The General Assembly has no power to authorize lotteries or gift enterprises."

This is expected to automatically prevent the City Council from passing an ordinance contrary to the constitution.

Orlikoski will present his plan to Corporation Counsel Hodes tomorrow and an opinion on it will be presented at the next meeting of the Council.

Exhibitors met today with the Mayor in an effort to work out a plan for

(*Continued on page* 8)

RKO Merger Papers To be Filed Today

The filing of a certificate of incorporation in Wilmington tomorrow will effect the merger of seven RKO Radio subsidiaries into RKO Radio Pictures, Inc.

The merger involves RKO Distributing Corp., RKO Studios, Inc., RKO Export Corp., RKO Pathe Picture, Inc., RKO Pathe Distributing Corp., RKO Pathe Export Corp. and RKO Pathe Studios Corp., Ltd.

Under the new setup Leo Spitz will be president of the merged companies, M. H. Aylesworth chairman of the board and Ned E. Depinet, vice-president. All other officers remain as at present.

Networks Now Lean Heavily On Hollywood

Nearly All Big Shows Using Film Names

Statistics often make for dull and uninteresting reading. A shock of sorts, however, may be provided by the following film-radio survey, which discloses that there is hardly an important program on the networks today which does not depend either wholly or in part on Hollywood.

Out of the entire melange of NBC's weekly offerings, 19 programs currently are wooing listeners with film personalities. An even dozen programs at CBS, featuring the cream of the Hollywood crop, also comprise the cream of the CBS program crop. Remove these 31 programs from the combined CBS and NBC curriculums and the residue becomes fairly unimportant.

The ace program attractions at NBC are American Can (Ben Bernie and frequent film guests); Jello (Jack Benny, Mary Livingstone and picture

More on Radio, Pages 10-11

stars at intervals); Jergens-Woodbury (Frank Parker and film players as guests, it is expected. Paul Whiteman is currently featured on this program and leaves shortly. The new schedule will include Hollywood favorites); Kraft Music Hall (Bing Crosby and several screen guest players each broadcast); "Hollywood Gossip," with Jimmy Fiddler and film stars in interviews; National Biscuit program (Buddy Rogers, Victor Moore and Helen Broderick regular-

(*Continued on page* 10)

Balaban Will Head Zukor Dinner Group

Paramount officials, headed by Barney Balaban, leave for Hollywood Sunday to attend the dinner which the studio will tender Adolph Zukor on Jan. 7, which is Zukor's birthday. With Balaban will go Neil F. Agnew, Milt Kusell, Austin Keough, Charles Reagan, J. J. Unger, John W. Hicks, Jr., Frank Freeman, Albert Deane, Charles Gartner, George Weltner, Walter Cokell, Russell Holman, Frank Mayer, M. A. Schlesinger, Belle Goldstein, Mathilda Kass and Vincent Trotta.

The dinner will take place on one of the large sound stages and will feature a one-hour broadcast with music

(*Continued on page* 5)

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20th-Fox's Building To Start in January

HOLLYWOOD, Dec. 29.—Twentieth Century-Fox will launch the building campaign in its $2,000,000 expansion move at the Westwood studios early in January. The new building campaign, which includes three sound stages, a three-story office building and a three-story dressing-room building, is an outgrowth of the augmented production schedule of 58 pictures against last year's 56.

Robert Fairbanks is supervising construction.

Allied Ruling Reserved

Federal Judge Robert Inch in U. S. District Court in Brooklyn yesterday reserved decision following a hearing on the payment by Allied Owners Corp. of fees to its trustees, counsel and reorganization committees.

Greenman Takes Two

ST. LOUIS, Dec. 29.—Harry Greenman is now operating the Yale and Redwing, neighborhood houses. F. & M. has an interest in the theatres.

Insiders' Outlook

By RED KANN

CELLULOID dynamite. That's "The Black Legion." Word has been trickling through from the coast for weeks now about this Warner picture. Archie Mayo spoke about little else when he was around a fistful of weeks back. But he directed and reservations seemed conservative, if not in order. Yet, now and fresh from the projection room, we recall the points he stressed, how he had persisted in his belief that this was an important job by the nature of the material and not from his part in it. In most instances, the good Hollywood folk talking about their own handiwork, must be pardoned for exaggeration; the coast air. In the instance of Mayo who has ranted and raved against routine stories and message-less vehicles, he is to be believed. Then, there was Harry Warner, who not far back, spoke off the record about this picture and urged that it be seen the minute available. . . .

▼

Yesterday brought that minute. It brought a lot of minutes and most of them were jam-crammed through with excitement and horror and repulsion over the sorry reflection that, in this day and in these times, a monstrous, outside-the-law thing, such as the Black Legion, could exist and even thrive. Yet, of course, it did. The newspapers were full months ago and from the factual record and with little story embroidery and license the Warners have put together a crying indictment of only one phase of the political and religious bigotry that continues to stalk this land of the free and the brave. Little need was present to let Hollywood scenarists loose on an imagination tour. There was enough and more in the amazing and actual history of the terroristic organization to load any single feature with explosives. . . .

▼

It is all there. While the foreword makes it very clear that what follows is based on no actual incidents or on fact itself, for that matter, this will deceive no one who looks and, we hope, millions will for the good it has a chance of doing. Get no idea, moreover, that the Warners went public-spirited and sacrificed their commitment to entertain. Not at all. It merely happens that this is one of those infrequent cases where a picture not only tells a chapter that ought to be told, but also tells it in terms of brutal and easily understood drama. "The Black Legion" moves motion pictures one notch forward in the recognition, eventually to come, that, although films may be designed chiefly to entertain, they must also go beyond in the cause of social problems. . . .

▼

All of this may sound like a wide and flying leap off the deep end on behalf of one lone attraction. It may even read like the hailing of the perfect picture. It is not the perfect picture. The earlier episodes, planting the contentment of Humphrey Bogart and his family, are extended and stretched pretty thin, no doubt to sharpen the contrast which follows his oath to the Black Legion, its incendiarisms, its floggings, its beatings and its murders. The strength is there because it is thoroughly inherent in the subject matter, the drama in the established record. Whittling its mass down, concentrating on highlights and filming them in climactic order—these are what Mayo has done. The story he was telling seemed well nigh impossible to defeat. . . .

▼

The director grafted an excellent cast and striking types and saw to it that they did their tasks well. Bogart is splendid as the disgruntled mechanic caught up in the false passions of the Legion; Erin O'Brien-Moore is very good as the wife. Inexorably and as it happened, the story moves to its close. Bogart, ready to face the music and leaning on the court to protect his threatened wife and child, in a torrent unleashed crumbles the fake defense, indicts his brother legionnaires. The sort of newspaper headline yarn which they do better than the others, you can thank the Warners and Mayo for no compromise finish, no phony end-of-the-sunset clinch. Bogart goes to prison for the remainder of his life and along with him his criminal associates. They should have. They, or their counterparts, did in reality and on the screen they do it again. . . .

▼ ▼

They finished off the Erpi phase of the A. T. and T. probe in New York yesterday to the welcome relief of those who had to testify, those who had to report it and, no doubt, to those who may have been reading it. Practically nothing not heretofore known was divulged and that, obviously, should astonish none. This investigation, like others of the past and others, we ponder morosely, to come, furnish a field day for the probers, fatten their accumulated testimony and allow them to return to Washington and to whatever committee they report with the physicial and ponderous evidences of a job outwardly marked well done. Erpi invested in this and financed that. Well, what of it? Whose money was it anyway? The nature of those investments falls within the jurisdiction of the electric's board of directors. Askance or approval belongs there, also the blame or the praise. . . .

▼ ▼

By the dock side on November 2, Sidney R. Kent declared 20th Century-Fox would not handle outside product beyond that which it had now. In other words, Gaumont British. Little surprise, therefore, should trail word that the distributor has no place for the B.I.P. films which John Maxwell is placing through G.B. here. You might ruminate over the matter of inclination or otherwise and speculate that a handful, more or less, should make little difference in the physical machinery of such a well-oiled machine. You might also draw a pretty fair conclusion that 20th-Fox has no reason for accommodating the man in London who upset its original deal. Would he? Would you? Would anyone? . . .

RKO Orpheum Offer May Go to Ehrhorn

RKO's offer to pay $700,000 for the assets of the Orpheum Circuit may be submitted to Oscar Ehrhorn, referee for Orpheum, for approval within the next three weeks, it was indicated following a meeting of Orpheum creditors yesterday.

In the meantime appraisers will be appointed to fix the value of the assets. A disagreement over acceptance of RKO's offer may result in a substitution of Charles Tuttle for M. M. Black as counsel for Marcus Heiman, who is trustee in bankruptcy for Orpheum. Black, who opposes consideration of the $700,000 offer, has said he would resign if it were submitted to Referee Ehrhorn.

RKO Wins Arbitrations

RKO yesterday won two decisions before the arbitration board of the New York Film Board of Trade. Both cases involved alleged breach of contract on shorts.

In the first case, against the Park, Highland Park, N. J., the distributor was awarded $150 for unplayed shorts. The second case was against the Sussex, Sussex, N. J., and involved $28 due on the weekly payment plan.

Both exhibitors failed to put in an appearance. Frank Drum represented RKO.

Pathe Board to Meet

Pathe's board of directors will hold a regular meeting today which will be of a routine nature. O. Henry Briggs, president, is vacationing in Miami and is due back shortly.



"HO HUM! BIGGEST BUSINESS IN 3 YEARS AT NEW YORK'S CAPITOL FOR 'AFTER THE THIN MAN!' Bill Powell and Myrna Loy are good in it, too!"

"Hey Asta, it's terrific everywhere beating 'San Francisco' in 11 opening engagements, you lucky dog!"



HERE'S SOMETHING VERY INTERESTING!

The Oklahoma News is first in America to announce the selection of the Year's Ten Best Pictures! They were chosen by the paying public, not by the critic. And look:

M-G-M GETS 7 OUT OF 10 BEST!

As follows: "MUTINY ON THE BOUNTY" "SAN FRANCISCO" "BROADWAY MELODY" "LIBELED LADY" "WIFE VS. SECRETARY" "ROSE MARIE" "GREAT ZIEGFELD". OF COURSE, THE PUBLIC PICKS M-G-M!

WHEN THE CLOCK STRIKES MIDNIGHT!





Thousands of exhibitors' wives will say:

"HAPPY M-G-M NEW YEAR!"

Starting 1937 with "CAMILLE"
(starring Garbo and Robert Taylor)
one of the greatest attractions in all film history—
followed in quick succession by

An epic production of Rudyard Kipling's "CAPTAINS COURAGEOUS" with Freddie Bartholomew, Spencer Tracy, Lionel Barrymore and others; "THE LAST of MRS. CHEYNEY" with Joan Crawford, Robert Montgomery, William Powell; "PARNELL" the noted stage success with Clark Gable and Myrna Loy; "MAYTIME" with Jeanette MacDonald and Nelson Eddy; the Marx Brothers in "A DAY AT THE RACES", "MAIDEN VOYAGE" with Robert Taylor and Luise Rainer. And MORE BIG ONES TO FOLLOW!

P. S. *And didn't we tell you that M-G-M would get the holiday crowds with* **"AFTER THE THIN MAN" and "BORN TO DANCE"!**

M-G-M, with its unequalled resources, its myriad stars, its showmanship producers, is the power that gives meaning to "GOD BLESS OUR HOME!"

Balaban Will Head Zukor Dinner Group

(Continued from page 1)

supplied by a 100-piece orchestra directed by Leopold Stokowski, Victor Young and Boris Morros.

Robert M. Gillham left for Hollywood yesterday with a stopover at Kansas City and will arive at the studios in time for the celebration.

Invitations have been forwarded to the following Paramount theatre affiliates: A. A. Adams, Newark; Carl Bamford, Asheville, N. C.; Mike Kallet, Oneida, N. Y.; J. H. Cooper and Si Fabian, New York; J. J. Friedl, Minneapolis; M. A. Lightman, Memphis; V. R. McFaul, Buffalo; Tracy Barham, Hamilton, O.; E. C. Beatty, Detroit; Sol Gordon and J. C. Clemmons, Beaumont, Tex.; Harry David, Salt Lake; J. J. Ford, Boston; Bill Horowitz, Houston; Arthur Lucas and W. K. Jenkins, Atlanta; S. A. Lynch, Miami; Samuel Goldstein, Springfield, Mass.; M. J. Mullin and Sam Pinanski, Boston; J. A. Notopolous, Butler, Pa.; Harry Shiffman, New York; George Trendle, Detroit; R. B. Wilby and H. F. Kincey, Atlanta; George O. Walsh, Poughkeepsie, N. Y.; Harold Robb and Ed Rowley, Dallas; Harry Nace, Phoenix, Ariz.; Hunter Perry, Charlotteville, Va.; E. J. Sparks, Miami; E. V. Richards, Karl Hoblitzelle, John Balaban, Frank Walker and N. L. Nathanson.

Company Heads Invited

Invitations have also been extended to the following executives: Nicholas M. Schenck, R. H. Cochrane, Darryl F. Zanuck, Joseph M. Schenck, S. R. Kent, Jesse L. Lasky, Walter Wanger, Harry M. Warner, L. B. Mayer, Harry Cohn, Leo Spitz and Samuel Goldwyn.

The following Paramount players and directors will attend: Jack Benny, Claudette Colbert, Fred MacMurray, Sir Guy Standing, Gladys Swarthout, Henry Hathaway, Cecil B. DeMille, Frank Lloyd, Ernst Lubitsch, Leo McCarey, Wesley Ruggles, King Vidor, Carole Lombard, Charles Butterworth, Dorothy Lamour, Bing Crosby and Bob Burns.

Dinner Arrangements Made

HOLLYWOOD, Dec. 29.—Arrangements were completed today for the Silver Jubilee dinner to be given by Paramount in celebration of Adolph Zukor's 25th year as a leader of the industry. Following the dinner Paramount will entertain with a dance to be given on one of the studio's largest stages and attended by several hundred additional guests.

An elaborate program of entertainment will be offered, including a one-hour broadcast from 11:45 to 12:45, E.S.T., over an NBC coast-to-coast network in which every available headliner on the studio's roster of talent will participate. The air show will be opened with introductory remarks by Cecil B. DeMille and Jack Benny will act as master of ceremonies.

The entertainers will include Ben Blue, Bob Burns, Charles Butterworth, ing Crosby, Johnny Downs, Dorothy Lamour, Carole Lombard, Fred MacMurray, Martha Raye, Shirley Ross, Gladys Swarthout, Eleanore Whitney and numerous other players. There will be a chorus of 50 voices now being rehearsed by Boris Morros, director of music for Paramount and symphonic music by an organization of 100 musicians under direction of Leopold Stokowski.

Special sketches will be presented by a number of stars and directors who have appeared under the Paramount banner in the past.

Paramount Starting 10

HOLLYWOOD, Dec. 29.—Ten pictures will be in production at Paramount within 24 hours after the studio personnel returns to work from the New Year holiday. Five films now are before the cameras and five more are scheduled for a start next Monday or Tuesday.

Purely Personal

MITCHELL MAY, JR., head of the insurance firm bearing his name, will leave by American Air Lines Jan. 2 for the coast for his semi-annual inspection of the office there. On his return he will stop at Dallas and Houston to open branches.

•

HELEN TAYLOR, costume designer for WALTER WANGER, will arrive this morning on the Twentieth Century for conferences with HAL HORNE on Walter Wangner's "Vogues of 1937."

•

GRANT MITCHELL will start rehearsals today in "Tide Rising," new play by GEORGE BREWER, JR., to be presented by RICHARD ALDRICH and RICHARDSON MYERS.

•

A. DORIAN ATVOS will leave tomorrow for Universal City, where he will work with MORRIE RYSKIND on three films which RYSKIND will produce in the spring.

•

GEORGE WIEGAND, comptroller for the St. Louis Amusement Co., left by plane yesterday for St. Louis after spending three days here visiting his family.

•

LESTER KREIGER, assistant to TED SCHLANGER, Warner zone manager in Philadelphia, was in town yesterday. He will be married June 29.

•

MARVIN SCHENCK will leave for Miami Jan. 26. He has a home in the Winter resort and spends several weeks there every year.

•

C. C. WILKENNING has put off her trip to the coast indefinitely.

•

ARTHUR HIRSCHMAN of Loew's has gone to Miami for a six-week rest.

•

GEORGE J. SCHAEFER is home ill.

ARNOLD PICKER of Columbia's foreign department has announced his engagement to RUTH COHEN of the same company. The wedding will take place Jan. 14, following which the couple will sail for the Riviera for a five and a half week honeymoon. Uncle LOU WEINBERG, who has acted as best man at the weddings of the three PICKER brothers, will again do the honors.

•

NORMAN G. W. LOUDON, chairman of Associated Producing and Distributors in England, is due to return today from a weekend in Montreal.

•

HARRY THOMAS is trying to shake off a bad cold. He returned to his office yesterday after spending several days in bed.

•

WILLIAM WHITE, general manager of Skouras Theatres, has been down with the grip for several days.

•

JOE MILLER, Columbia branch manager in Buffalo, was in town yesterday.

•

RUTH ROBERTS and WILLIAM GAXTON of "White Horse Inn" are out of the show because of bad colds.

•

S. CHARLES EINFELD will leave for the coast Monday.

•

NOAH BEERY is in town. He has just returned from London.

•

BOBBY BREEN will leave for the coast by American Airlines tomorrow night.

•

MARGUERITE CHURCHILL in town from Hollywood. It's about a play.

•

NATE BLUMBERG will leave for the coast via train on Jan. 7.

Actors to Have Party

A Christmas party for performers is to be held at the Palm Garden tonight starting at 8:30 and continuing until it is over. The idea is to give members of the American Federation of Actors a chance to express themselves, because they are busy at both Christmas and New Year's. Santa Claus is to pass out presents.

Sonja Henie Feted

A cocktail party, conducted in the typically Norwegian manner, was given yesterday at the Waldorf-Astoria by 20th Century-Fox in honor of Sonja Henie, Arline Judge, Tyrone Power and Anthony Martin.

Miss Henie will leave shortly to give a series of figure skating exhibitions throughout the country.

Hollywood Songs to Handle Film Music

Sam Fox, who heads several music companies, has formed Hollywood Songs, Inc., of which he is president, and Phil Kornheiser, general manager. Several prominent writers in the music world are being lined up for the new organization.

A number of song hits from "One in a Million" already have been published by the new company, which plans to concentrate on six to eight songs a year from pictures.

Offices are being established in Rockefeller Center. Three major film companies are said to be negotiating with Hollywood Songs for handling some of the music.

Film Board to Induct

Leo Abrams, who was recently elected president of the New York Film Board, and the roster of new officers will be inducted into office on Jan. 6. A theatre party will be held after the induction.

Simons on Honeymoon

BOSTON, Dec. 29.—Matthew Simons, 20th Century-Fox salesman, and his bride, the former Marsha Kantor, are due back from a southern honeymoon shortly after the New Year.

Must

Music Hall Opened Earlier for Crowds

Because of the crowds at the Music Hall, executives yesterday ordered the doors opened two hours ahead of schedule for "Rainbow on the River." The picture, originally booked in for 11 days, will wind up a full two-week run tonight and tomorrow it will open in 42 RKO Greater New York theatres. The neighborhood houses will run the picture five days instead of the usual four days.

"Stowaway" tonight ends a two-week run at the Roxy, following which there will be a preview of "One in a Million."

The Strand is expected to conclude a first week of "Gold Diggers of 1937" tomorrow night with approximately $30,000.

"Great Guy" will open New Year's Eve at the Criterion, replacing "Sing Me a Love Song," which was scheduled to be held a second week, but will be pulled because of the previous commitment.

Social Security Tax Blanks Are Sent Out

WASHINGTON, Dec. 29.—Blanks for the making of monthly tax returns required by the old-age pension provisions of the Social Security Act were today distributed to employers in the film and other industries by the Bureau of Internal Revenue.

First returns under the law must be filed with the collectors of internal revenue by Feb. 28, covering employment returns during the month of January, and similar reports and tax payments will be required monthly thereafter, under penalty of five to 25 per cent of the tax for failure to file on time. Penalties and interest will be imposed upon those failing to pay taxes.

The return has been kept as simple as possible, and calls merely for a statement of the number of persons employed during the month and the taxable wages paid, and for the payroll taxes, shown separately, due from employer and employes.

Reports are to be made in quadruplicate, one copy to be receipted and returned by the Collector of Internal Revenue and thereafter made a part of the employer's records. Consolidated returns of parent and subsidiary corporations are not permitted.

M. P. Salesmen Now Is M. P. Associates

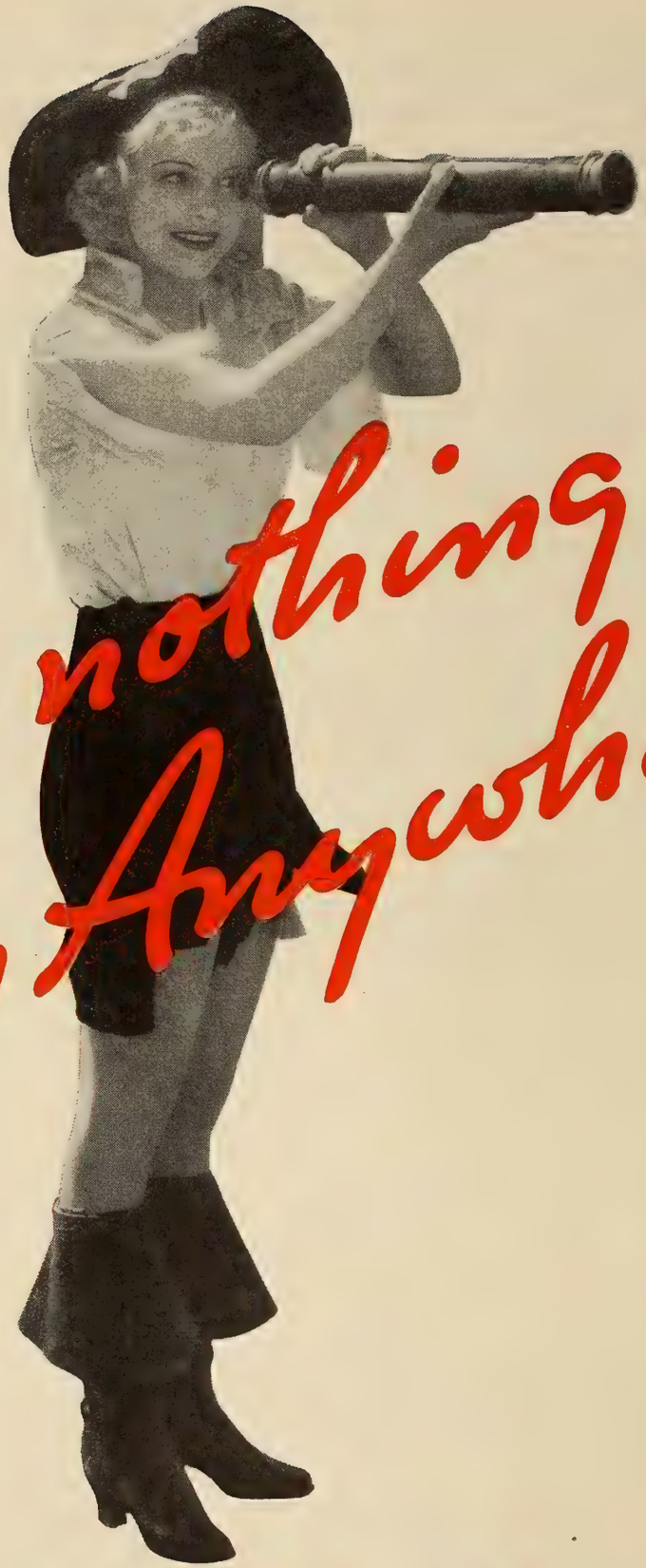
Motion Picture Associates was decided upon yesterday as the new name for M. P. Salesmen at a meeting of the organization at the local 20th Century-Fox exchange.

The membership was increased by 13 yesterday. Among the new members are Henry Seigel, Arthur Weinberger, Moe Streimer, M. Weiss, Sam Goldstein, Ted Krasner, Hugo Kessler and Charles Moss.

Induction of new officers will take place Jan. 7.

Pick Marion Davies' Next

HOLLYWOOD, Dec. 29.—Marion Davies will be starred in "Boy Meets Girl," Warner stage play current in New York. Bella and Samuel Spewack, authors of the play, will write the screen adaptation.



There's nothing like 'em Anywhere!

This Week

"GOLD DIGGERS OF 1937"!

New Year's

"SING ME A LOVE SONG"!

JUST A SAMPLE OF THE GREAT THINGS AHEAD

IN WARNER BROS.' SMASHING SEARS DRIVE AS THE PARADE OF HITS GOES ON AND ON

It's Joy In January!

"SING ME A LOVE SONG"†

"GOD'S COUNTRY AND THE WOMAN"
All In Technicolor with
George Brent • Beverly Roberts

"BLACK LEGION" with HUMPHREY BOGART

Such Fun In February!

KAY FRANCIS in "STOLEN HOLIDAY"
with Claude Rains • Ian Hunter

"THE GREAT O'MALLEY" with Pat O'Brien • Humphrey Bogart

ERROL FLYNN • ANITA LOUISE in "GREEN LIGHT"†

Triumph Marches On—In March!

"CALL IT A DAY" with Olivia de Havilland • Anita Louise
Ian Hunter • Roland Young • Alice Brady

BETTE DAVIS in "MARKED WOMAN" with Humphrey Bogart

Ruby Keeler • Ross Alexander • Lee Dixon
in "READY, WILLING AND ABLE"

A WARNER-FUL  1937 TO ALL!

Mervyn LeRoy's
"The KING and The CHORUS GIRL"
Starring the Idol of Paris
Fernand Gravet
with Joan Blondell
Edw. Everett Horton

PAT O'BRIEN
HENRY FONDA
"SLIM"

EDW. G. ROBINSON
BETTE DAVIS
PAT O'BRIEN
HUMPHREY BOGART
"KID GALAHAD"

ERROL FLYNN
"The PRINCE and The PAUPER"
Billy & Bobby Mauch

KAY FRANCIS
ERROL FLYNN
IAN HUNTER
"ANOTHER DAWN"

DICK POWELL
"The SINGING MARINE"

PAT O'BRIEN
HUMPHREY BOGART
"SAN QUENTIN"

"MOUNTAIN JUSTICE"
Josephine Hutchinson
George Brent

†A Cosmopolitan Production

SEARS DRIVE
Dec. 20 to April 4

Gifford Bares AT&T Desire To Drop Erpi

(Continued from page 1)

dropped because the talks "ran up against a blind alley and stopped." The chief obstacle, he indicated, was the long term producer contracts held by Erpi. The reason for the considered disposal of Erpi, Gifford said, was in line with his belief that the Bell System should not be in any other field but that of communications, and he would prefer to have somebody else handle other fields, under license from the A. T. & T.

Regarding the whole Erpi situation, Gifford said under questioning, "I am not sure it has not been more detrimental than helpful to Bell System public relations." Relative to film financing, and particularly to the Universal deal, Erpi's participation in which was brought out Monday, Gifford said, "I don't like the idea at all," but he declared he had no doubt the Erpi officials who negotiated the deal had good and sufficient reasons for so doing.

Involvement Unforeseen

Erpi, Gifford declared, has gone into the film business more deeply than he or even Erpi anticipated at the time the operations in the field started. The unsatisfactory results of the original arrangement with Vitaphone forced Erpi to take over, the A. T. & T. official said.

The line of questioning revolved about the attempt of Becker to extract from Gifford an admission that the A. T. & T.'s socalled by-product research often was not undertaken primarily for telephone advancement, but for the exploitation of the by-product itself. Gifford, however, maintained consistently that such was not the case, and that the Bell System should stay out of every field but communications.

In June, 1935, it was brought out, a general agreement was worked out tentatively among Erpi, Western Electric and the A. T. & T. for the disposition of Erpi, but was never put into effect.

Otterson Again Heard

John E. Otterson, former president of Erpi, took the stand first yesterday, and his testimony had to do with the $50,000,000 loan to William Fox for the purchase of a block of shares in Loew's, in which Erpi participated to the extent of $15,000,000, with Halsey-Stuart and several banks joining in supplying the funds. The Tri-Ergon patent situation also was reviewed and the steps leading up to the financial difficulties of William Fox, the purchase of control by Harley L. Clarke, and the subsequent assumption of the presidency of Fox by Sidney R. Kent, after Harry L. Stuart, one of the Fox trustees, became dissatisfied with the management of Clarke.

Late in 1932 and early in 1933, it was brought out by Becker through the introduction of letters, Otterson declared the film industry owned Erpi $16,000,000, that it expected a revenue in the next five years of $65,000,000, and that the industry badly needed rebuilding. Otterson was said to have declared at the time that the Chase Bank held the power to reorganize the film industry, and that Erpi was the second largest interest holder in the industry.

In a memorandum to Winthrop W. Aldrich, who was handling film matters for Chase, Otterson urged a broad program whereby all distributing would be combined under one company, all producing under one studio operating company, and all theatre properties of the big companies be combined. It was designed, Otterson said, to effect economies. In November, 1930, Otterson had a plan for the management of small theatres, which was discussed with leading producers, but never adopted. The industry reorganization plan, Otterson said on the stand yesterday, is no longer necessary, since the business is in much better shape financially.

Whitford Drake, executive vice-president of Erpi, testified briefly relative to Erpi's licensing policies in fields other than the screen.

GTE Salaries Published

Earle G. Hines, president of General Theatres Equipment, Inc., received $41,900 as compensation for the past year, according to a statement just issued by the Stock Exchange on the new Form 22 registration statements of the Securities and Exchange Commission.

W. E. Green, president-sub of G. T. E., received $23,300; M. V. Carroll, treasurer, $18,575. Eight directors, including the president and registrant, were paid $44,960 while three officers, not directors, received $52,350.

"Limelight" Closing

"Black Limelight," stage play which opened at the Mansfield Nov. 10, closes its run Saturday night.

Out Hollywood Way

HOLLYWOOD, Dec. 29.—JAIME SALVADOR, production head of the recently demolished Cififa Film Co. in Spain, arrived today with plans for Hollywood production. Met by B. P. SCHULBERG. Although admitting friendly relations with Paramount he has arranged for no releases as yet. SALVADOR says that further film work will be impossible in Spain for two years.

VICTOR FLEMING, director, gave himself a new cabin plane for Christmas.

Four camera crews made shots at Santa Anita for the MARX BROTHERS' next, "A Day at the Races," M-G-M. . . . NACIO HERB BROWN and ARTHUR FREED complete six new songs to be used in "Broadway Melody of 1937." . . . DR. WILLIAM AXT and GEORGE BASSMAN to do special musical score for "Espionage." . . . ANN SHERIDAN at Dallas, her home, for the holidays.

Universal renews option on BEN RAY REDMAN, production counsel, for another six months. . . . JAMES R. GRAINGER to stay here with his family over the holidays. . . . ARTHUR SLATER, head of Northwest Film Service, Seattle, and distributor for Maurice Conn Prod., here giving the studios the once over. . . . JACK GREENHALGH, cameraman, signed by MAURICE CONN for KERMIT MAYNARD's next, "Valley of Terror."

JOHN TRENT, flyer, making his screen debut in "John Meade's Woman," flew to San Diego for a sneak preview of the picture. . . . FRED PERRY and ELLSWORTH VINES leave Jan. 3 on a tennis tour. . . . Universal installs accountant, VICTOR A. BONESTEEL, to keep track of publicity department expenses. . . . It also has started "We've Had Our Moments," but there is no connection. . . . RUFUS LEMAIRE, Universal talent scout, signs Three Diamond Brothers of London for dance and comedy specialties in "Mr. Broadway." . . . M-G-M signs ALLAN JONES to new term contract.

+

Casting—At Paramount, RAY MILLAND in "Murder Goes to College," NICK LUKATS, LILLIAN WEST and GERTRUDE SIMPSON in "Internes Can't Take Money," FRANCIS SAYLES in "Souls at Sea," and JACK DALEY and GEORGE HICKMAN in "Swing High, Swing Low."

LOUIS CALHERN in "The Love Trap," B. P. SCHULBERG. . . . JAY COTTON, JOSEF DISKAY in "Class Prophecy," Universal. . . . PETER ELLIS in "The Last of Mrs. Cheyney," RUSSELL HICKS, LEONID KINSKY, ROBERT GRAVES, GASTON GLASS and CHARLES TROWBRIDGE in "Espionage," CLEM BEZAS in "Dangerous Number" and DEWITT JENNINGS in "Parnell," all at M-G-M.

Court Test Looms on Local 802 Election

(Continued from page 1)

ers were eligible to cast ballots in the election.

The defeated candidates say that after the stoppage of voting at 8 P. M. there was a period of 40 minutes in which the present officers were unable to find the keys to the ballot boxes and during that period only officers were allowed in the room. It was finally necessary, it is said, to break open the boxes.

Deny Eternal Road Stay

Supreme Court Justice Philip J. McCook yesterday denied a temporary injunction to Arthur Klare and Moore Hannel who sought to restrain the Eternal Road Distributing Corp. and six individuals from giving out any theatre concessions pending final disposition of their case. The plaintiffs allege that as financial supporters to the extent of $7,500 they signed an agreement whereby they were to get all the concessions connected with the show.

The plaintiffs declared the defendants failed to carry out the agreement, returned their money and gave the concession privileges to somebody else.

Vote on Sunday Shows

WAYNESBORO, Va., Dec. 29.—The Sunday show controversy here is to be settled by popular vote Jan. 5. The Town Council has passed an enabling ordinance and Mayor Alonzo R. Harding has issued a proclamation calling for the vote.

All voters eligible to vote at the last general election will be permitted to cast their ballots.

Chicago Moves on Games Hit a Snag

(Continued from page 1)

resumption of the games, but the Mayor refused to take any steps until the legal angles have been untangled. In the meantime many independent theatres are continuing the games, with the police giving summonses for each offense instead of making arrests. Circuits have dropped the games until the situation clears.

Loew's Boston Net Placed at $167,003

WASHINGTON, Dec. 29.—A net income of $167,003 was shown by Loew's Boston Theatres Co., while the State, Boston, had a net of $91,676 during the fiscal year ended August 31, last, it is shown by annual reports filed by the former with the Securities and Exchange Commission.

The financial statement for Loew's showed that theatre and miscellaneous receipts during the year were $742,337 and rental income $25,200, while theatre operations and film rentals cost $412,648 and $5,200 was paid in booking fees to an affiliated corporation.

The State showed theatre and miscellaneous receipts of $593,896 and rental income of $49,238, while theatre operations and film rentals cost $340,728 and booking fees to an affiliated corporation were $5,200.

The report showed that 93,612 shares of the company's common stock, or 60 per cent, were owned by Loew's, Inc. The only salaries reported were those of Victor J. Morris, assistant secretary and theatre manager, $6,240, and John H. Devlin, secretary, $5,200.

Folsom Predicts Gains

ROCHESTER, Dec. 29.—Continued improvement in business conditions, although possibly at a slower rate than during 1936, is predicted by Marion B. Folsom, treasurer of Eastman Kodak Co.

He bases his prediction on the large increase in purchasing power during recent months, gains for heavy goods industries because of shortages, and benefits to consumer goods dealers because of increases in wages and employment.

Clevelanders Talk Ticket Price Rise

CLEVELAND, Dec. 29.—A special meeting of the Cleveland M. P. Exhibitors' Ass'n has been called for tomorrow afternoon to discuss the possibility of passing part of the three per cent gross receipts tax on to the public.

The idea is to boost all prices one cent. If this plan succeeds it is figured that exhibitors throughout the state would be saved about $1,500,000.

Dissolve State Theatre

BOSTON, Dec. 29.—Stockholders of Loew's Boston Theatres Co. have approved the dissolution of the State Theatre Co. All rights and assets will be distributed to stockholders when their stock is cancelled. Loew's Boston owns 85,038 of the 86,358 shares of State, so that the practical result of the dissolution is an absorption of the company.

"3 SMART GIRLS" BEATS "SHOW BOAT" "OBSESSION" AND "GODFREY" IN BUFFALO! GETS 6 "A'S" IN MINNEAPOLIS JOURNAL- FIRST PICTURE SO HONORED IN PAPER'S HISTORY!

BULLETIN No. 2 *from the* **NEW UNIVERSAL!**

"Good-Will Court" May Resume Jan. 6

In again — out again — Finnegan about explains the status of the recently deposed "Good-Will Court," which may, and then again may not, be revived as a sustaining feature over WMCA beginning Wednesday, Jan. 6, at 10 P.M., E.S.T. The program had been quietly scheduled for revival tomorrow night at the above time, but for some reason its second debut has been set ahead one week.

The entire setup is cloaked in mystery. Even while making the announcement that the "Good-Will Court" would return next week, Larry Nixon, press head at WMCA, refused to guarantee that the program would be broadcast. He has been instructed by station executives to list the program on his weekly schedule, he states. Beyond that he claims to know nothing about it.

If, however, the program is broadcast, A. L. Alexander will again head it. Who will advise the litigants is unknown. It is almost certain, however, that lawyers will not serve as counsellors, inasmuch as the bar associations opposed the program as a whole, and not because it was sponsored.

Booth, Lillie, Shake-Up, Et Al

Short Shots: Another *Radio Guide* shake-up has resulted in a lay-off of four staff writers in New York and several others in Chicago . . . Highlights in the life of the late Arthur Brisbane will be dramatized in a salute program over WMCA tomorrow from 6:45 to 7 P.M., E.S.T. . . . Shirley Booth, featured in "Three Men on a Horse," will be Bide Dudley's WOR guest this Sunday . . . Bee Lillie will guest appear on Rudy Vallee's program on Thursday, and beginning Jan. 6 will make two appearances on the "Revue de Paree" program, temporarily succeeding Fannie Brice . . . John Barbirolli, new conductor of the Philharmonic Symphony Orchestra will make his first radio address in America tomorrow night at 6:30 P.M., E.S.T., over WQXR, New York . . . In addition to Pat O'Brien, Art Tatum, blind pianist, will appear on Bing Crosby's program New Year's Eve . . . John McCormack, a busy radioite of late, will guest sing on the Sealtest "Saturday Night Party" Jan. 2. . . . Tommy Dorsey makes a return appearance on the WOR "Morning Matinee" program Jan. 7. Lucille Ball will also guest on the program . . . WMCA will carry a broadcast direct from a luncheon in the Advertisers Club tomorrow afternoon at 1:15 P.M., E.S.T. Among those who will be heard are Rubinoff, Jan Peerce, Veronica Wiggins, and Pat Barnes . . . Richard Himber and Hildegarde will guest appear on the "Court of Honor" program this Friday at 10 P.M., E.S.T. . . . After 15 years as stage director of the Metropolitan Opera House, Carlo Edwards recently resigned his position there to join the NBC production staff. Edwards is now back at the Met as coordinator of backstage activities for the RCA-sponsored Metropolitan opera broadcast . . . Mischa Levitski has been named as Ed Wynn's guest on Saturday Jan. 2.

Eric Norman to WCOL

COLUMBUS, Dec. 29.—WCOL has added Eric Norman to its announcing staff. He previously was with KFXR, Oklahoma City.

Networks Now Lean Heavily On Hollywood, Survey Tells

(*Continued from page* 1)

ly, and film guests at intervals, it is expected); "Paducah Plantation" with Irvin S. Cobb and frequent film guests; Packard (Fred Astaire, Charles Butterworth); RCA Magic Key (film, stage and operatic guests); "Court of Honor" (picture guests in the main); Shell Chateau (forthcoming, featuring Joe Cook and film and stage guests); Bakers Broadcasts (Harriet Hilliard, Robert Ripley, Ozzie Nelson); Royal Gelatine (Rudy Vallee and picture and stage guests); and "Bambi" with Helen Hayes.

Additionally, NBC programs which frequently feature film players are Ed Wynn's program, the Cadillac-LaSalle Fashion Show; Maxwell House "Showboat"; the Campana Sales programs entitled "First Nighter," and "Grand Hotel"; the Ry-Krisp—Marion Talley program, and Studebaker "Champions" with Richard Himber and stage and screen guests.

CBS's most important programs are "Hollywood Hotel" (almost exclusively picture players); Burns and Allen for Campbell Soups; Cocomalt with Joe Penner and film guests; Lux Radio Theatre (practically 100 percent film personalities); Rinso and Lifebuoy with Al Jolson, Martha Raye and Sid Silvers; Chesterfield cigarettes with Nino Martini; Nash Speedshow with frequent film guests; Camel Caravan with Jack Oakie and film player support; Texaco with Eddie Cantor, Bobby Breen and Deanna Durbin, and Vick's with Nelson Eddy. Additionally, there is the Hammerstein Music Hall program with time to time film players and the forthcoming Jessica Dragonette series which will feature film guests periodically, it is understood.

That the radio programs offering film personalities hit at the theatres' best hours is disclosed in the broadcast periods of the aforementioned programs, which go on at peak box-office hours. The schedule of some of the major film-radio programs follows:

Sunday

Magic Key	RCA	Screen, stage, opera guests	2 P.M.	NBC
Joe Penner	Cocomalt	Joe Penner, Jimmy Grier's orchestra, occasional film guests	6 P.M.	CBS
Jack Benny	Jello	Jack Benny, Mary Livingstone and film guests	7 P.M.	NBC
Bakers' Broadcast	Fleischmann for Bread	Harriet Hilliard, Ozzie Nelson, Robert Ripley and film guests	7:30 P.M.	NBC
Vick's "Open House"	Vick's	Nelson Eddy	8 P.M.	CBS
"Texaco Town"	Texaco	Eddie Cantor, Bobby Breen and Deanna Durbin regularly and film guests	8:30 P.M.	CBS

Monday

"Bambi"	Sanka Coffee	Helen Hayes	8 P.M.	NBC
Lux Radio Theatre	Lux	Major film names	9 P.M.	CBS
Studebaker "Champions"	Studebaker	Film, stage guests	9:30 P.M.	NBC

Tuesday

Hammerstein Music Hall	Kolynos Toothpaste	Film, stage guests	8 P.M.	CBS
Al Jolson	Lever Bros.	Jolson, Martha Raye, Sid Silvers.	8:30 P.M.	CBS
American Can	American Can	Ben Bernie and film guests	9 P. M.	NBC
Camel Caravan	Camel Cigarettes	Jack Oakie and film guests	9:30 P.M.	CBS
Packard	Packard	Fred Astaire, Charles Butterworth	9:30 P.M.	NBC
"Hollywood Gossip"	Luden Cough Drops	Jimmy Fidler and film guests	10:30 P.M.	NBC

Wednesday

Burns and Allen	Campbell's Soups	Burns and Allen, Tony Martin	8:30 P.M.	CBS
Chesterfield	Chesterfield	Nino Martini, Hal Kemp	9 P.M.	CBS

(*Continued on following page*)

On the Air Last Night

Mutual-Don Lee Salute

Welcome entertainment featured Mutual's welcome to the Don Lee network in an elaborate program which began at 10 P. M., E.S.T. and lasted until 2:30 this morning. Your mike weary reviewer, however, signed off at 11:30 P. M. to meet the exigencies of a press deadline.

The first words uttered over the new coast-to-coast web were those of Gabriel Heatter who, after a short address, explaining the future scope of the network, introduced Anning S. Prall, chairman of the Federal Communications Commission. Prall read a message from the White House conveying President Roosevelt's congratulations to the new combine and those responsible for it.

Many speakers extolled the past virtues of the units which were heard on the air last night. The speakers included Alfred J. McCosker, president of WOR and chairman of the board of Mutual; W. E. MacFarlane, president of Mutual and vice-president of WGN; John Shephard 3rd, president of the Colonial network, and Powell Crosley, president of WLW.

The entertainers were headed by Benay Venuta, George M. Cohan, Bide Dudley, Nat Brusiloff's orchestra, the WGN symphony orchestra, several mixed choral groups, the Colonial network grand orchestra, and a parade of announcers.

As with all dedicatory programs, too many back-patting speeches made the listening somewhat boring. But then again, coast-to-coast networks aren't formed every day.

Oakie's Debut

Jack Oakie's College is freshman entertainment.

The chubby-faced screen comedian last night braved the airwaves for the first time as the star of his own program in a new series sponsored by R. J. Reynolds for Camel cigarettes. The program runs for a full hour. Crawls might be a better word, for if ever a program dawdled and meandered aimlessly, this one did.

Oakie was introduced as the president of Oakie College, a frayed-at-the-heel institution that is saved from the sheriff's hammer by a pair of itinerant funsters (Shaw and Lee of the revue platforms) who suggest that the price of the mortgage might be raised if entertainers instead of bookworms were enrolled at the school. If you've heard the formula before, stop me.

At any rate, President Oakie agrees to the plan, thus paving the way for the entry of Alice Faye, Bob Burns, Harry Stockwell, and glee club members of Wesleyan College.

Alice Faye didn't particularly burn up the airwaves with her rendition of "It's De-Lovely." Nevertheless this number, and several subsequent songs, must be rated program high spots. Harry Stockwell was disappointing in his songs. Bob Burns' monologue was good but somewhat familiar. The Arkansas sage hasn't varied his routine in more than a year.

Georgie Stoll's rhythmic band out-

swung Benny Goodman's swing band throughout the instrumental proceedings.

Oakie College is a Tuesday night CBS offering, from 9:30 to 10:30 P. M., E.S.T.

BANNER

The McClatchy-NBC Salute

It was a perfunctory and routine program that signalized the affiliation of the McClatchy stations in Northern California with NBC from 10:30 to 11 P. M., E.S.T. last night. The New York outlet was WJZ and the proceedings were heard over the Blue network.

Aside from a short address by George C. Hamilton, executive head of the coast newspaper chain which publishes the *Sacramento Bee* and who described the new association as a furtherance of the ideals of James McClatchy, founder of the newspaper string bearing his name, the 30-minute program was chiefly made up of music emanating from KFBK, Sacramento. The opening salute came from NBC's San Francisco studio with KFBK then picking up the first half with occasional commentary briefly describing the industry of the Sacramento and San Joaquin Valleys which the McClatchy stations and papers serve. Switching to KMJ, Fresno, it was from that point that Hamilton spoke with music from Sacramento again picking up for the final 10 minutes.

KFBK, Sacramento; KMJ, Fresno; KWG, Stockton and KERN, Bakersfield now are part of the NBC coast-to-coast facilities and swell the national network's outlets to 101.

Big Ad Campaign on For CBS Expansion

One of the biggest newspaper space buying campaigns ever indulged in by CBS is now underway announcing the acquisition by the network of stations KNX in Hollywood and KSFO in San Francisco.

Thirty-two west coast newspapers yesterday carried full page ads announcing the expansion of the network, and, additionally, each newspaper will carry three follow-up ads, 400 lines in size. Also, a supplementary list of 11 additional newspapers has been awarded contracts for 400-line ads, three insertions each.

One hundred and seven billboards in San Francisco, Los Angeles, Hollywood and Oakland are now emblazoned with 24-sheets advising westcoasters of CBS's new intensified California service, and 800 street-car cards are performing a like service.

CBS to Name Gluskin Coast Musical Head

Lud Gluskin, orchestra leader under CBS contract for the past three years, has been named west coast music director of the network, it was learned yesterday. Donald Thornburgh, CBS vice-president in charge of west coast activities, will formally announce the appointment in a few days.

Gluskin will leave for California immediately after he completes his stint on the Jan. 2 program welcoming stations KNX and KSFO into the CBS family.

The local band leader long has been considered for the position, but California musicians' unions repeatedly have voted against importing outsiders for the post.

Networks Now Lean Heavily On Hollywood, Survey Tells

Thursday

Royal Varieties	Royal Gelatin	Rudy Vallee and film guests	8 P.M.	NBC
"Showboat"	Maxwell House Coffee	Lanny Ross, Helen Jepson, occasional film guests	9 P.M.	NBC
Kraft Music Hall	Kraft Cheese	Bing Crosby and film guests	10 P.M.	NBC

Friday

"Hollywood Hotel"	Campbell's Soups	Dick Powell, Francis Langford, Igor Gorin and new film guest stars weekly	9 P.M.	CBS
National Biscuit	National Biscuit	Buddy Rogers, Helen Broderick, Victor Moore	9:30 P.M.	NBC
"Court of Honor"	*Radio Guide*	Film, stage guests	10 P.M.	NBC

Saturday

Ed Wynn	Spud Cigarettes	Wynn, film and stage guests	8 P.M.	NBC
Shell Chateau	Shell Gas	Joe Cook, film and stage guests.	9:30 P.M.	NBC
"Paducah Plantation"	Oldsmobile	Irvin S. Cobb, Clarence Muse, Dorothy Paige and film guests..	10 P.M.	NBC

The Hollywood trend in radio this year was much stronger than in 1935. CBS last year had seven film-radio programs; NBC had 14.

The 1935 CBS film-radio offerings included "Hollywood Hotel," Burns and Allen program, Eddie Cantor, then broadcasting for Lehn and Fink; The Hinds "Honey and Almond" program starring Leslie Howard; the Chesterfield program with Lily Pons, Nino Martini and Andre Kostelanetz's orchestra; Lux Radio Theatre and the Packard program, then starring Lawrence Tibbett.

The NBC film-radio programs in 1935 included Ben Bernie then, as now, for American Can; the Palmolive "Beauty Box Theatre" which featured many of the screen's best vocalists; Maxwell House Showboat; Jack Benny for Jello; the "New Penny" series with Helen Hayes; Kraft Music Hall; Jimmy Fidler; Magic Key; Shell Chateau, then starring Wallace Beery; the Bakers' Broadcasts; the Fleischmann Hour (Rudy Vallee); and Vick's "Open House," then featuring Grace Moore and weekly film guests. The two Campana programs, "Grand Hotel" and "First Nighter," might also be included, although Don Ameche, star of the "First Nighter" program had not yet entered films.

Fred Kohlmar Signed To New Goldwyn Pact

HOLLYWOOD, Dec. 29. — Samuel Goldwyn today signed Fred Kohlmar to a new five-year contract as production executive, replacing the present Kohlmar pact, which still had some time to run.

Kohlmar's first assignment will be as associated producer on the "Goldwyn Follies." He has been on the Goldwyn staff for the past four years.

Not to Join Stage Plea

BUDAPEST, Nov. 17.—The Exhibitors' Union has refused the request of the Union of Hungarian Composers and Text-Writers that the former join them in a plea to the Minister for Home Affairs for permission to allow stage shows in conjunction with films. The composers' group sees an opportunity to afford employment for jobless actors and musicians. The exhibitors' refusal was based on a fear that legitimate theatres, in reprisal might begin to show films.

Watch 2 Bay State Bills

BOSTON, Dec. 29.—Two bills have been introduced in the House so far with an interest for film companies. One provides for a licensing board for architects. The other authorizes the state to publish the names of companies discriminating against persons over 24 years old in hiring employes. The publication would follow a hearing by the Dept. of Labor and Industries.

To Unveil Roxy Stone

A monument to the late S. L. (Roxy) Rothafel will be unveiled at 2 o'clock Jan. 10 in the cemetery of Central Synagague at 52-22 Metropolitan Ave., Ridgewood, Long Island. If the weather is bad the unveiling will be postponed until the following Sunday.

Bissell Goes to Miami

CLEVELAND, Dec. 29.—Holbrook C. Bissell, Columbia branch manager, accompanied by his wife and baby, has gone to Miami where he will remain several weeks.

ABP, Maxwell Firm, To Pay Interim 7%

LONDON, Dec. 19.—Associated British Pictures Corp., Ltd., will pay an interim dividend of seven per cent on Jan 9, to all shareholders registered on Jan. 1. Last year's interim of the Maxwell company was five per cent, but was not paid until the end of the financial year in April. In future, interim dividends are to be paid in the course of the year to which they refer.

Last year a final dividend of seven and one-half per cent made the total distribution 12½ per cent. The market is already discussing a 15 per cent total for the current year.

A.B.P. 5/- Ordinary shares have risen to 17/9d. They were at 12/- after the report was issued in August and the further increase is in face of the issue, and planned issue, of 1,800,000 shares as part of the transaction for acquisition of Ostrer interests in Gaumont British.

China Censors Have More Bans in Mind

WASHINGTON, Dec. 29. — More stringent rulings on censorship of films in China are expected from the Central Film Censorship Board, according to a report to the U.S. Dept. of Commerce from Commercial Attache Julean Arnold in Shanghai.

It is believed, Arnold's report states, that these new measures will demand that every film judged derogatory by the board be confiscated and destroyed. If pictures are shown in countries other than China without first receiving deletions deemed necessary by Chinese authorities, future productions from the offending company will be banned from China.

The proposed drastic action, is due to the recent release of two American features, parts of which are believed by Chinese authorities to reflect unfavorably on their people.

Wall Street

Declines Dominate Board

	High	Low	Close	Net Change
Columbia	34¼	33⅛	33¼	—2¼
Columbia, pfd.	40¼	39½	40	— ½
Consolidated	4¾	4½	4½	— ¼
Consolidated, pfd.	16½	16¼	16¼	— ¼
Eastman Kodak	171½	171½	171½	— ½
Eastman, pfd.	163½	163½	163½	+3
Gen. T. Equip.	30	29	30	+ ⅜
Loew's, Inc.	63⅜	62¾	63¼	+ ¼
Loew's, Inc., pfd.	107	107	107	+ ¾
Paramount	22⅝	22¼	22⅝	.....
Paramount 1 pfd.	157½	156½	157½	— ½
Paramount 2 pfd.	20⅝	20	20⅝	.....
Pathe Film	9¼	9⅛	9⅛	— ¼
RKO	7¾	7½	7⅝	.....
20th Century-Fox	35¼	34⅜	34½	— ½
20th Century, pfd.	43¼	42½	42½	—1
Warner Bros.	16⅞	16⅝	16¾	.....

Slight Curb Movement

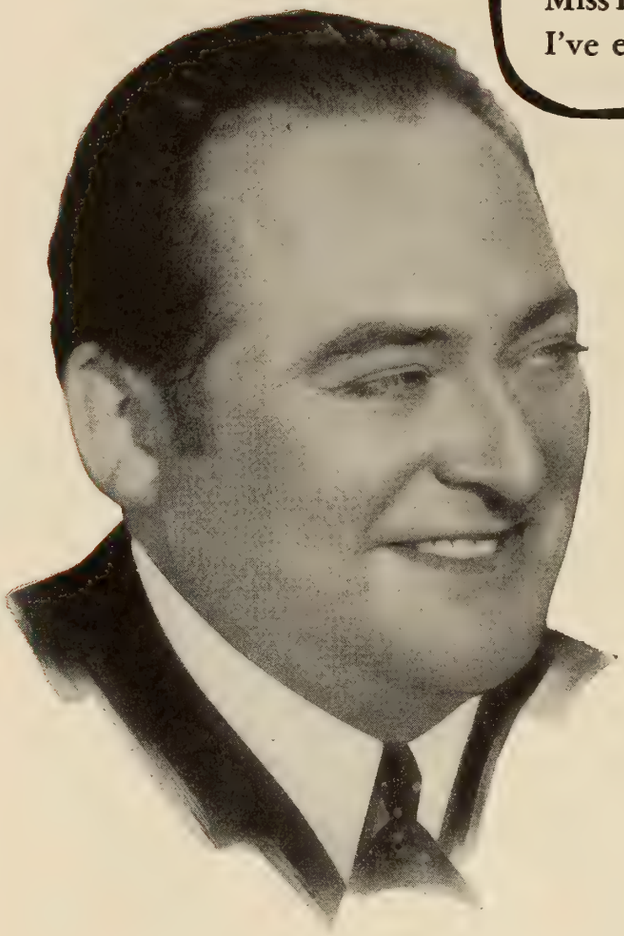
	High	Low	Close	Net Change
Grand National	3½	3¼	3½	.....
Sonotone	1⅞	1⅞	1⅞	.....
Technicolor	20	19⅝	19⅝	— ⅜
Trans-Lux	4¼	4	4	.....

Bonds Have Small Gains

	High	Low	Close	Net Change
Keith B. F. 6s '46	98	98	98	+ ¾
Loew's 3½s '46	101	101	101	+ ⅛
Paramount Pict. 6s '55	100¼	100⅛	100¼	— ¼
Warner Bros. 6s '39 wd	99½	99	99½	+ ¼

(Quotations at close of Dec. 29)

"Take it from Eddie, boys, this Paramount picture has given me more personal satisfaction than any I've ever played in. And that goes for 'Diamond Jim' and 'Come and Get It.' Why? Because the story has true emotional power. And because Miss Larrimore is one of the finest dramatic actresses I've ever had the good fortune to play opposite."



"I've played in plenty of Broadway hits, but this, my first appearance in pictures, tops them all. For, as Mr. Arnold says, the story is the kind an actor likes to get his teeth into, and he and Mr. Bancroft are just about the grandest lads to work with I've ever known in the theatre."



Paramount Pictures

Edward Arnold and Francine Larr

with Gail Patrick · George Bancroft · John Trent · Sidney



"Just let me add my two bits worth. 'John Meade's Woman' is okay. And this Larrimore girl is the box-office find of the year."

P. S. Just to prove they know what they're talking about, we might add that both previews of Paramount's "John Meade's Woman", in South Norwalk, Conn. and in Hollywood, Cal., have shown audiences cheering the picture and claiming Miss Larrimore's performance one of the great acting jobs of the year.

more in "JOHN MEADE'S WOMAN"

Blackmer • A Paramount Picture • Directed by Richard Wallace • a B. P. Schulberg Production

"Pennies" on Dual and Show Best on Coast

LOS ANGELES, Dec. 29.—"Pennies from Heaven" and "Easy to Take," with a stage show, went to $23,000, over average by $5,000, at the Paramount. This was top business in a generally dull week.

The only other house to pass normal was the Grand International with a return engagement of "Ecstasy," which pulled $1,900, and the 4 Star with "Tarzan Escapes," which was good for $2,500 in its second week.

Total first run business was $85,621. Average is $107,950.

Estimated takings for the week ending Dec. 23:

"LLOYDS OF LONDON" (20th-Fox)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 7 days, 4th week. **Gross:** $7,321. (Average, $17,000)

"OLD HUTCH" (M-G-M)
"CRACK UP" (20th-Fox)
CHINESE—(2,500), 30c-55c, 7 days. **Gross:** $7,800. (Average, $12,500)

"TARZAN ESCAPES" (M-G-M)
4 STAR—(900), 30c-55c, 7 days, 2nd week. **Gross:** $2,500. (Average, $3,250)

"ECSTASY" (Eureka)
(Return Engagement)
GRAND INTERNAT'L—(750), 35c-40c, 7 days. **Gross:** $1,900. (Average, $1,200)

"HATS OFF" (G. N.)
"MAKE WAY FOR A LADY" (Radio)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $5,100. (Average, $8,000)

"OLD HUTCH" (M-G-M)
"CRACK UP" (20th-Fox)
LOEW'S STATE—(2,500), 30c-55c, 7 days. **Gross:** $12,500. (Average, $14,000)

"HATS OFF" (G. N.)
"MAKE WAY FOR A LADY" (Radio)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $5,500. (Average, $8,000)

"PENNIES FROM HEAVEN" (Col.)
"EASY TO TAKE" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: F. & M. revue, Famous Meglin Kiddies. **Gross:** $23,000. (Average, $18,000)

"ONE WAY PASSAGE" (W. B.)
"JAILBREAK" (W. B.)
WARNER BROS. (HOLLYWOOD)—(3,000), 30c-65c, 7 days. **Gross:** $9,500. (Average, $14,000)

"ONE WAY PASSAGE" (W. B.)
"JAILBREAK" (W. B.)
WARNER BROS. (DOWNTOWN)—(3,400), 30c-65c, 7 days. **Gross:** $10,500. (Average, $12,000)

"Smartest," Revue Oklahoma City Hit

OKLAHOMA CITY, Dec. 29.—"The Smartest Girl in Town," with "The Centennial Revue" on the stage of the Criterion was something of a sensation. The gross reached $7,000, more than double par.

Other spots felt the competition.

Total first run business, $14,400. Average is $13,500.

Estimated takings for the week ending Dec. 26:

"SMARTEST GIRL IN TOWN" (Radio)
CRITERION—(1,700), 10c-35c-55c, 7 days. Stage: "The Centennial Revue." **Gross:** $7,000. (Average, $5,000)

"THE GAY DESPERADO" (U. A.)
MIDWEST—(1,500), 10c-35c-55c, 7 days. **Gross:** $3,000. (Average, $4,000)

"MURDER WITH PICTURES" (Para.)
CAPITOL—(1,200), 10c-25c-40c, 8 days. **Gross:** $1,900. (Average, $2,000)

"HOPALONG CASSIDY RETURNS" (Para.)

"LOVE LETTERS OF A STAR" (Univ.)
LIBERTY—(1,500), 10c-25c-35c, 4 days. **Gross:** $1,800. (Average, for week, $2,500)

"SEA SPOILERS" (Univ.)

"THREE MARRIED MEN" (Para.)
LIBERTY—(1,500), 10c-25c-35c, 3 days. **Gross:** $700. (Average, for week, $2,500)

'Stowaway' Is Kansas City's Only Grosser

KANSAS CITY, Dec. 29.—"Stowaway," on a dual with "Rose Bowl" at the Uptown, was the only attraction in town to do business in the face of the Christmas shopping competition. It grossed $5,300, over normal by $1,300.

Every other first run was below par, except the Newman where "You Can't Get Away With It" and "Let's Make a Million" pulled an average $7,000.

The weather furnished a combination of rain, snow and sleet and the Golden Glove contest competed.

Total first run business was $33,100. Average is $37,500.

Estimated takings:

Week Ending Dec. 24:

"LOVE IN EXILE" (G. B.)
"WHITE HUNTER" (20th-Fox)
MAINSTREET—(3,100), 25c-40c, 8 days. **Gross:** $7,100. (Average, 8 days, $8,500)

"REMBRANDT" (U. A.)
"COME CLOSER FOLKS" (Col.)
MIDLAND—(4,000), 25c-40c, 7 days. **Gross:** $7,300. (Average, $11,500)

"YOU CAN'T GET AWAY WITH IT" (Univ.)
"LET'S MAKE A MILLION" (Para.)
NEWMAN—(1,900), 25c-40c, 7 days. **Gross:** $7,000. (Average, $7,000)

"CAREER WOMAN" (20th-Fox)
TOWER—(2,200), 25c, 7 days. Stage: Edith Griffith, Howard Nichols, Yorke & Tracy, Rio & West, McBride & Poje. **Gross:** $6,400. (Average, $6,500)

"STOWAWAY" (20th-Fox)
"ROSE BOWL" (Para.)
UPTOWN—(2,000), 25c-40c, 7 days. **Gross:** $5,300. (Average, $4,000)

"Dance", $12,000 In Cincy Holdover

CINCINNATI, Dec. 29.—"Born to Dance" held up to a par $12,000 in its second week at the RKO Albee and was moved to the RKO Capitol for a third downtown week. The showing was considered good in the face of the seasonal lull.

"Rembrandt" was good for a par $10,000 at the RKO Palace and "Lady from Nowhere," aided by a stage show, also stood up, getting an average $12,000 at the RKO Mainstreet. All other houses were off.

Total first run business was $52,400. Average is $58,700.

Estimated takings for the week week ending Dec. 24:

"BORN TO DANCE" (M-G-M)
RKO ALBEE—(3,300), 35c-42c, 7 days, 2nd week. **Gross:** $12,000. (Average, $12,000). Moved to RKO Capitol.

"REMBRANDT" (U. A.)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $10,000. (Average, $10,000)

"LADY FROM NOWHERE" (Col.)
RKO SHUBERT—(2,150), 40c-60c, 7 days. Stage: "Folies D'Amour." **Gross:** $12,000. (Average, $12,000)

"PENNIES FROM HEAVEN" (Col.)
RKO CAPITOL—(2,000), 35c-42c, 7 days, 2nd downtown week. **Gross:** $4,800. (Average, $6,500). Moved to RKO Grand.

"WIFE HUNTER" (20th-Fox)
RKO LYRIC—(1,400), 35c-42c, 7 days. **Gross:** $4,300. (Average, $6,500)

"THREE MEN ON A HORSE" (F. N.)
RKO GRAND—(1,200), 25c-40c, 7 days, return date, 3rd downtown week. **Gross:** $2,100. (Average, $2,750)

"THE MAN WHO LIVED TWICE" (Col.)
RKO FAMILY—(1,000), 15c-25c, 4 days. **Gross:** $1,200. (Average, $1,250)

"KILLER AT LARGE" (Col.)
RKO FAMILY—(1,000), 15c-25c, 3 days. **Gross:** $1,000. (Average, $1,200)

"ONE WAY PASSAGE" (W. B.)
KEITH'S—(1,500), 30c-40c, 7 days. **Gross:** $4,000. (Average, $6,500)

"Rembrandt" Dual Top in Louisville

LOUISVILLE, Dec. 29. — "Rembrandt," dualled with "Adventure in Manhattan" at Loew's State, pulled $5,700, over the line by $200. This was the best showing among the first runs.

"Born to Dance" at the Brown took $3,000, $500 over par, on its second downtown week, and was held.

Charity shows and entertainments contributed toward putting a crimp in boxoffice takings, but exhibitors are also to blame, for the only good adult entertainment was "Born to Dance" and that was a holdover.

Mild weather was inviting to shoppers, and didn't help theatres.

Total first run business was $19,800. Average is $21,800.

Estimated takings for for the week ending Dec. 24:

"BORN TO DANCE" (M-G-M)
BROWN—(1,500), 15c-25c-40c, 7 days, 2nd downtown week. **Gross:** $3,000. (Average, $2,500)

"AMBASSADOR BILL" (20th-Fox)
"GIVE ME YOUR HEART" (W. B.)
"BACK TO NATURE" (20th-Fox)
"WALKING ON AIR" (Radio)
KENTUCKY—(900), 15c-25c, 7 days, split week. **Gross:** $1,400 (Average, $1,500)

"REMBRANDT" (U. A.)
"ADVENTURE IN MANHATTAN" (Col.)
LOEW'S STATE—(3,000), 15c-25c-40c, 7 days. **Gross:** $5,700. (Average, $5,500)

"ONE WAY PASSAGE" (W. B.)
MARY ANDERSON—(1,000), 15c-25c-40c, 7 days. **Gross:** $2,300. (Average, $3,500)

"TWENTY MILLION SWEETHEARTS" (F. N.)
"FRECKLES" (Radio)
"LITTLE BIG SHOT" (W. B.)
"NAVY WIFE" (20th-Fox)
OHIO—(900), 15c, 7 days, split week. **Gross:** $700. (Average, $800)

"IN HIS STEPS" (G. N.)
"CHARLIE CHAN AT THE OPERA" (20th-Fox)
RIALTO—(3,000), 15c-25c-40c, 7 days. **Gross:** $3,900. (Average, $4,500)

"LET'S MAKE A MILLION" (Para.)
"CAREER WOMAN" (20th-Fox)
STRAND—(1,500), 15c-25c-40c. 7 days. **Gross:** $2,800. (Average, $3,500)

"Rembrandt" Best In Milwaukee Lull

MILWAUKEE, Dec. 29. — "Rembrandt" and "Without Orders" at the Warner were the only films to clear par with a $6,000 take for eight days. This was $1,000 above average.

"Hideaway Girl" and "Legion of Terror" at Fox's Palace were average with a $5,000 gross, but the takes at the other houses slumped below.

The weather was generally fair and mild and it was estimated that shoppers spent almost $15,000,000 in the two weeks before Christmas.

Total first run business was $21,700. Average is $24,500.

Estimated takings:

Week Ending Dec. 23:

"BANJO ON MY KNEE" (20th-Fox)
"ALL AMERICAN CHUMP" (M-G-M)
STRAND—(1,400), 25c-35c-50c, 6 days. **Gross:** $1,000. (Average, $1,500)

"REMBRANDT" (U.A.)
"WITHOUT ORDERS" (Radio)
WARNER—(2,400), 25c-35c-50c, 8 days. **Gross:** $6,000. (Average, $5,000)

"GENERAL SPANKY" (M-G-M)
"WOMEN ARE TROUBLE" (M-G-M)
WISCONSIN—(3,200), 25c-35c-50c, 6 days. **Gross:** $5,500. (Average, $8,000)

Week Ending Dec. 24:

"HIDEAWAY GIRL" (Para.)
"LEGION OF TERROR" (Col.)
PALACE—(2,400), 25c-35c-50c, 7 days. **Gross:** $5,000. (Average, $5,000)

"TUGBOAT PRINCESS" (Col.)
RIVERSIDE—(2,300), 20c-25c-30c, 7 days. Stage: "Casa Manana Revue." **Gross:** $4,200. (Average, $5,000)

"Hideaway," Show Go Big In Pittsburgh

PITTSBURGH, Dec. 29.—It was the week before Christmas—and business was terrible, except in one house, the Stanley, where Ethel Waters and her all-colored unit pushed up the gross of "Hideaway Girl" to around $20,000, the best pre-holiday take this spot has ever had.

The weekend was excellent despite severe rain and snowstorms, but the four days immediately preceding the Yuletide found everybody busy shopping. "Winterset" took a nosedive at the Penn, doing only $8,500, while the double bill including "Under Your Spell" and "Flying Hostess" skidded the Fulton to less than $3,000 for the first time this year.

At the Alvin, "15 Maiden Lane" and "North of Nome" were booked in for only five days and did fairly well at $3,800.

Total first run grosses were $39,200. Average is $44,000.

Estimated takings for the week ending Dec. 24:

"15 MAIDEN LANE (20th Cent.-Fox)
"NORTH OF NOME" (Col.)
ALVIN—(2,000), 25c-40c, 5 days. **Gross:** $3,800. (Average, 7 days, $5,500)

"UNDER YOUR SPELL"
(20th Cent.-Fox)
"FLYING HOSTESS" (Univ.)
FULTON—(1,750), 25c-40c, 7 days. **Gross:** $2,900. (Average, $4,500)

"WINTERSET" (Radio)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $8,500. (Average, $11,000)

"HIDEAWAY GIRL" (Para.)
STANLEY—(3,600), 25c-60c, 7 days. Stage: Ethel Waters, Three Brown Sisters, Teddy Hale, Eddie Mallory's band, Whitey's Lindy Hoppers, Sunshine Sammy and Derby Wilson. **Gross:** $20,000. (Average, $18,500)

"DANIEL BOONE" (Radio)
"ALONG CAME LOVE" (Para.)
WARNER—(2,000), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,500)

"Three Men" Dual $8,500 at Spokane

SPOKANE, Dec. 29.—Pre-Christmas business held up fairly well, with "Three Men on a Horse" and "Luckiest Girl in the World" getting $8,500 at the Fox and "Love on the Run" $5,500 at the State. Both were $1,000 over par.

"Love on the Run" started slow at the State, but warmed up to $5,500 and was held over for a second week.

Total first run business was $18,700. Average is $16,400.

Estimated takings:

Week Ending Dec. 22:

"CAN THIS BE DIXIE?" (20th Cent. Fox)
"DOWN THE STRETCH" (F. N.)
ORPHEUM—(1,200), 20c-30c, 4 days. **Gross:** $3,200. (Average, $3,000)

"ALIBI FOR MURDER" (Col.)
GRANADA—(600), 15c-25c, 3 days. **Gross:** $600. (Average, $500)

Week Ending Dec. 24:

"THREE MEN ON A HORSE" (W. B.)
"LUCKIEST GIRL IN THE WORLD" (Univ.)
FOX—(2,300), 25c-40c, 7 days. **Gross:** $8,500. (Average, $7,500)

"LOVE ON THE RUN" (M-G-M)
STATE—(1,000), 30c-40c, 7 days. **Gross:** $5,500. (Average, $4,500)

"LOVE LETTERS OF A STAR" (Univ.)
"HOPALONG CASSIDY'S RETURN" (Para.)
ORPHEUM—(1,200), 20c-30c, 2 days. **Gross:** $900. (Average, $900)

"Children," Show Single Boston Draw

BOSTON, Dec. 29.—"Sins of Children," Grand National feature released in many spots as "In His Steps," with the help of a stage show called "Riviera Follies," was the only attraction to overcome the general slump. It took $12,000 at the RKO Boston, over par by $1,000.

"Rembrandt" slipped to $11,000 in its second week at the RKO Memorial and "Banjo on My Knee," with Borrah Minnevitch's harmonica band at the Metropolitan, took only $16,000, below the line by $6,000.

Total first run business was $70,300. Average is $79,500.

Estimated takings for the week ending Dec. 24:

"ISLE OF FURY" (W. B.)
"THE CAPTAIN'S KID" (W. B.)
FENWAY—(1,392), 30c-50c, 7 days. **Gross:** $3,800. (Average, $4,500)

"REMBRANDT" (U. A.)
RKO MEMORIAL—(2,907), 25c-50c-65c, 7 days, 2nd week. **Gross:** $11,000. (Average, $12,000)

"OLD HUTCH" (M-G-M)
"THE MAN WHO LIVED TWICE" (G. B.)
LOEW'S ORPHEUM—(2,970), 25c-45c-65c, 7 days. **Gross:** $11,000. (Average, $12,000)

"OLD HUTCH" (M-G-M)
"THE MAN WHO LIVED TWICE" (G. B.)
LOEW'S STATE—(3,537), 35c-45c-65c, 7 days. **Gross:** $10,000. (Average, $11,000)

"BANJO ON MY KNEE" (20th-Fox)
METROPOLITAN—(4,332), 35c-50c-65c, 7 days. Stage: Borrah Minnevitch's Harmonica Rascals. **Gross:** $16,000. (Average, $22,000)

"ISLE OF FURY" (W. B.)
"THE CAPTAIN'S KID" (W. B.)
PARAMOUNT—(1,793), 25c-50c, 7 days **Gross:** $6,500. (Average, $7,000)

"SINS OF CHILDREN" (G. N.)
RKO BOSTON—(3,246), 35c-50c-65c, 7 days. Stage: "Riviera Follies." **Gross:** $12,000. (Average, $11,000)

Nominate 3 for C. E. A.

LONDON, Dec. 21.—Three nominations have been made for vice-president of the Cinematograph Exhibitors' Ass'n. in 1937. They are Ken Nyman, E. J. Hinge and J. R. Dovenor. The office carries with it succession to the presidency in the following year.

South African Issue

LONDON, Dec. 21.—Kinemas, Ltd., of South Africa offered £475,000 in 5¼ per cent debenture stock at par on the London market. The company, which has an amalgamation arrangement with African Theatres, Ltd. estimates current year's profits at £83,000.

Warners Open New Stage

HOLLYWOOD, Dec. 29.—Warners have opened stage 20, the largest on the lot, and the 11th new stage built since last January. The stage is 305 feet long by 123 feet wide and is 35 feet high. It will be used first for "The Prince and the Pauper."

Robertson Local 23 Head

PROVIDENCE, Dec. 29. — James G. Robertson will head Local 23, I.A.T.S.E. for the ensuing year. Frank Hafey is vice-president; Fred Newcomb, recording secretary, and Thomas F. Gannon, business agent.

"Dance" Only Detroit Film In the Black

DETROIT, Dec. 29.—"Born to Dance" was the only attraction in town to demonstrate any strength. In its second week at the United Artists it pulled $11,500, over normal by $1,500.

All the other first runs were in a bad way with the exception of the Adams where "Theodora Goes Wild" pulled $4,200, within $800 of par.

Total first run business was $63,800. Average is $70,000.

Estimated takings:

"LOVE IN EXILE" (G. B.)
"THEODORA GOES WILD" (Col.)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $4,200. (Average, $5,000)

"CAREER WOMAN" (20th Cent.-Fox)
FOX—(5,100), 15c-75c, 7 days. Stage: Frank Libuse, Karre LeBaron Trio, Variety Gambols, Ted Allen, Al Saal. **Gross:** $18,600. (Average, $20,000)

"MAD HOLIDAY" (M-G-M)
MICHIGAN—(4,100), 15c-75c, 7 days. Stage: Mabel Todd & Co., Camilla's Birds, Picchiana Troupe, Ward & Milford, Three Lightning Flashes. **Gross:** $18,500. (Average, $20,000)

"GO WEST, YOUNG MAN" (Para.)
"THE LONGEST NIGHT" (M-G-M)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $4,600. (Average, $5,000)

"BORN TO DANCE" (M-G-M)
UNITED ARTISTS—(2,070), 15c-65c, 7 days, 2nd week. **Gross:** $11,500. (Average, $10,000)

"REMBRANDT" (U. A.)
MADISON—(2,000), 15c-65c, 7 days. **Gross:** $6,400. (Average, $10,000)

"One Way" Dual at $4,700 Omaha High

OMAHA, Dec. 29.—"One Way Passage," a reissue, paired with "Wanted: Jane Turner," was the surprise of the week, grossing $4,700, over par by $700 at the Brandeis. It was the biggest pre-Christmas week since Mort Singer took the house over.

The Orpheum also went over par by $600 for "White Hunter" and "Our Relations." The gross was $8,100.

The Omaha played two complete bills in nine days, with "Can This Be Dixie?" and "Back to Nature" slumping badly for the first seven days. "Flying Hostess" and "Love Letters of a Star" fared better, grossing $1,800 the next two days.

Unseasonably warm weather prevailed.

Total first run business was $27,400. Average is $32,400.

Estimated takings:

Week Ending Dec. 22:

"CAN THIS BE DIXIE?" (20th Cent.-Fox)
"BACK TO NATURE" (20th Cent.-Fox)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $4,800. (Average, $5,500)

Week Ending Dec. 23:

"ONE-WAY PASSAGE" (W. B.) (Re-issue)
"WANTED: JANE TURNER" (Radio)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $4,700. (Average, $4,000)

"THE GAY DESPERADO" (U. A.)
"ALL AMERICAN CHUMP" (M-G-M)
PARAMOUNT—(2,900), 25c-40c, 7 days. **Gross:** $8,000. (Average, $9,900)

Week Ending Dec. 24:

"FLYING HOSTESS" (Univ.)
"LOVE LETTERS OF A STAR" (Univ.)
OMAHA—(2,200), 25c-40c, 2 days. **Gross:** $1,800. (Average, $5,500)

"WHITE HUNTER" (20th Cent.-Fox)
"OUR RELATIONS" (M-G-M)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $8,100. (Average, $7,500)

Golden Silence

Omaha, Dec. 29.—D. V. McLucas and Harry Shumow, managers here, respectively, for United Artists and M-G-M, were arguing on the sidewalk of Film Row. Shumow grew vociferous and finally Mac said:

"Quiet Harry! I know a guy who made a fortune by never saying a word."

"Yeah," said Harry, "you name him."

"Harpo Marx."

"Theodora" Is Denver's Lead As Takes Fall

DENVER, Dec. 29.—"Theodora Goes Wild" was still $500 over par with a take of $2,500 at the Broadway, in spite of the fact that it had played a week each at the Denver and Aladdin.

This was exceptional in view of the fact that some of the first runs found the going rough in the face of Christmas shopping.

"Let's Make a Million" managed to get into the profit column with $5,000 at the Denham, "Pennies from Heaven" was slightly above the line at $8,000 in the Denver, and "One Way Passage," on a dual with "The Captain's Kid," took $4,000 at the Paramount.

Total first run business was $27,300. Average is $28,500.

Estimated takings for the week ending Dec. 24:

"THREE MEN ON A HORSE" (F. N.)
ALADDIN—(1,500), 25c-40c-50c, 7 days, following a week at the Denver. **Gross:** $3,000. (Average, $3,000)

"THEODORA GOES WILD" (Col.)
BROADWAY—(1,500), 25c-40c, 7 days, following a week each at the Denver and Aladdin. **Gross:** $2,500. (Average, $2,000)

"PAROLE" (Univ.)
"LOVE LETTERS OF A STAR" (Univ.)
CENTER—(1,500), 15c-25c-35c, 7 days. **Gross:** $800. (Average, $2,000)

"LET'S MAKE A MILLION" (Para.)
DENHAM—(1,500), 25c-35c-40c, 7 days. **Gross:** $5,000. (Average, $4,500)

"PENNIES FROM HEAVEN" (Col.)
DENVER—(2,500), 25c-35c-50c, 7 days. Stage band. **Gross:** $8,000. (Average, $7,500)

"ROBERTA" (Radio)
"MUTINY ON THE BOUNTY" (M-G-M)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. Revival. **Gross:** $4,000. (Average, $6,000)

"ONE-WAY PASSAGE" (W. B.)
"THE CAPTAIN'S KID" (F. N.)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $4,000. (Average, $3,500)

Church Unit Hits Film

LONDON, Dec. 21.—The executive committee of the National Free Church Council, representing the non-episcopal churches, has passed a resolution taking "grave objection" to "The Green Pastures" on the ground that representations of the Deity were undesirable "removed from the devotional atmosphere . . . and treated as an ordinary means of entertainment."

Warners Plan New House

LOUISVILLE, Dec. 29.—A new $75,000 Warner theatre is to be built at Fulton, Ky., according to Burgess Waltmon, local manager at Fulton, for Howard Vaughan, zone manager. It will seat 900.

"Three Men" Fair in Bad Frisco Slump

SAN FRANCISCO, Dec. 29.—"Three Men on a Horse," on a dual with "Mad Holiday" at the St. Francis, was the only attraction in town to come within hailing distance of average for the week. The take was $5,800, under normal by $200.

Everything else hit the skids. "Theodora Goes Wild," in its fourth week at the Orpheum, took $7,800. "Love on the Run," with "The Case of the Black Cat," at the Warfield, took only $10,200.

The weather was bad and Christmas shopping was below expectations because of the maritime strike.

Total first run business was $73,250. Average is $85,500.

Estimated takings:

Week Ending Dec. 22:

"MUMMY'S BOYS" (Radio)
"SEA SPOILERS" (Univ.)
EMBASSY — (1,400), 15c-30c-35c-40c, 7 days, 2nd week. **Gross:** $3,200. (Average, $4,500)

"PLOT THICKENS" (Radio)
GOLDEN GATE—(2,850), 15c-30c-35c-40c, 7 days. Stage: Vaudeville. **Gross.** $13,000. (Average, $16,000)

"THEODORA GOES WILD" (Col.)
"FLYING HOSTESS" (Univ.)
ORPHEUM — (2,440), 15c-30c-35c-40c, 6 days, 4th week. **Gross:** $7,800. (Average, $9,000)

Week Ending Dec. 23:

"JUNGLE PRINCESS" (Para.)
"CHARLIE CHAN AT THE OPERA" (20th Cent.-Fox)
FOX — (5,000), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $14,500. (Average, $16,000)

"REMBRANDT" (U. A.)
UNITED ARTISTS—(1,200), 15c-30c-35c-40c-65c, 8 days, 2nd week. **Gross:** $5,400. (Average, $7,000)

"LOVE ON THE RUN" (M-G-M)
"CASE OF THE BLACK CAT" (W. B.)
WARFIELD — (2,680), 15c-30c-35c-40c-55c-75c, 6 days, 2nd week. **Gross:** $10,200. (Average, $13,000)

Week Ending Dec. 24:

"PETER VINADOGROV (Amkino)
CLAY—(400), 15c-35c, 5 days, 2nd week. **Gross:** $850. (Average, $1,000)

"ONE WAY PASSAGE" (W. B.)
"CAPTAIN'S KID" (W. B.)
PARAMOUNT — (2,740), 15c-30c-35c-40c-55c-75c, 7 days. **Gross:** $12,500. (Average, $13,000)

"THREE MEN ON A HORSE (W. B.)
"MAD HOLIDAY" (M-G-M)
ST. FRANCIS—(1,400), 15c-30c-35c-40c, 7 days, 2nd downtown week. **Gross:** $5,800. (Average, $6,000)

Union Cinemas Registers

LONDON, Dec. 21.—Union Cinemas, Ltd., has been formally registered with a capital of £6,500,000 in 3,500,000 £1 shares and 12,000,000 5/- shares. This represents the combination, already announced, of Union Cinema Co., Ltd., with its subsidiaries, National Provincial Cinemas, Ltd., and Oxford and Berkshire Cinemas, Ltd. First directors are David Bernhard, L. J. Clements, and C. F. Bernhard, who are given authority to borrow up to twice the amount of the issued capital or £12,000,000, whichever is greater.

Kentucky Firm Bankrupt

LOUISVILLE, Dec. 29.—A voluntary petition in bankruptcy has been filed in the Federal Court by Kentucky Theatres, Inc., operators of the National. Liabilities are approximately $24,496.97 and no funds are on hand to meet the payments.

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LINES ALL DAY!
LINES EVERY DAY!

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HELEN WESTLEY • ARTHUR TREACHER

J. EDWARD BROMBERG • ASTRID ALLWYN

Directed by William A. Seiter

Associate Producers Earl Carroll, Harold Wilson

Screen play by William Conselman, Arthur Sheekman, Nat Perrin • Story by Sam Engel

Darryl F. Zanuck in Charge of Production

20th CENTURY FOX

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"LLOYDS" IN 6TH BIG WEEK AT ASTOR & CARTHAY CIRCLE!

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 40. NO. 154 NEW YORK, THURSDAY, DECEMBER 31, 1936 TEN CENTS

Engineers for 15-25 Super Power Spots

Recommendations Going Before FCC Soon

WASHINGTON, Dec. 30.—If the recommendations which will be submitted to the Federal Communications Commission by the commission's engineering division at the next meeting of the governing body of the broadcast industry are adopted, the nation soon will have a number of stations, possibly 15 to 25 in number, operating on a clear channel frequency of 500,000 watts. At present WLW, in Cincinnati, is the only station in America allowed a power of 500,000 watts, and this is on an experimental basis.

The engineering division's report based on an exhaustive study of the engineering aspects of radio will further state that there is no engineering objection to the creation of such high-power stations, and will recommend that the number of clear channels be reduced from 40 (as at present) to possibly 25 to 30; that the band from 1,500 to 1,600 be

(*Continued on page 5*)

Radio Today—Page 5

Goldstein in Charge At Republic Studios

HOLLYWOOD, Dec. 30.—E. H. Goldstein today was given complete charge of business administration at Republic studios and Jack Fier was placed in charge of serials and westerns. These moves were predicted exclusively in MOTION PICTURE DAILY Dec. 5.

Fier's appointment is in the nature of a promotion. The new posts will be effective Jan. 2. The revised personnel setup is the result of conferences held here between Republic officials and Herbert J. Yates.

Bank Night Action Dismissed in Maine

BOSTON, Dec. 30.—The U. S. District Court in Maine has dismissed an infringement suit brought against Bank Night by Harry Berman.

Berman, a former dry goods dealer, who became the Maine Bank Night representative, claimed that a similar cash scheme of his had been infringed and adopted by Bank Night.

He has another suit pending for commissions alleged to be due him from Roy Heffner.

ITOA Holds a Significant Meeting—Nothing Happens

The I.T.O.A. held a significant meeting at the Astor yesterday. The score charge and what it means to the small exhibitor were discussed, but no action was taken. As a matter of fact, no plans have been made on what to do about it, but when the members gather around the table in the next few weeks there is a remote possibility they will remind themselves that it is time to talk about the subject again.

Labor was gone into yesterday, but no action was taken. Another meeting was planned last night, but no one was on hand that could reveal any of the details.

Several weeks ago the organization announced a mass meeting planned in New York with members of the I.T.O.A. and U.M.P.T.O. of Philadelphia scheduled to attend. This was supposed to concern allegedly unfair selling practices by unnamed companies. No action, no date, as a matter of fact nothing has been heard of it since word first got around that something would be done about it.

Then there's that vigorous campaign that the I.T.O.A. planned because Fire Commissioner John McElligott threatened to further an ordinance to ban smoking in theatres. Something was said about a fight. Nothing has been done about that, either.

1936

A year's happenings in the industry, as mirrored in the day-by-day headlines of *Motion Picture Daily* for 1936, are presented on Pages 8-9-10 today.

The complete financial recovery of the industry after four years of business depression is reflected in the earnings reports of representative production, distribution and exhibition companies which contributed to the headlines from the start to the end of the year. Another headline development, stemming from the industry's new economic order, was the complete revision and simplification of the corporate structure of the larger film and theatre enterprises and the resumption of dividend and bonus payments by virtually all companies.

Univ. Corp. Takes Block of "U" Stock

WASHINGTON, Dec. 30.—Acquisition in November of 3,500 shares of Universal Pictures common stock by the Universal Corp., Wilmington, Del., was disclosed tonight by the Securities and Exchange Commission in its semi-monthly report of stock transactions of officers, directors and large holders of corporation stocks.

At the close of the month, the Universal Corp. held 229,027 shares of

(*Continued on page 6,*

Para., Loew Stock Issues Hit New Highs

All Paramount issues and Loew's soared to new highs on the stock exchange yesterday, the gains for the day being the greatest in some time. Other film stocks also showed substantial increases, with practically all issues closing at top prices.

The reason attributed for the day's rise is the anticipated theatre returns for the next few days. According to

(*Continued on page 6*)

Hardwicke Distinguished in Well Done, Intelligent Play

In a well done, thoughtful and intelligent play, Sir Cedric Hardwicke, restrained stalwart of the English theatre and a familiar through British and an occasional Hollywood-made film, made his American stage debut last night. The play was "Promise" by Henri Bernstein, English version by H. M. Harwood, produced by Gilbert Miller, presented at the Little Theatre. And that's all of that.

An auspicious debut, this typewriter willingly, but nonetheless persistently, maintains. Poised, calm, always charming, occasionally somewhat the dullish for his own good and even contemplative, Sir Cedric's perform-

(*Continued on page 10*)

Warners Not To Take G.N. Cagney Film

Legal Angles Involved, It Is Explained

Although a number of the circuit's houses have signed for Grand National's lineup, no Warner theatre will play "Great Guy," starring James Cagney.

At Warners, it was admitted that the situation involved a legal question and not exhibition or prejudice. It was pointed out that Cagney some time ago won a suit to terminate his contract with Warners, following which the producer-distributor-exhibitor appealed. In handing down the decision, the judge pointed out that until a final court determination was made, Cagney had the right to work for anyone.

Edward Alperson, president of Grand National, said it was true that Warners would not book the Cagney film, but the trouble is between Warners and Cagney and does not involve Grand National.

"Great Guy" opened in six towns Christmas Day, including Allentown and Wilmington, and will open in a number of key cities today, and the Criterion on Broadway.

Maury Cohen Joins RKO as Producer

HOLLYWOOD, Dec. 30. — Maury Cohen, president of Invincible Pictures, today was signed by RKO as a producer. The duration of the contract could not be learned.

Samuel J. Briskin stated that Cohen's duties will not be limited solely to B pictures, as had been reported.

No new producer alliance will be made by Chesterfield Pictures this season as a result of the withdrawal of Maury Cohen from the independent

(*Continued on page 2*)

No Room for More Films, Says Kent

S. R. Kent yesterday issued a statement clarifying the refusal of 20th Century-Fox to handle John Maxwell's B.I.P. pictures through its exchanges for G.B. The exchanges lack the facilities, he says.

"We have not put a ban on anybody," says Kent. "Our agreement with Gaumont British made three

(*Continued on page 6*)

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No Paper Tomorrow

***Motion Picture Daily* will not publish tomorrow, New Year's Day.**

We Wish

our friends of the present
—and those of the future—

A Glorious

1937

DAVID A. BADER, Ltd.
10 Haymarket, London

Insiders' Outlook

By RED KANN

. . . or some resolutions for the New Year

WILL H. HAYS—Resolved to let the world know the classics are to be filmed.

ISIDORE OSTRER—To cut down on the denials.

JOE SCHENCK—Signatures on the next big stock buy.

ED KUYKENDALL—To put fewer points in the program next time.

BARNEY BALABAN—Not to refuse compensation from Paramount in '37.

STANTON GRIFFIS—Ditto.

JACK COHN—To agree with Harry.

HARRY COHN—To call him "Jack."

BOB GILLHAM—To gild the silver jubilee.

LEO SPITZ—Reorganization before the snow melts.

AL STEFFES—A new check act for the new year.

JACK OAKIE—To go on a diet.

HAL HORNE—To make more for Wanger than he did for RKO.

VIC MCLAGLEN—To convince all the Light Horse Troop is just a hobby.

▼

FRANK FREEMAN—Some "permanent" theatre deals for Paramount.

WHITFORD DRAKE—To find out why is a Federal committee.

DAVE PALFREYMAN—To refuse to be quoted.

GARBO—To star in a Pollyanna story.

SHIRLEY TEMPLE—Better stories.

NAT LEVINE—A major producer rating.

SID RECHETNIK—A pilot's license.

GORDON WHITE—To get Ampa out of the oxygen tent.

CHARLIE EINFELD—To top the "Gold Diggers" flight.

MORT SPRING—To find a horse that won't take advantage of his height.

HOWARD DIETZ—To graft music to his layouts.

AL FRIEDLANDER—That Fortune Films live up to their name.

▼

RUBE JACKTER—To keep Jerry Safron on the coast.

JERRY SAFRON—The reverse on Rube.

BOBBY BREEN—A vote against five shows a day.

SAM BRISKIN—To click with an artistic picture.

DICK POWELL—To lose that mustache.

SONJA HENIE—To become a skateless star.

JEAN HERSHOLT—To forget Dr. Dafoe.

GARY COOPER—To find out whether Paramount or Goldwyn owns him.

SAM GOLDWYN—To see America doesn't lack family type pictures.

GYPSY ROSE LEE—To see Sam doesn't lack for someone to star in 'em.

BOB RUBIN—Never to back a stage play.

JAKE WILK—Me, too.

AL LICHTMAN—To picket Philadelphia.

exhibitor headquarters as unfair to Metro sales policies.

▼

ADOLPH ZUKOR—To survive the Jubilee dinner.

ALL EXHIBITORS—To drop protests against percentages and preferred playing time.

W. G. VAN SCHMUS—Not to put Bank Night in the Music Hall.

JOHN D. CLARK—To sell every account in Florida before spring.

HARRY CHARNAS—To find a producer who wants a Broadway show window.

BEN MOSS—Ditto.

EDDIE ALPERSON—"Maybe I'm it."

WILLARD MCKAY—To buy stock in Jack and Charlie's.

LOUIS NIZER—To stop trying to give the industry a Cinema Club.

SAM SPRING—To take bridge lessons.

GEORGE QUIGLEY—To take color out of the lab and put it on the screen.

A-MIKE VOGEL—To be seen and not heard.

LYNN FARNOL—Less trips to Hollywood.

HOLLYWOOD—To make cheaper, but better pictures.

▼

WARNERS—To make "Gold Diggers of 1938-39-40."

HARRY SHERMAN—To keep the Hopalongs hopping.

JOE MOSKOWITZ—Never to leave before the last act.

BOB GOLDSTEIN—To stick to radio.

BURNS and ALLEN—To stymie the menace of Bob Burns and Martha Raye.

BURNS and RAYE—Same thing, the other way.

HENRY HATHAWAY—To find another "Bengal Lancer."

FRANK CAPRA—To forget the Chinese for a time.

MUTUAL SYSTEM—To pack its airways with film guest names.

NBC—To revise the clock to get more hours per diem.

MAE WEST—To have all censors outlawed.

DONALD CRISP—Not more than 30 pictures in '37.

R. H. COCHRANE—To keep the New Universal new.

CHEEVER COWDIN—Them's my sentiments.

▼

ED FINNEY—More time in New York for those Grand National westerns.

CHARLIE BUNN—Resolved to spend some time in Gotham.

GUY KIBBEE—To find a romantic lead.

BOB TAYLOR—To answer all fan mail.

DON GILMAN—To promote commercial television.

DON THORNBURGH—To move 'Frisco to L. A.

ARTHUR TREACHER—To explain Wodehouse's comedy to scenarists.

WARNER OLAND—To portray

(Continued on page 6)

Maury Cohen Joins RKO as Producer

(Continued from page 1)

production field with the indicated disbanding of his Invincible Pictures, it was stated at Chesterfield headquarters here yesterday.

George Batcheller, Jr., pointed out that Chesterfield and Invincible were completely separate business organizations and that the combination of interests between the two was limited to office and distribution services. The pictures of each company were sold separately, he said.

"Chesterfield will not be affected in any way by the withdrawal of Cohen or the disbanding of Invincible," Batcheller said. "We are remaining in the state's rights field and are fulfilling all of our obligations in both production and delivery."

Three pictures on Chesterfield's schedule of nine for the current season have been completed and the fourth will be started immediately after the first of the year with the return to the coast of George Batcheller, Sr. The entire program will be completed according to schedule, it was said. It was understood that Invincible has delivered only one picture to date on its current schedule of nine.

Expect "Thin Man" To Reach $82,000

"After the Thin Man" is expected to wind up its first week at the Capitol tomorrow night with approximately $82,000. The gross up to last night was said to be well over $70,000. The third and last week of "Born to Dance" ended with about $22,000.

Kolbe Presides at Pathe

Frank Kolbe, chairman of the Pathe board, yesterday presided at a routine meeting of the directors. O. Henry Briggs, president, is in Miami and is due back shortly.

20th-Fox Board Meets

The monthly meeting of the board of 20th Century-Fox was held yesterday. Only routine business was transacted, according to company officials.

Gehring Starts Monday

William C. Gehring, S. R. Kent sales drive leader, on Monday assumes the post of central division manager, a newly created setup. William Sussman is eastern division head and William Kupper, western sales manager.

"Carnival" Opens in N. O.

"Carnival in Flanders" will have its southern premiere tomorrow at the New Strand in New Orleans for an indefinite run.

Decorate Greta Garbo

STOCKHOLM, Dec. 30. — Greta Garbo was decorated by King Gustaf in a State Council today with a gold medal in Letters and Arts.

WANTED—ARTIST

with trailer experience. One with modern idea of layouts and capable of supervising art department. One who can plan animations and can tell camera man how to shoot them. Laboratory experience preferred but not essential. Steady job with great future for right man. Must make his home in Chicago. See Irving Mack, Hotel Astor, Sunday.

THE SHOW THAT'S A MILLION SHOWS IN ONE

brings to the screen a great new star!

"SONJA HENIE is a sensation in her film bow. Displaying from her first scene a vivid personality, a freshness and charm which get over with men and women alike. Her performance will back the most ardent exploitation. Offering is by no means a one name affair. Lavishly produced, fattened with hilarious and assorted comedy and attuned to music and lyrics, 'One in a Million is ear-marked for prosperous business!"

—Variety Daily



"'ONE in a Million' easily ranks as a smash hit! Besides shining with a galaxy of tried and true performers, it introduces to the screen Sonja Henie, undoubtful and instantaneous star material who will gain an immediate following. This different musical is certain of wide and cordial interest and may safely be put down as a top-rank box-office bet!"

—Hollywood Reporter

It's 1937's HOLD OVER SENSATION!



One in a Million

glorifying the girl with the personality in a million!



SONJA HENIE *with*

ADOLPHE MENJOU • DON AMECHE
NED SPARKS • JEAN HERSHOLT
RITZ BROTHERS • ARLINE JUDGE
BORRAH MINEVITCH *and his gang* • DIXIE DUNBAR

Directed by Sidney Lanfield

Associate Producer Raymond Griffith • Story and Screen Play by Leonard Praskins and Mark Kelly • Music and Lyrics by Lew Pollack and Sidney D. Mitchell • Skating Ensembles Staged by Jack Haskell

with these Hit Songs:

"One in a Million"
"Who's Afraid of Love"
"The Moonlit Waltz"
"Lovely Lady in White"
"We're Back in Circulation Again"

20th CENTURY FOX

Darryl F. Zanuck
in Charge of Production

'LLOYDS' HELD FOR 6th WEEK AT ASTOR AND CARTHAY CIRCLE!

On the Air Last Night

Mutual Salute Returned

Tuesday night Mutual played Alphonse to Don Lee's Gaston by saluting the west coast chain in a program which fused the two networks into a coast-to-coast chain—the nation's third. Last night the Golden Gate web reversed the Alphonse-Gaston roles by returning the salute.

Californians long have boasted that they can double in spades anything offered or accomplished by effete easterners. Maybe it *is* the result of this insidious propaganda but, at any rate, last night's proceedings possessed a sparkle and snap that was sadly lacking in the Tuesday salute from the east.

It was good to hear again the voice of Conrad Nagle, erstwhile screen star who for some time past has been a Don Lee m. c. Now that he is again in the national spotlight this reviewer predicts that Nagle will soon become one of the most popular figures in radio.

The speeches, too, last night were briefer than those of Tuesday. Speakers included Fred Weber, general manager of Mutual, and Tom Lee, president of the Don Lee network. Wisely, they confined their talks to a minimum and left the microphones open to the entertainers.

A galaxy of screen stars were on hand to offer their felicitations—Hugh Herbert, Mae Clarke, George Jessel, Ella Logan, Ann Sothern, Mary Brian, Ann Shirley and many others. The stars were more ornamental than useful (all they did was say a few words) but their presence seemed to give the program a lift.

David Broeckman's orchestra again gave evidence that it is probably the best musical aggregation in radio. If there are any finer we haven't heard them yet.

Another highlight was the dramatization of "John Mead's Woman," starring portly Edward Arnold who gave an excellent account of himself.

Numerous other features included a microphone tour of San Francisco's Chinese telephone exchange and a brief offering of native music from KGMB, Mutual's Honolulu station.

BANNER

4th CBS Radio Theatre

CBS has leased the John Golden and will officially take over the house Jan. 2 for the special salute broadcast dedicated to CBS stations KNX, Hollywood, and KSFO, San Francisco. The lease is believed to be for a period of one year.

The new addition gives CBS a total of four playhouses—the Hammerstein, Avon, Hudson, and the Golden.

Reinhardt on "Magic Key"

Max Reinhardt, stage and screen producer will head the RCA "Magic Key" program this Sunday in a talk based on his forthcoming presentation of "The Eternal Road." Others who will appear on the program with Reinhardt include Ezio Pinza, Le Petit Mirscha, 10-year-old singer whose voice will be short waved from Italy; Ania Dorfmann, "Fats" Waller and "Doc" Rockwell.

NBC Schedules 6 New Shows Next Month; Two Tomorrow

Six new programs are scheduled to bow in over NBC networks during the month of January.

Friday night, Jan. 1, the new Ford program, "Universal Rhythm," featuring Rex Chandler and a 42-piece orchestra inaugurate the parade over the Blue. The time is 9 P. M.

Also on Friday will be heard the new "Twin Star" revue with Helen Broderick, Victor Moore and Buddy Rogers' orchestra. The National Bisquit Co. is sponsoring. The time is 9 P. M. over the Red.

The following evening at 9:30 P. M., Joe Cook and a host of guest artists begin a new series for Shell Petroleum over the Red.

Elsie Hitz and Nick Dawson in a script series entitled "Follow the Moon," begin a five-time a week program, Mondays through Fridays, for Woodbury-Jergens, Jan. 4. The program will be heard over the Red from 4:30 to 4:45 P. M.

The Betty Moore "Triangle Club," sponsored by the Benjamin Moore Co., begins Jan. 7 and will be heard at 11:30 A. M. over the Red.

The final premiere for the month takes place Jan. 22 when Pontiac presents a series entitled "College Campus." The program will be heard weekly from 10:30 to 11 P. M. over the Red network.

All programs listed above are E.S.T.

Wrigley Planning Change

According to a reliable source from Chicago, it is reported that the Wrigley-sponsored "Poetic Melodies" and "Mortimer Gooch" programs will be dropped from the Pacific coast rebroadcasts and replaced with a serial based on Clarence Budington Kelland's "Scattergood Baines Adventures" stories. The program, it is understood, will feature the title character in new stories especially written for the microphone. The report states that the new program will get under way Jan. 11.

"Poetic Melodies" is broadcast Mondays through Thursdays from 7 to 7:15 P. M., E.S.T. "Mortimer Gooch" is heard Fridays at the same time. The program is carried over 45 CBS network stations, and is rebroadcast to the Pacific coast daily at 11 P.M., E.S.T.

If the new setup materializes, it will mark the first time a rebroadcast program will differ from that of the regular broadcast.

O'Brien, Crosby's Guest

Pat O'Brien and the "Foursome Famous Quartet," last seen in "Born to Dance," will be Bing Crosby's New Years' Eve guests on the Kraft "Music Hall" series.

Tracy, Bruce and Farmer

Spencer Tracy, Virginia Bruce and Frances Farmer will be heard in a microphone-treated version of the film, "Men in White" on the Lux Radio Theatre program, Jan. 4.

New Colgate Show

Colgate-Palmolive-Peet has closed for a new program to succeed "Come On, Let's Sing" which will be heard for the last time on the air tonight at 10 P.M., E.S.T., over CBS. The new series beginning Jan. 7 will be known as "True Adventures" and will star Floyd Gibbons and a dramatic cast in re-enactments of true life adventures. Two adventure episodes will be dramatized each week and a third will be narrated by Gibbons.

The series will be broadcast in behalf of Colgate's ribbon dental and shave creams. Benton and Bowles is the agency.

Another One

Another "salute" program is in the making. NBC has decided to put on a special show welcoming all new stations midnight Sunday over the Blue. No details have been set as yet.

Hoppes in New Post

William L. Hoppes joins the World Broadcasting System as station relations manager on Jan. 1, succeeding Stephen R. Rintoul who resigned recently.

Hoppes, a West Pointer, has been associated with Western Electric and Erpi since 1928, in Europe as well as in the United States. He pioneered in the development of talking pictures.

Thompson, Reilly, Et Al

Short Shots: Kay Thompson is hospitalized after an operation. . . . Tim and Irene start production on their Educational short Jan. 11. . . . Mike Reilly, formerly of Reilly and Farley of "Music Goes 'Round and 'Round" fame, has been added to the WNEW Dance Parade schedule. . . . Mary Small's Monday and Friday NBC programs have been cancelled temporarily pending the recovery of the tiny singing star, now abed with the grippe. . . . Paul Whiteman plays the State Inaugural Ball in Texas, Jan. 21. . . . Amos 'n' Andy will broadcast from Palm Springs, Calif., for the winter. They head west on Jan. 2. . . . WBNX reports a gross inincrease in business for 1936 of 44½ per cent. In 1935 the station's billing was $113,605, as compared with $164,162 in 1936. . . . Arrangements for the President's Birthday Ball will be outlined by Carl Byoir, general director of the affair, in a talk to be broadcast over CBS on Jan. 2 at 6:15 P. M., E.S.T. . . . Sunday's "Vick's Open House" program will be the last to originate in Hollywood. Thereafter, Nelson Eddy and his company move East in a series of concert jumps. . . . Lois Wilson, of the screen, will make her debut on the "Your Unseen Friend" program over CBS Jan. 10. . . . Betty Jaynes, 15-year-old soloist, will guest on the Ford Sunday night series Jan. 10. . . . Remi Morosani, skiing expert, will be the guest this Saturday on Dr. Shirley W. Wynne's "All-American Boys and Girls Club" program over WMCA. . . . When Milton Berle opens at Loew's State Friday, he will receive $5,000 for the week, plus 50 per cent of the receipts over $35,000. Which is a tribute to radio, for, before coming to the air, Milton played the State for far less money.

Engineers for 15-25 Super Power Spots

(*Continued from page* 1)

opened for general broadcasting; that the rules governing the allocation of frequencies be made flexible.

The commission engineers are now of the opinion, it is reported, that by the use of modern engineering knowledge and equipment, interference would be prevented, as has long been feared by the commission. It is because of this fear that all requests for power increases to 500,000 watts have been turned down excepting in the Crosley-WLW instance.

FWC Takes to Air; Programs Tuesdays

SAN FRANCISCO, Dec. 30.—Two Don Lee stations will air "Swingtime" at 8 P. M. on Tuesdays for Fox West Coast. The program will be conducted by Ed Lowry and probably will originate from KHJ, Los Angeles, since KFRC is unable to confirm the trailer announcements used by the local F. W. C. theatres today.

It is understood that Fox West Coast will also use spot announcements over KSFO, new Columbia outlet here.

Network Give Month's Bonus

OMAHA, Dec. 30.—A month's pay as a bonus, which came as a mailed surprise to their homes, was given as a holiday present by Central States Broadcasting Co., operating KOIL in Council Bluffs and Omaha, KFAB in Omaha and Lincoln and KFOR in Lincoln, to all its employees of more than a year's service. The total disbursed exceeded $10,000. Employees with less than a year's service received a proportionate amount.

KOIL joins the Mutual System Wednesday. This station also gets NBC-Blue network programs.

Melton Ill; Date Cancelled

PITTSBURGH, Dec. 30.—Booked for a personal appearance at the Stanley this week in connection with his latest picture, "Sing Me A Love Song," James Melton's engagement was cancelled at the last-minute upon advice from New York that he had been stricken with the flu.

Eleanor Holm and her husband, Art Jarrett, were hurriedly booked in no less than a day's notice to substitute for the tenor.

Evangelist on Air

HOUSTON, Dec. 30.—Evangelist M. F. Ham, formerly of the team of Ham and Ramsey, has broadcast from KTRH daily from 9:45 to 10:25 A. M. for the past two months. Rev. Ham's gospel tent on a downtown block seats 7,000 and is packed twice daily. The radio station donates the time.

Times-Star Asks License

CINCINNATI, Dec. 30.—The *Times-Star,* local afternoon daily, has applied to Federal Communications Commission for permit to construct a station to operate on 1,050 kilocycles, five kilowatts, unlimited hours.

Para., Loew Stock Issues Hit New Highs

(Continued from page 1)

some circuit heads, grosses this New Year's will reach the highest point since 1929.

On a turnover of 44,300 shares, Paramount common jumped 2⅜ points for a new record figure of 25. The first preferred gained 16½ points when 2,800 shares were traded, the stock closing at 174, the highest it has ever reached. The second preferred at 22¾ profited by 2⅛ on a turnover of 7,500 shares.

Loew's common closed at 67 after a gain of 3¾ points. There were 4,300 shares traded.

Columbia common and preferred each gained over two points. Consolidated Film, Warner common and 20th Century-Fox common and preferred also showed good gains.

Para. Nominates 183 More Medal Showmen

Paramount has designated an additional group of 183 exhibitors in this country and Canada who played "Queen Elizabeth," to receive the Adolph Zukor Silver Jubilee medallions in connection with the Paramount celebration of Zukor's 25th anniversary in the business. An earlier list of 204 exhibitors was reported several weeks ago, making a total of 387.

A complete list of the exhibitors and the exchanges which serve them follows:

Albany: Ernest J. Wolf, Lowville, N. Y.

Boston: L. M. Boas, Joe Levenson, Jacob Lourie, Nathan H. Gordon, A. Bendslev, Wellesley; William Deitch, Arctic, R. I.; Frank Lyden, Dorchester; A. Silverman, Providence; George Ramsdell, Malden; George Hackett, Medford; Frank Bosketti, Lawrence; Lon Vail, Warren, R. I.; Frank Wotton, Holyoke; Charles Hodgson, Wakefield; E. R. Hutchinson, Burlington, Vt.; Edgar S. Hill, Webster; Nate and Sam Goldstein, Springfield, Mass.

Brooklyn: Bernard W. Simon.

Buffalo: Jake Rappaport, Louis Isenberg, M. Hochs, M. Schuchert, Sr., Charles Hayman, James Wallingford, A. A. Fenyvessy, Rochester.

Charlotte: Charles Arrington, Rocky Mount, N. Car.; O. I. Sheely, Clinton, So. Car.; L. L. Drake, Wadesboro, No. Car.; E. G. Stellings, Wilmington, No. Car.

Chicago: J. G. Hruby, Harvey, Ill.; Paul White, Decatur, Ill.; James Coston.

Cincinnati: L. Shore, Williamson, W. Va.

Dallas: T. M. Dunn, Mineral Wells, Tex.; Homer Mulkey, Clarendon, Tex.

Des Moines: J. F. Cass, Sumner, Ia.; J. H. MaClay, Dubuque; C. L. Niles, Anamosa; R. H. Frantz, Ackley; A. J. Diebold, Cedar Rapids; C. E. Carragher, Clear Lake; P. D. Cota, Waukon; M. A. Brown, Forest City; E. O. Ellsworth, Iowa Falls; H. E. Rehfield, Bloomfield; Harry Pace, West Union; G. L. DeNune, DeWitt; Ludy Boston, Muscatine; Charles Peterson, Hampton; George Haight, Northwood; F. R. Bandy, Britt; R. E. Pratt, Washington; Clyde Pratt, Washington; George Hake, Belmond; Stuart R. Peake, Maquoketa; M. A. Fauver, Brooklyn; Mrs. C. S. Hoffman, Knoxville; G. Ted Allen, Guthrie Center; William H. Mart, Grinnell, and A. H. Blank, Des Moines.

Detroit: Tom Ehland, J. E. Stocker, E. C. Beatty, George W. Trendle, J. Eugene Pearce, Walled Lake, Mich.; Custer Carland, Frankfort; Glen Cross, Battle Creek; Paul Schlossman, Muskegon.

Jacksonville: Alec N. Fortunas, Apalachicola, Fla.

Indianapolis: Carl Niesse, H. P. Vonderschmitt, A. W. Baker, A. C. Zaring, Marc Wolf, S. J. Switow, Louisville, Ky.; F. J. Dolle, Louisville; Percy Gladden, Bloomington; Joe Brokaw, Angola, Ind.; Billy Connors, Marion, Ind.; M. Marcus, Fort Wayne, Ind.

Jersey: Harry K. Hecht, Passaic, Jacob Unger, Hillside.

Kansas City: A. R. Zimmer, Springfield, Ill.; Roy Burford, Hutchinson, Kan.

Los Angeles: Joseph Skirboll, Sid Grauman, Sam Pouros, Bakerfield, Cal.; A. J. Simos, Bakersfield; Harry L. Nace, Phoenix, Ariz.; Charles Alden, Globe, Ariz.; R. J. Siler, Balboa, Calif.; Mike and Abe Gore, Los Angeles; Johnny Young, Mike Rosenberg, Gus Metzger, Los Angeles; Harry Holland, Bishop, Calif.; Glenn Harper, Corona, Calif.; Walter Calvert, Lompoc, Calif.; E. Cragin, Las Vegas, Nev.; Nick Diames, Tucson, Ariz.; F. C. Martin, Clifton, Ariz.; Phil Pocharich, Jerome, Ariz.; Charles Born, Prescott, Ariz.; W. A. Pike, Las Vegas, Nev.

Milwaukee: Tom Saxe.

Minneapolis: Theodore Hays, Ben Friedman, Eddie Ruben, Henry Green, Lou Rubenstein, St. Paul; Abe Kaplan, St. Paul; Oliver Rowe, St. Paul; W. A. Mustard, St. Paul; Henry Ludcke, St. Paul; J. R. McDonald, Barron, Wisc.; C. L. Hiller, Crookston, Minn.; Al Anson, Duluth; J. B. Clinton, Duluth; Will J. Glaser, Faribault, Minn.; Gene McCarthy, Fergus Falls, Minn.; E. S. Noreen, Hutchinson, Minn.; Harry French, Mankato, Minn.; Bill Smith, Menomonie, Wisc.; Fred Smith, Menomonie, Wisc.; Vince McCarthy, Montevideo, Minn.; W. T. McCarthy, Fargo, No. Dak.; Everett Dilley, Northfield, Minn.; Harvey Buchanan, Superior, Wisc.; John Piller, Valley City, No. Dak.; Anton Gilles, Wahpeton, No. Dak.; Sid Heath, Wells, Minn.; John Synder, Williston, No. Dak.; L. G. Roesner, Winona.

New Haven: Matt Saunders, Bridgeport; Michael Tommasino, New Haven.

New Orleans: J. L. Alsina.

New York: Milton Kronacher, Frank K. Goodale, Harry Shiffman.

Oklahoma City: Leonard White, Weatherford, Okla.

Philadelphia: Walter Vincent, Marcus A. Benn, Earl M. Forte, A. R. Boyd, Herbert Effinger, Milton Rogasner, Charles Segall, N. Stiefel, S. Stiefel, Michael Lessy, John Smith, Edward J. O'Keefe, William Woodin, Towanda, Pa.; M. E. Comerford, Scranton; L. J. Chamberlain, Shamokin; Dr. H. J. Schad, Reading; J. Fox, Riverside, N. J.; Lewen Pizor, Camden; William C. Hunt, Wildwood, N. J.; Ralph Wilkins, Woodbury, N. J.; A. Sablosky, Norristown, Pa.; Lewis Sablosky, Wilmington, Del.; B. M. Hofelich, Shenandoah, Pa.

Portland, Me.: William B. Williamson, Augusta, Me.; E. O. Gilbert, Berlin, N. H.; Harry Rosenthall, Lewiston, Me.; C. J. Russell, Sr., Bangor; J. J. Kenney, Auburn, Me.

Portland, Ore.: H. J. Updegraff.

San Francisco: Herman Wobber, Edward H. Wobber, William P. Wobber, A. M. Bowles.

San Antonio: John C. Fanning, Brownsville, Tex.; L. J. Mason, McAllen, Tex.; C. C. Dues, El Paso and W. E. Crist.

St. Louis: Steve Farrar, Eldorado, Ill.; Fred Wehrenberg, St. Louis.

Washington: Sidney Lust, Washington, D. C.

Canada: W. L. Stewart, London, Ont.; H. A. C. Osborne, Penetang; F. R. Pursel, Simcoe; Leo Mascioli, Timmins; Peter Bardessono, North Bay.

Insiders' Outlook

(Continued from Page 2)

something else than Charlie Chan.

VINCE BARNETT—To rib Jack Warner.

ROSALIND RUSSELL—To land another part like "Craig's Wife."

JOEL MCCREA—Haircuts more frequently.

SPYROS SKOURAS—Bigger, better dividends for Nat'l Theatres.

CLARK GABLE—To convince critics he's an artist.

CARY GRANT—To improve the sun tan.

GEORGE RAFT—To check his temper.

WILLIE WYLER—To switch from directing to acting.

▼

BILL POWELL—To never grow old.

REGINALD OWEN—To hire a press agent.

TED HEALY—To stay married.

BRUCE CABOT—To look less like a menace.

IRVING HOFFMAN—To tell taller tales.

BILL FIELDS—To recover.

ANDY DEVINE—To become a basso profundo.

RUBY KEELER—To lock up Al during the racing season.

KAY FRANCIS—To keep title as the screen's best-dressed woman.

JOAN BLONDELL—To win that title.

PAT O'BRIEN—To really book passage on the China Clipper.

CAROLE LOMBARD—To gab more with Gable.

ED FORTMAN—To promote harmony between screen and radio.

HAL BACH—To halt all rumors.

DAVE CARTER—To get more phones and secretaries.

▼

WARNER BAXTER—To do another "Cisco Kid."

FREDDIE MARCH—Less orating.

MARY ASTOR—To exercise greater caution.

CLAUDETTE COLBERT—To do "Marie Antoinette."

GEORGE BRENT—To refrain from doing two films at one time.

▼

PERCY PHILLIPSON—To register more registers.

FRANK WALKER—To coordinate Comerford and politics.

ED FAY—To seek the aid of Providence.

EDDIE DOWLING—To show a show or two.

CARL LESERMAN—To make things fair and Warner.

GRAD SEARS—Pictures and the weather—both Warner.

JACK LEVIN—To eliminate bicycles.

▼

J. J. MCCARTHY—Not to see snow this winter.

GABRIEL HESS—To think up answers to the Government's Dallas anti-trust suit.

JOE STEIN—To see that no one double features the same prints in different theatres on the same night.

EDDIE KLEIN—Not to abdicate without a contract.

ANDY SMITH—To give Goldwyn as good a "break" as the rest of the partners.

HARRY GOLD—To find some circuits in his territory that want contracts like Karl Hoblitzelle's.

EDDIE PESKAY—To get to bed earlier.

PAUL LAZARUS—To get mad just once.

DAVE BERNSTEIN—To sign some new dividend checks.

HARRY THOMAS—Not to believe what bankers tell him.

ARTHUR LOEW—To beat Howard Dietz at bridge.

AL WILKIE—To be good and let who will be clever.

JULES LEVY—To "break 100" next summer.

DAVE LOEW—To visit America.

NATE BLUMBERG—The same ones he made at Yom Kippur.

▼

CHARLES R. ROGERS—To find another Deanna (if possible).

NICHOLAS M. SCHENCK—To put Loew's on a paying basis.

RAY JOHNSTON—To make sterling Monogram pictures.

MAJOR BOWES—To find a new kind of amateur.

HOWARD S. CULLMAN—To sell cigars from the Roxy stage.

SI SEADLER—To make man bite dog.

DARRYL ZANUCK—To find something new—or else.

MONROE GREENTHAL—To roll a log in Central Park Lake.

EARLE HAMMONS—To give duals a run for their money.

LOUIS WEISS—To remain faithful to cereals.

No Room for More Films, Says Kent

(Continued from page 1)

years ago called for the use of our exchanges throughout the country for the distribution of their pictures only. Our facilities will not permit us to distribute additional outside pictures which the Gaumont British organization now desires to circulate in this country. To handle this extra product it would be necessary for 20th Century-Fox to increase vault space in exchanges and make other changes which cannot be made at this time. I hope this statement makes our position clear."

Ten of 24 from Outsiders

Of the 24 pictures scheduled to be released by G. B. in this country, 10 are from outside producers. B.I.P., John Maxwell's company, has five and Herbert Wilcox recently made a deal for the other five.

Last year G. B. released only 16 pictures and, according to 20th Century-Fox, there is little vault space in its exchanges to accommodate more than that number a year.

Budd Rogers, American representative for Maxwell, said that G. B. has a contract to release five pictures and that he expects G. B. to live up to it.

In the absence of Arthur Lee, who is in Miami and due back Tuesday, a sales executive of G. B. stated that no decision on the handling of the 10 outside pictures will be made until Lee returns.

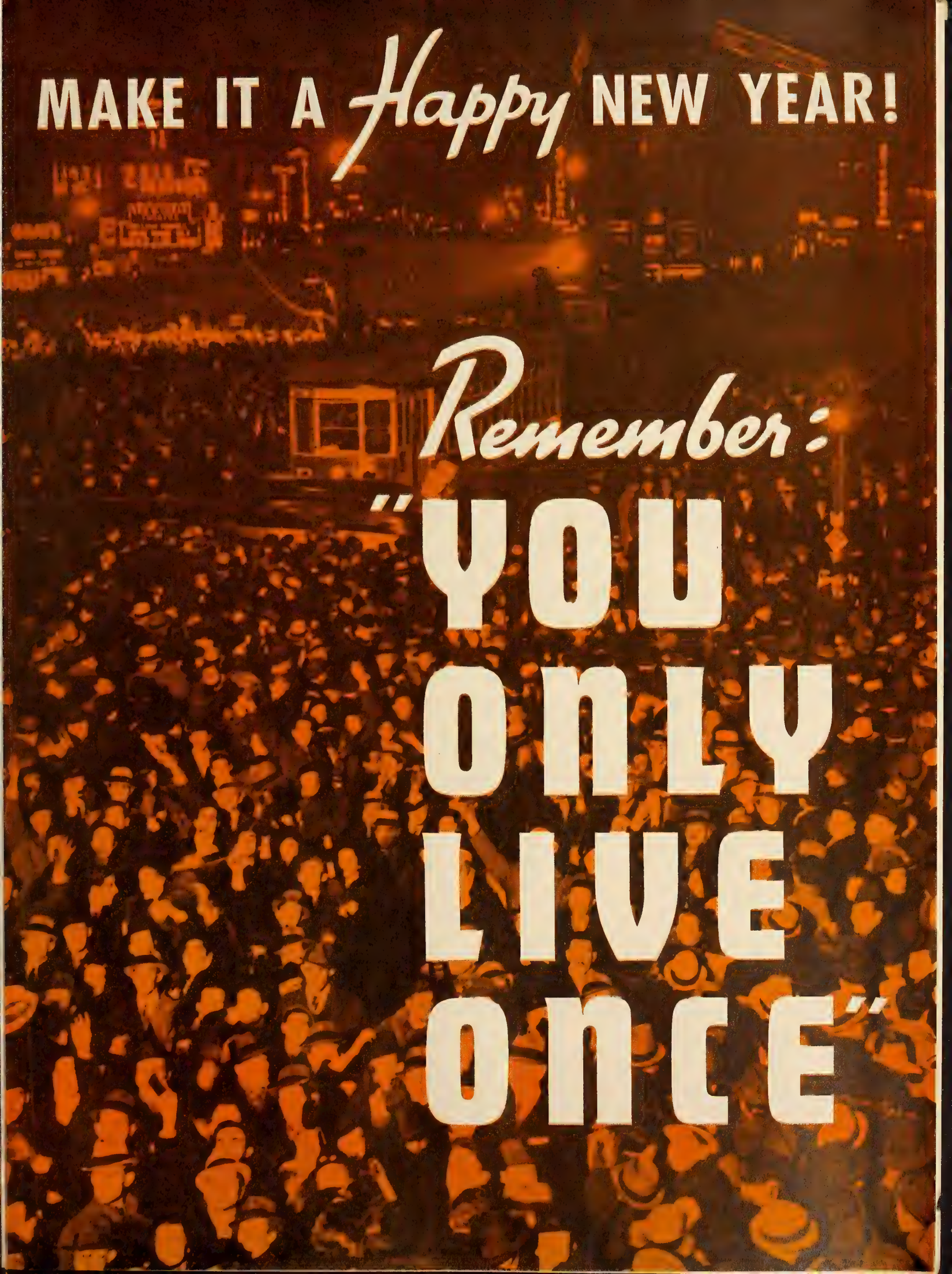
Univ. Corp. Takes Block of "U" Stock

(Continued from page 1)

common and 20,000 shares of second preferred, it was shown.

The commission also reported continued disposition by the Chase National Bank of 20th Century-Fox stock held under escrow agreement, 416 shares of common and 832 shares of $1.50 cumulative preferred being disposed of during November, leaving the bank with 352,776 shares of the former and 705,552 of the latter.

Acquisition in July of 803 shares of Grand National Films common stock by Willis C. Bright, New York, all but 44 shares of the total through the exercise of rights, and sale in October of 600 shares, leaving him with 538 shares, also was shown by the report.


MAKE IT A Happy NEW YEAR!
Remember:
"YOU ONLY LIVE ONCE"

Day-by-Day Chronology of '36

January

Jan. 2.—N. Y. exchanges begin collecting two per cent municipal sales tax from exhibitors pending court test of city's right to levy tax against film rentals. Motion picture securities increase $162,862,375 in market value during 1935.

Jan. 3.—Circuits' holiday grosses up sharply over preceding year.

Jan. 4.—Creditors' claim against RKO in reorganization proceedings reduced by approximately $22,000,000.

Jan. 6.—Defense motions for dismissal of Government's complaint to be heard in advance of trial at St. Louis. Studio guilds reported opening a drive for closed shop.

Jan. 7.—Treasury Dep't sees 25 per cent increase in 1936 theatre business in estimating tax returns.

Jan. 8.—St. Louis Federal court denies film companies' motion for dismissal of Government's equity case.

Jan. 9.—Spyros Skouras first witness in opening of trial of Government suit at St. Louis.

Jan. 10.—St. Louis trial opens. Creditors' claims against Fox Theatres Corp. reduced by $2,949,103 in receivership proceedings.

Jan. 11.—Circuits launch new expansion and strengthen programs in midwest and west.

Jan. 13.—Theatres in operation in U. S. may pass 15,000 mark, annual Film Board report expected to show. Industry sees no hope for revival of voluntary trade practice regulation to replace NRA code.

Jan. 14.—Samuel L. (Roxy) Rothafel dies in sleep at age of 53.

Jan. 15.—N. Y. Film Board reports 1,031 theatres open in local territory.

Jan. 16.—Retaliatory legislation seen possible against foreign countries which impose quota and tax restrictions on American films.

Jan. 17.—U. S. Circuit Court of Appeals at Philadelphia holds contract clause prohibiting double featuring illegal.

Jan. 18.—British trade group begins work on new quota law. Changeover to 2,000-foot reel set back from April 1 to Aug. 1. Hollywood directors leave Academy to form new guild.

Jan. 20.—Warners report net of $1,031,315 for final 1935 quarter, greater than entire preceding fiscal year's profit.

Jan. 21.—Federal amusement taxes increase $1,026,625 in six-month period. City refuses to hear exhibitors in opposition to application of city sales tax to film rentals. Settlement of industry's obstacles to Mexican operations seen.

Jan. 22.—Distributors consider application for a rehearing of the anti-double featuring case in Philadelphia.

Jan. 23.—Annual Film Board report shows 15,378 of 18,508 theatres in U. S. open; increase of 826 in operation during the year.

Jan. 24.—Loew's may eliminate all chance games.

Jan. 25.—J. B. Clinton, president of Northwest Allied, urges joint action with M.P.T.O.A. on mutual efforts. Detroit patrons vote duals.

Jan. 27.—Dep't of Commerce reports 51,697 theatres in world equipped for sound, gain of 10,828 over 1934. Reliance Pictures to RKO in switch from United Artists.

Jan. 28.—Legion of Decency will issue single list of picture classifications through N. Y. Archdiocesan council, instead of sectional lists.

Jan. 29.—St. Louis action blows up, with Government prosecutor asking court to dismiss case without prejudice.

Jan. 30.—St. Louis court grants Government motion to dismiss litigation without prejudice. New Federal move seen possible.

Jan. 31.—Federal judge in Philadelphia appoints special investigator to weigh evidence of anti-trust law violations with view to grand jury investigation.

February

Feb. 1.—New copyright legislation seen as adverse to films.

Feb. 3.—Production Code Administration issues seals for 104 features and 74 shorts in two months time. M.P.T.O.A. to study possible competition with theatres involved in General Motors' free film entertainment.

Feb. 4.—Loew's contract with Erpi calls for $100,000 annual minimum recording royalty fee, S.E.C. report reveals. Six Loew's and M-G-M officials receive approximately $2,000,000 participation in profits annually.

Feb. 5.—Erpi negotiates with producers on new recording license agreements, with lower royalties regarded sure. David L. Loew resigns as vice-president of Hal Roach Studios.

Feb. 6.—Nathan Yamins elected president of Allied, succeeding Sidney Samuelson.

Feb. 7.—Ed Kuykendall, M.P.T.O.A. president, urges modification of sales policies following national tour.

Feb. 8.—William LeBaron named head of Paramount production with unit system installed. U. S. distributors resume selling in Mexico following adjustment of labor troubles there.

Feb. 10.—New York license commissioner launches move to halt giveaways. Trans-Lux plans newsreel houses in all key cities.

Feb. 11.—Major distributors to apply for rehearing of anti-double feature case in U. S. Circuit Court of Appeals, Philadelphia.

Feb. 12.—House committee directed to hold hearings on Pettengill Federal anti-block booking bill.

Feb. 13.—Dramatists Guild begins drafting new author-producer contract for increased share of proceeds from film rights. Senate sub-committee named to hold hearings on Neely anti-block booking bill.

Feb. 14.—Report Standard Capital Corp. completes details for financing purchase of control of Universal.

Feb. 15.—Walter Wanger signs 10-year production contract with United Artists.

Feb. 17.—E. C. Grainger resigns as eastern division sales manager of Twentieth Century-Fox to become general manager of Feiber & Shea. Federal court reduces reorganization fees of Fox Metropolitan Playhouses by more than half.

Feb. 18.—John E. Otterson reached preliminary agreement with Winfield Sheehan to produce for Paramount. Alexander Pantages dies in sleep.

Feb. 19.—Senate committee sets hearings on anti-block booking bill. N. Y. state court denied I.T.O.A.'s petition for injunction to prevent city from collecting sales tax.

Feb. 20.—Pioneer Pictures to make four for United Artists. Atlas Corp. reduces holdings in Paramount and Warners.

Feb. 21.—M-G-M asks exhibitors to relieve it from obligation of delivering pictures not made by end of season, in order to catch up on its release schedule. Federal court fines William Fox $235,082 for contempt.

Feb. 24.—William Sussman, assistant to John D. Clark, named Twentieth Century-Fox eastern division manager, succeeding E. C. Grainger.

Feb. 25.—Standard Capital's deal for purchase of control of Universal seen "definitely set."

Feb. 26.—Government files new equity action against distributors in New York as aftermath of St. Louis case.

Feb. 27.—Legion of Decency voices opposition to anti-block-booking legislation.

Feb. 28.—Irving Thalberg to get new 10-year contract with M-G-M, although current pact has three years to run.

March

March 2.—Block booking bill is called no aid to small exhibitor by Sidney B. Lust before Neely Senate committee.

March 3.—George Schaefer becomes vice-president and general manager of United Artists. RKO gets distribution of Disney shorts.

March 4.—Paramount to keep its localized theatre plan, says Otterson.

March 5.—E. C. Mills of Ascap assails American adherence to the Berne convention on copyrights.

March 6.—"Mutiny on the Bounty," Victor McLaglen and Bette Davis win chief Academy honors. Paramount to make new films in three groups. Appeal of William Fox denied on judgment; his arrest ordered.

March 7.—Standard Capital to use own funds in exercising option for purchase of control of Universal.

March 9.—Concessions on cancellations as urged by the M.P.T.O.A. held possible.

March 10.—Representative Culkin drops plan for legislation to create Federal film commission.

March 11.—Joint legislative committee in New Jersey agrees on 10 per cent tax on gross receipts of all amusements.

March 12.—Standard Capital expected to exercise option to purchase Universal by March 14 deadline.

March 13.—M.P.T.O.A. to name committee on new trade practice program. New Jersey tax meets defeat in Assembly.

March 14.—Control of Universal passes to Standard Capital, headed by J. Cheever Cowdin, today. Paramount rentals running more than $1,000,000 weekly.

March 16.—Deposit of check $1,500,000 to Carl Laemmle closes Standard Capital—Universal deal.

March 17.—Federal Trade Commission, in committee report, sharply criticizes Pettengill Bill.

March 18.—House subcommittee hears S. R. Kent declare majority of independent exhibitors want block booking.

March 19.—Theatres hit by floods in six eastern states. Ascap brief to House Patents Committee attacks exhibitor position on copyright.

March 20.—Twentieth Century-Fox reports net profit of $3,563,087 for the year ended Dec. 28, 1935.

March 21.—Film salaries are filed with the House Ways and Means Committee by the Bureau of Internal Revenue.

March 23.—Floods seen as having taken heavy toll of grosses. Chance games expanding in many sections.

March 24.—Radio will have at least 48 features next season, says Jules Levy.

March 25.—National Screen, with Charles L. Casanave, forms American Display Co. Winfield Sheehan drops deal with Paramount.

March 26.—Federal Communications inquiry reveals $3,000,000 of A. T. & T. funds in production.

March 27.—British Board of Trade names committee headed by Lord Moyne to study revision of Films Act which expires in 1938.

March 28.—Carl Laemmle declines post on board of the new Universal, and decides to retire.

March 30.—Federal Judge Davis in St. Louis allows appeal to U. S. Supreme Court of civil case dismissal without prejudice.

March 31.—No delay anticipated for new Federal suit in New York.

April

April 1.—Loew's goes into Chicago and Detroit, taking United Artists theatres there.

April 2.—New Pathe Film Co. plans formation of two new companies, one for production.

April 3.—Universal transfer completed; to produce 36 features. Pathe merger will dissolve First Division.

April 4.—Four national distributors accept Kuykendall invitation to discuss trade practice adjustments. Stay refused I.T.O.A. in city sales tax case.

April 6.—New era is seen in control of trade abuses by virtue of Sugar Institute decision.

April 7.—Precedent at stake in M-G-M's "Letty Lynton" appeal. Time extended for same in New York Federal suit.

April 8.—*Fortune* survey finds 50 per cent of adults rarely attend films. K-O-A change to make Leo Spitz active factor.

April 9.—Final report of Daniel Bertrand on NRA urges Federal control of the industry.

April 10—See no effect on current film measures in NRA report. Court holds there is no restraint of trade in clearance.

April 11.—M.P.T.O.A. names committee to confer on new trade practice agreements.

April 13.—New deal in distribution and exhibition is the hope of M.P.T.O.A.

April 14.—U. S. seeking quick action in trust case. All exhibitor groups may participate in trade practice conferences.

April 15.—Felix F. Feist passes after lingering illness. Nine national distributors to join conferences.

April 16.—Unrestricted cancellations up to 10 per cent held possible. A. T. & T. gains $20,000,000 from films.

April 17.—Major companies indicate readiness to offer concessions on trade practices.

April 18.—New Pathe firm called Grand National, headed by E. L. Alperson. M.P.T.O.A. favors curb on forcing of shorts.

April 20.—Delay of Federal trust case to fall is seen likely.

April 21.—Fox, B. & D. conclude a distribution deal for Australia. Uniform agreement not expected on trade practices.

April 22.—Twentieth Century-Fox net for quarter is $1,239,760. Col. Walter S. Butterfield, veteran circuit operator, dies.

April 23.—Pope pleased by improved standards of American films. Belief gains Wanger to remain independent Paramount producer.

April 24.—Loew's 28-week net jumps to $5,033,038. J. R. Grainger signs new three-year deal as Universal sales chief.

April 25.—All studio crafts to receive 10 to 15 per cent wage increases for next year. I.T.O.A. sales tax appeal is denied.

April 27.—Settlement of St. Louis injunction case believed near.

April 28.—Joseph P. Kennedy expected to be appointed to advisory post in Paramount.

April 29.—U. S. Supreme Court tax decision seen as bearing favorably on the New York sales tax fight.

April 30.—Howard S. Cullman, Roxy trustee, being sought to head combined T.O.C.C. and I.T.O.A. Federal action against Ascap expected to go over until fall.

May

May 1.—St. Louis trust action ended; court approves. Three weeks of negotiations result in signature by U. S. District Judge John C. Knox. William F. Rodgers named successor of Felix F. Feist as M-G-M general sales manager.

May 2.—Joseph P. Kennedy joins Paramount as adviser.

May 4.—Leo Spitz revamping RKO theatre lineup.

May 5.—Keith-Albee-Orpheum and B. F. Keith profits for quarter show huge jump. Local 306 merger talks suspended.

May 6.—Adolph Zukor to head production in Paramount shift. Fight awaited on B. & K. dualing plan. Dissension in Writers' Guild; 13 members resign.

May 7.—Republic to join industry 10-point talks.

May 8.—Ike Libson and W. N. Skirball form Essaness Theatre Corp.

May 9.—Copyright and booking bills expected to go over to next Congress session.

May 11.—Kent, Schenck reported discussing English production with unit headed by Lord Portal.

May 12.—M-G-M gives details on 33 pictures at Chicago meet.

May 13.—Trust cases dismissed in St. Louis as final step in controversy.

May 14.—Edward L. Alperson and associates take over 66,667 Grand National shares. "U" promises end of score charge.

May 15.—Trade policy talks resumed at RKO.

May 16.—ITOA charges MPTOA trade practice conferences are "mockery."

May 18.—Paramount moves to combat poster renting firms by offering sale or lease of accessories.

May 19—Preference on Appellate Division calendar to be sought for sales tax case.

May 20—Columbia assures MPTOA conferees of trade concessions.

May 21.—Allied closes Chesterfield playdate deal.

May 22.—Five distributors give indication of new score charge policy next season.

May 23.—Gaumont British never will be sold, Jeffrey Bernerd tells sales convention in New York.

May 25.—U.A. will have 26-30 next season, says George J. Schaefer; Twentieth Century-Fox may list 67 with shorts at 96.

May 26.—Joseph P. Kennedy delays departure from coast, thereby holding up report on company's affairs to directors. Paramount sets 65 for year's list.

May 27—Radio sponsors battling for coast's film talent. Republic lists 52 features, four serials.

May 28.—Schine, Cocalis, Brandt and others bidding for Roxy. Percy N. Fur-

Events are listed in the order in which they appeared in MOTION PICTURE DAILY and not always in chronological sequence.

Year Showed Prosperity Turn

ber and Jack Davis talking newsreel theatre expansion in England.
May 29.—Paramount's poster rental plan faces setback here; ITOA has 10-year contract with poster rental agencies. Twentieth Century-Fox decides on one brand name.

June

June 1.—Kennedy believed to favor Zukor as production head; Twentieth Century-Fox to release 69; 100 shorts. Warner net for 29 weeks jumps to $1,976,245.
June 2.—New contract form asked by Ed Kuykendall.
June 3.—Allied convention opens in Cleveland; Warners expected to announce 60.
June 4.—Nathan Yamins ostensibly seeks a new policy for Allied; is opposed by Abram F. Myers. Allied deal with Lloyds hanging fire.
June 5.—Producer divorce from exhibition Allied aim. Sabath film probe halted by plea of Joseph P. Kennedy.
June 6.—Allied decides to raise $250,000 fund to carry on litigation. Spending is road to prosperity, declares H. M. Warner. Republic raises list to 68.
June 8.—Nathan Burkan dies. Wide changes made in RCA's agreement with Twentieth Century-Fox.
June 9.—Paramount's selling plan to be flexible. Columbia-RCA make 10-year sound agreement. William Melniker made M-G-M foreign theatre head.
June 10.—Majors studying acquisition of Erpi. Pettijohn suggests selling each picture to the highest bidder.
June 11.—Erpi cuts rates to RCA level. MPTOA trade talks to finish Friday.
June 12.—Robbins Music Corp. makes tie-up with Twentieth Century-Fox. Jack Cohn predicts move to keep stars off the air.
June 13.—Theatre pact resulting from dismissal St. Louis anti-trust suit ready to sign.
June 15.—Universal to have 42 features. F. & M. to take three Warner houses in St. Louis June 26. Disney will make feature in 1940.
June 16.—Five industry men sought for Paramount board. RKO film budget to be biggest ever, says Leo Spitz. Finances set, harmony seen for Universal.
June 17.—Neil F. Agnew, Barney Balaban and E. V. Richards named as industry men on Paramount board. RKO lists 26 star films in total of 54. Vitaphone to release 140.
June 18.—M. H. Aylesworth tells staff there will be merger. New national field organization seen in local boards as result MPTOA discussions.
June 19.—Paramount officers to be named next Thursday. Police renew moves against theatre games.
June 20.—British proposal seeks 10-year quota and fixed costs. Sabath Congressional Committee hits bondholders' committees.
June 21.—Renewals of Wilby-Kincey and Lucas & Jenkins Paramount partnership deals expected. Columbia to have 42 with 16 westerns. Five majors offer total of 270 films.
June 22.—No film bills are passed by 74th Congress. Isidore Ostrer asserts there is no deal pending between Gaumont British and Twentieth Century-Fox.
June 24.—Choice of Adolph Zukor as Paramount head regarded as likely. Election year is no worry, asserts Jack Cohn.
June 25.—Stanton Griffis named head of Paramount executive committee succeeding H. A. Fortington.
June 26.—Paramount board fails to act on theatre deals. Extension is automatic. Kenneth A. Nyman pleads for end of theatre building at British CEA meeting.
June 27.—O. Henry Briggs expected to leave DuPont Film Mfg. Co. to head Pathe. Play selling rules agreed upon by Dramatists' Guild.
June 29.—Cuts in Erpi scales expected to be 33 1/3 per cent. Major Henry A. Proctor, M.P., favors British quota on competitive basis.
June 30.—Paramount election set for Thursday. Zukor conferring with officers here. U.A. sales meet to hear details on 35 today.

July

July 1.—Warners seen rejoining Ascap.
July 2.—Barney Balaban slated for Paramount presidency. La Guardia signs minors' bill.
July 3.—Balaban elected president of Paramount. Pope asks extension of The Legion of Decency.
July 6.—Papal encyclical praises U. S. film gains.
July 7.—Protest filed on Cuba's N. Y. censor board.
July 8.—Joseph M. Schenck admits negotiations in progress with Ostrers for purchase of G. B. control.
July 9.—Dr. A. H. Giannini elected president of United Artists. Thomas Meighan dies.
July 10.—London reports Loew buy in G. B.
July 11.—First National dissolved after 19 years.
July 13.—Paramount to dissolve studio subsidiary.
July 14.—N. Y. theatre building reaches all-time high.
July 15.—Paramount terminates Otterson's contract.
July 16.—Kennedy report to be shown to holders of Paramount securities.
July 17.—Wall Street publishes Kennedy Paramount report.
July 18.—Cuban reports indicate dropping of N. Y. censors.
July 20.—Paramount aims at smaller directorate.
July 21.—M-G-M buys half of the Fox share in G. B. Paramount sues Goldwyn on Gary Cooper's contract.
July 22.—British fear loss of G. B. control to Fox and M-G-M.
July 23.—British to own 65 per cent of G. B. stock.
July 24.—S. A. Lynch signs to operate Paramount theatres in Florida.
July 25.—Paramount to dissolve two subsidiaries.
July 27.—Skouras names Powers to Alperson's buying post.
July 28.—RKO 26-week net jumps $734,492.
July 29.—Radio City and Music Hall impress British visitors.
July 30.—David Ostrer says no changes are planned for G.B.
July 31.—Otterson contract settled by Paramount board.

August

Aug. 1.—Andrew W. Smith resigns as eastern and Canadian general sales manager for Warners.
Aug. 3.—Gradwell L. Sears named general sales manager by Warners.
Aug. 4.—Ascap board of directors reinstates Warners after an absence of six months.
Aug. 5.—Some major companies consider ignoring Government's film questionnaire.
Aug. 6.—W. Ray Johnston's contract as president of Republic terminated.
Aug. 7.—New York theatres to eliminate "early bird" admissions Sept. 4 and 5.
Aug. 8.—Warners' started sound picture exhibition 10 years ago. Roxy 12-month net up to $172,254.
Aug. 10.—Suggestion made to drop chance games in New York theatres.
Aug. 11.—U. S. films facing restrictions in Italy.
Aug. 12.—Warner survey indicates public prefers single bills.
Aug. 13.—Warners' 39-week net $2,554,772.
Aug. 14.—Expect elimination of 10-cent admissions in New York. White House promises no tax increases.
Aug. 15.—Signing of Loew's-G.B.-20th Century-Fox deal expected within week.
Aug. 17.—Plan to halt New York duals is checked. RCA service to National Theatres is set.
Aug. 18.—Films unaffected by the Patman Act. MPTOA asked for Federal regulation bill.
Aug. 19.—Kuykendall says concessions will eliminate Federal law threat.
Aug. 20.—R. F. (Pete) Woodhull dies.
Aug. 21.—Carlo Roncoroni, Italian envoy, arrives to talk U. S. film aid.
Aug. 22.—Five to 10-cent admission hike is considered by New York theatres.
Aug. 24.—Move to end duals at Minneapolis and St. Louis.
Aug. 25.—Whitford Drake says patent rights in foreign countries will be void after 1945.
Aug. 26.—Soviet plans 450 for next year.
Aug. 27.—Survey shows industry is "in the black."
Aug. 28.—New York theatres report to M.P.P.D.A. on effects of film star broadcasting.
Aug. 29.—Steady increase in attendance being maintained.
Aug. 31.—Changeover to evening prices at 5 P.M. set to start in New York theatres Sept. 4 and 5.

September

Sept. 1.—Longer reels will go into use gradually.
Sept. 2.—Exhibitors in U.K. talk own production; moves to counter G.B. deal stir distributors in England.
Sept. 3.—Reorganization of RKO off until October.
Sept. 4.—Distributors pressing for percentages.
Sept. 5.—Lawyers back with draft of British deal; Zukor asserts new optimism prevails.
Sept. 8.—Figure weekly attendance at 80,000,000. M-G-M insisting upon 25-cent minimum scales on "Ziegfeld."
Sept. 9.—Holiday theatre takes 20-50 per cent above last year. New moves in sight to get 10-point program.
Sept. 10.—See collapse of "early bird" drive in New York.
Sept. 11.—Report "early birds" ended by 80 to 95 per cent. Allied seeks ban on houses by producers.
Sept. 12.—Consolidated finance plan up for stock vote.
Sept. 14.—Paramount profit predicted for three months; Central film service plan being widened.
Sept. 15.—Irving Thalberg passes at 37; industry stunned. Joseph M. Schenck sees G.B. deal in effect by Jan. 2 on his return from London.
Sept. 16.—Funeral rites for Thalberg set for today; new national independent organization up again.
Sept. 17.—"U" to expand feature list, says J. Cheever Cowdin. Simple rites for Thalberg held on coast.
Sept. 18.—Producing in Italy six to eight months away. A. T. & T. wins patent suit against GTP.
Sept. 19.—Edward P. Kilroe sees hope of pact on copyright on his return from Berne convention.
Sept. 21.—Seek uniformity in theatre sound. A. F. of L. denies plan to make labor films.
Sept. 22.—G.B. deal faces collapse; Schenck holds to terms.
Sept. 23.—Twentieth Century-Fox must approve sale of G.B., says Schenck.
Sept. 24.—Key grosses at four-year high mark, $2,090,144. Maxwell aim may be joint Gaumont rule.
Sept. 25.—Y. Frank Freeman gets Floyd Odlum's place on Paramount board.
Sept. 26.—M. H. Aylesworth quits NBC for RKO post.
Sept. 28.—Majors deny financing of stage plays.
Sept. 29.—Warners seen planning new radio circuit.
Sept. 30.—Radio council being studied by majors. Maxwell deal for G.B. off, London hears.

October

Oct. 1.—See no hope of dropping "early birds." S. R. Kents sail for London, warding off interviews.
Oct. 2.—Walter Reade announces plans for 100 theatres in small communities.
Oct. 3.—G.B. deal is not terminated despite setback, says Joseph M. Schenck.
Oct. 5.—Another move coming to end "early birds." B.I.P. product deals in U.S. held up awaiting G.B. deal.
Oct. 6.—"U" will have 52 next year, says President R. H. Cochrane.
Oct. 7.—Speculate on price control for pictures. England hears government is stopping G.B. deal.
Oct. 8.—Plan for new setup at RKO being speeded. KRS asks cut of two-thirds in new quota.
Oct. 9.—A. W. Smith, Jr., joins U.A. as sales chief. Report majors ready to reply to MPTOA on 10-point program.
Oct. 10.—Maxwell says deal nears for Ostrers' G.B. interest.
Oct. 12.—Maxwell deal for G.B. now hinges on 20th Century-Fox. Distributor concessions coming soon on MPTOA program.
Oct. 13.—G.B. deal not set; Maxwell explains. S. K. Wolf elected president of S.M.P.E.
Oct. 14.—Independents and B. & K. settle on clearance dispute. Metro will dissolve subsidiaries to cut taxes; brand name stays.
Oct. 15.—General shift for corporate structures seen coming. Maxwell made director in new moves.
Oct. 16.—S. R. Kent dropping British deal; future hazy. "U" to revamp corporate setup.
Oct. 17.—Film stocks, bonds spurt; sales heavy. Write off of weak assets in "U" plan.
Oct. 19.—Income gain is seen from reorganizing.
Oct. 20.—See precedent in injunction on Bette Davis in England. Court may get RKO plan in few days.
Oct. 21.—Maxwell paid £625,000 in cash, stock for non-voting shares in G.B.
Oct. 22.—Debentures of RKO tied in with notes.
Oct. 23.—SEC charges made against Consolidated. Court delay sought on RKO notes payment.
Oct. 24.—More delays on Roxy plan seen. Consolidated's recapitalization plan approved by court.
Oct. 26.—Nazis switch films' origin to get dates. Weekly gross of 20th Century-Fox $1,150,000.
Oct. 27.—Air shows aim at restoring stage to road. Ascap to ask Canadian concessions.
Oct. 28.—Treasury may investigate "Amphitryon." Renew talks on big claim against RKO.
Oct. 29.—Sales policy stand awaited by Kuykendall. New national organization before ITOA.
Oct. 30.—Majors again delay trade policy drive. Warner radio move seen as step in network.
Oct. 31.—Negotiate air programs from sound stages. Mark Ostrer moves to slash studio costs.

November

Nov. 2.—Rush for film names on air looked for. Harry S. Plummer, MOTION PICTURE DAILY correspondent in Spain finds outlook hopeful for industry pending outcome of civil war.
Nov. 3.—Twentieth Century-Fox will oppose G.B. shift to Metropolis & Bradford Trust, says Sidney R. Kent returning from abroad. Daily television broadcasts begun in London.
Nov. 4.—Industry expects upturn in grosses as the election ends. Political campaigns have kept theatregoers away.
Nov. 5.—Men active on films retain Congressional positions. New Canadian music tax is a slash of 25 per cent under U.S. rate; general acceptance sought. Warners reported seeking theatres in England.
Nov. 6.—Revival of the NRA through a constitutional amendment is seen. Nonsectarian Anti-Nazi league protests to Joseph M. Schenck on showing of German-made Olympic films distributed by M-G-M.
Nov. 9.—Universal first major to grant MPTOA's exhibitor concessions. Charles "Chic" Sale dies in Hollywood. Metro expected to withdraw Olympic films.
Nov. 10.—Mayor LaGuardia issues ultimatum in union operator troubles. Threatens to close all theatres involved unless bombings cease.
Nov. 11.—Hearst name dropped from Metrotone newsreel.
Nov. 12.—Local 306 absorbs Allied Operators' Union ending lengthy differences. Conciliation boards likely to start.
Nov. 13.—Allied brands MPTO moves as maneuver aimed at Neely-Pettengill bill. Berry to call business men to conference.
Nov. 14.—Foreign stock buying here starts Federal study. President Roosevelt aims to guard against dumping. N. Y. sales tax appeal up Dec. 3.
Nov. 16.—"U" to apply exhibitor concessions this season. Duals in Chicago seen in two weeks.
Nov. 17.—William Koenig quits Universal. Reported going to M-G-M to succeed Fred Pelton. Twentieth Century-Fox and CBS reported negotiating program tieup.
Nov. 18.—Government studying rise in film securities. Treasury, Reserve Board and SEC concerned over heavy sales. G.B. understood considering abandonment of producing for world market. RKO's reorganization plan before court the 20th.
Nov. 19.—Isidore Ostrer sails to iron out G.B. impasse. Warners add $3,000,000 to film budget.
Nov. 20.—Loew deal for U.A. theatres called off. British group aims for new major circuit. Portal, Rank and Woolf seek 400-500 houses.
Nov. 21.—RKO again to share control of Music Hall.

(*Continued on page* 10)

Headlines Review The Closing Year

(*Continued from page 9*)

Nov. 23.—Regulation of broadcasting under way. Maxwell sets new drive on U.S. market. Warners' net for year is $3,177,312.
Nov. 24.—RKO reorganization plan presented; hearing set for Dec. 23. Ostrers intend to retain G.B. control—Isidore. Loew's net of $11,076,822 six-year high.
Nov. 27.—Separate film conference, is capital plan. 20th Century-Fox for cancellation, conciliation.
Nov. 28.—Moyne Committee asks 50 per cent quota in 10 years.
Nov. 30.—British see harm in quota of 50 per cent. Chicago games threatened by business men.

December

Dec. 1.—Second Ostrer says Maxwell has no option. CEA-KRA may jointly fight Moyne report.
Dec. 2.—"Square Deal" promised ITO by Lichtman. Chicago group moves against theatre games.
Dec. 3.—"U" to apply cancellation on split buys. Court fight is begun on RKO plans.
Dec. 4.—Kuykendall to seek talks on local boards.
Dec. 5.—Copyright on Bank Night voided by U. S. Circuit Court of Appeals.
Dec. 7.—MPTOA seeks united front on new laws.
Dec. 8.—Hays pleased, he states, by Italy accord. U. A. to drop score charge next season.
Dec. 9.—Schenck gets contract and stock option. G.B. "A" shares to Maxwell or deal will fail, report.
Dec. 10.—Capital film meet called off by Berry. French plan to ban duals U.S. threat.
Dec. 11.—RKO moves to end the claim of Orpheum. Quietly name Lichtman and Katz Loew vice-presidents.
Dec. 12.—Refused sale of G.B. stock, Mayer states. World halts for eight minutes to hear Edward's farewell. Legislation seen outcome of Berry conference.
Dec. 14.—Local boards to start soon where desired.
Dec. 15.—Loew's admits buy into G.B. from 20th-Fox. Bank Night is lottery says Kansas court.
Dec. 16.—IATSE now aims to organize house staffs. Charge A. T. & T. with monopoly of radio wire.
Dec. 17.—U.S. names distributors in trust case.
Dec. 18.—Dual billing regulation up in Texas anti-trust suit.
Dec. 19.—Twentieth-Fox gets 83 per cent of stock in Roxy plan.
Dec. 21.—NBC to drive on Hollywood. Expansion on.
Dec. 22.—Ostrers to go with G.B. sale in status quo. Court is told RKO majority favor plan.
Dec. 23.—Conciliation boards await majors' stand. M-G-M sales policy flexible, Rodgers assures U.M.P.T.O.
Dec. 24.—Italy ready to admit 250 films yearly.
Dec. 26.—Congressional bill hitting theatres has three years' grace.
Dec. 28.—Howard Cullman seen chairman for new Roxy company. Expect deluge of laws aimed at broadcasts.
Dec. 29.—Arrests mark Chicago drive on giveaways. Theatre takes top last year from 15 to 20 per cent.
Dec. 30.—Networks now lean heavily on Hollywood for talent.
Dec. 31.—Paramount and Loew stock issues hit new highs.

Hoblitzelle Reply Is Due by Jan. 24

Hoblitzelle theatre interests and distributor defendants in the Government anti-trust action brought in Dallas recently have until Jan. 24 in which to file answers to the complaint based upon the contracts entered into by the distributors with Texas Consolidated Theatres and the Interstate Circuit, it was stated here yesterday.

Indications, as a result, are that the case cannot be set for hearing by the U. S. District Court at Dallas during February unless a preference is granted on the court's calendar.

Hardwicke Distinguished in Well Done, Intelligent Play

(*Continued from page 1*)

ance as Emile Delbar ranks well up with the first half dozen renditions of the season. If you press this department ever so slightly, he'll bend and place it among the first three.

In point of plot, "Promise" is almost completely static. That is to say, nothing of consequence happens. Frank Lawton, artist and designer, thinks he is in love with Louise Platt, Irene Browne's daughter by her second husband who is Hardwicke. But Lawton looks through this brittle, ambitious, fun-loving and disagreeable young thing to find on the other side Jean Forbes-Robertson, a half-sister.

There is a row, of course. Miss Forbes-Robertson and Lawton eventually marry. Miss Platt swirls around in a wealthy set to forget something which hurt only her pride anyway and heads toward marriage with the scion of a wealthy family. This leaves the parents alone.

Not quite all, however. It works tricks on the chief characters. It gives Miss Forbes-Robertson release from a mother in many ways unnatural toward her daughter. It saves Lawton from an unfortunate marriage with Miss Platt and gives him happiness with the girl he loves and who loves him. It supplies the patient, benign Sir Cedric of the old school, muddled by the swift modernity of his wife, with a haven. That haven he finds a restful and a promising one in the point of view, the confidence and the faith of Lawton. And, finally, it robs Miss Browne, the tyrannical, of dominance over her two children and over Hardwicke and leaves her alone, an old woman in tears as the curtain drops.

Good, But Not Hollywood

Hardwicke does a distinguished job. Miss Browne is splendid as the wife. Miss Forbes-Robertson, true to her theatrical heritage, is well nigh superb and Lawton is thoroughly likable and competent. Miss Platt, subscribing to the throaty school of diction and the debutante swing in her carriage, is inferior by far. Thomas Collins, in an unimportant role, is satisfactory.

"Promise" is too thin in content for Hollywood. It leans too heavily on character reformation, not action, to make any point as a film. But let there be no mistake about it as a play. It is one of the comforting contributions of a theatrical season which, the signs seem to say now, is slowly but gradually coming into its own.

Ship Strike Delays Films for Far East

Film shipments to the Orient, Australia and other foreign countries are being delayed because of the seamen's strike, thereby causing a temporary disruption in releasing schedules.

In some countries home office executives pointed out, releases have been held up for a month or more due to late arrivals of prints.

Send Checking Tutors

Four checking instructors are being sent to Detroit and Cleveland exchanges by Alan Cummings, who is inaugurating Loew's own system in a number of branches.

She Likes It

After finishing "You Only Live Once" for Walter Wanger, Sylvia Sidney rushed east to be met by reporters, photographers and press agents who asked whether shows or clothes brought her.

"I have only one reason," she said. "I like New York!"

The Honest Ballot Ass'n is now striking a medal for her.

Cinesound Sets New Production Program

SYDNEY, Dec. 10.—Cinesound Prod., Ltd., Australia producing company headed by Stuart Doyle, plans five or six features annually for domestic and world distribution. The company was formed in 1931. Next year a second production unit will be established for outdoor pictures. In addition, 52 Cinesound Reviews will be produced annually, and items of international interest will be used by the company under contracts with the Pathe Gazette, London; Ufa, Germany; Pathe Freres, Paris, and M-G-M in the United States.

Organizations have been set up in London and Hollywood for the borrowing of foreign players, and Shirley Ann Richards, Australian actress, has been signed to a long term contract. For 1936-37 eight films have been scheduled by the Capt. Frank Hurley producing unit, which specializes in films of domestic industries and scenic pictures. The company also plans to encourage the use of its Bondi Studios by independent producers through reductions in rentals. Distribution through Cinesound's Associated Distributors, Ltd., is also available to independents.

Decision Impends on Ending of "Enemy"

A decision as to which of two endings for "Beloved Enemy" will be used for the nationwide booking of the print is to be made early next week by Daniel Mulvey, vice-president of Goldwyn Prod., it was stated at United Artists yesterday.

Test screenings of prints with either the happy ending which has been provided, or the ending implying the death of Brian Aherne, were given recently at Newburgh and Poughkeepsie. Results appeared to show that the latter ending was the most satisfactory. This ending is the one being used in the only two regular showings of the picture now in progress, which are here and in Philadelphia.

There is a possibility that the happy ending may be used in the smaller cities and towns, while the version now being shown at the Rivoli here may be the one to be used in the larger cities.

M-G-M Signs Machaty

Gustav Machaty, director of "Ecstasy," which was made in Czechoslovakia, has been signed to a long-term contract by M-G-M.

Knickerbocker Sued By Its Stockholders

A suit for $100,000 was brought against Knickerbocker Theatres, Inc., Louis Schneider, Jacob Bradkin and Stanley LaCov in N. Y. Supreme Court yesterday. The plaintiff, Charles Stiner, is vice-president of the company and is suing for himself and other stockholders. He charges that the credit of the theatre company has been damaged to the extent of $100,000 and the public made to believe that it was insolvent through the filing in Federal Court last July 17 of a petition in bankruptcy. He opposed the petition at the time and the bankruptcy action was dismissed in October.

The defendants contend the bankruptcy action was filed as a result of a vote of the board of directors and they denied that they had falsely declared the organization insolvent. They also intend to ask for a dismissal of the suit next week. Knickerbocker controls 10 theatres on the East Side.

Court Sets RKO Claims

A report of Thomas D. Thatcher, special master, sanctioning the claims of the Illinois Central Railroad Company, George B. B. Land and Cora C. Gregg against RKO in the amounts of $157, $14,500 and $17,109 respectively has been referred to Judge Bondy by Judge Goddard for arguments.

W. E. Sales for '35 Near $140,000,000

Western Electric sales for 1936 ran away ahead of 1935 and the prospects are for a continued increase in 1937, says Edgar S. Bloom, president. Total sales for 1936 will exceed $140,000,000, he says. In 1935 the total was $105,417,000.

A large number of former employes has been taken back, he states. During the year the force was increased by more than 11,800, bringing the total to about 33,000.

Wall Street

Sharp Gains on Entire Board

	High	Low	Close	Net Change
Columbia	36¼	33½	36	+2¾
Columbia, pfd	42½	41	42½	+2½
Consolidated	5¼	5	5¼	+ ¾
Consolidated, pfd..	17⅜	17	17¼	+1
Eastman Kodak..	172	172	172	+ ½
Gen. T. Equip....	30½	29⅞	30½	+ ½
K.-A.-O., pfd. ...	110	110	110	.....
Loew's, Inc.	67	63¾	67	+3¾
Paramount	25	22⅝	25	+2⅜
Paramount 1 pfd..	174	158¾	174	+16½
Paramount 2 pfd..	22¾	20½	22¾	+2⅛
Pathe Film	10	9⅜	10	+ ⅞
RKO	8¼	7⅝	8¼	.....
20th Century-Fox.	35⅞	34¾	35¾	+1¼
20th Century, pfd..	44⅝	43¼	43⅝	+1⅜
Universal, pfd.....	101	101	101	.....
Warner Bros.	17⅞	16⅞	17⅞	+1½

Technicolor Leads Curb

	High	Low	Close	Net Change
Grand National ..	3⅝	3⅜	3⅝	+ ¼
Sentry Safety	⅝	⅝	⅝	cash
Sonotone	1⅞	1⅞	1⅞	.....
Technicolor	21¾	20	21¼	+1¾
Trans-Lux	4¼	4	4¼	+ ⅛

Warner Bonds Rise

	High	Low	Close	Net Change
Loew's 3½s '46....	101	101	101	.....
Paramount Pict. 6s '55	100¼	100	100¼	.....
Warner Bros. 6s '39 wd	99½	99	99½	+ ½

(Quotations at close of Dec. 30)

VERSATILITY

UNUSUAL and special though it is in its characteristics, Super X fills every requirement of general cinematography. Proof? It is used throughout features and shorts made under every possible condition. In Super X, specialization has surprisingly led to supreme versatility. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, New York, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

Purely Personal

THAT aloof and rarefied organization known as The Off-the-Record Club held its final meeting of the year at "21," its usual haunt, yesterday with its full roster of officers present. In case you have forgotten, these are HERMAN ROBBINS, president; SAM DEMBOW, vice-president and RED KANN, secretary. The attendance included a representative cross-section of the New York industry including these: Neil F. Agnew, Merlin H. Aylesworth, Robert H. Cochrane, Jack Cohn, George Dembow, Ned E. Depinet, Al Lichtman, Willard S. McKay, Charles B. Paine, Spyros Skouras, Phil Reisman, Leslie E. Thompson, Joe Vogel and Herbert J. Yates.

A toast was drunk to the absent GEORGE J. SCHAEFER, who is ill; to MARTIN QUIGLEY, who was out of the city; to ROBERT J. O'DONNELL in Dallas, and presumably attending to Interstate Circuit business; to WILLIAM F. RODGERS, who left for Miami in the morning, and to JOHN D. CLARK and CHARLES E. MCCARTHY, who were busy at a 20th Century-Fox directors' meeting. GRADWELL L. SEARS did not attend and was voted one demerit for his failure to show up. The important business discussed ranged over a variety of subjects, among them social security, aviation and SKOURAS' buying tactics.

•

J. J. UNGER and MILT KUSELL will leave for the coast via American Airlines on Saturday, picking up CHARLES REAGAN at Memphis, en route to the Adolph Zukor Silver Jubilee. HARRY MOSES, BILL PINE and JANE LAZARUS will take an American Airlines plane the following day, and STANLEY RIDGES and NEIL AGNEW will leave on Jan. 4.

•

RICHARD DE ROCHEMONT, managing director for March of Time, Ltd., in London, and A. K. MILLS, foreign editor for *Life*, are in town for conferences at the home office.

•

JULES LEVY returned yesterday from Chicago. While in the Windy City he conferred with WALTER BRANSON and JACK OSSERMAN.

•

DORIS NOLAN, who has just finished work in "Top of the Town" for Radio, will arrive on the Twentieth Century tomorrow.

•

RUBE JACKTER'S family will leave for Miami in a few days with RUBE himself going the end of next month.

•

The LYNN FARNOLS left for a New Year's weekend at Saranac with the WILLIAM MORRISES last night.

•

HERBERT R. EBENSTEIN will leave by plane Sunday for Hollywood where he will remain until March 15.

•

FRANCIS LEDERER shoved off for Detroit last night to start a personal appearance tour at the Fox.

•

EDWARD G. ROBINSON and MRS. ROBINSON with their young son will leave for the coast today.

•

NORMAN KRASNA and Major JOHN ZANFT will head for the coast via train on Saturday.

•

J. ROBERT RUBIN and WILLIAM ORR are due back from Washington this morning.

•

CARL MOSS of the 20th Century-Fox advertising department is home with grippe.

•

GEORGE BALSDON, assistant to WILLIAM T. POWERS, is down with a cold.

•

WILLIAM F. RODGERS and HARRY BERNSTEIN left yesterday for Miami.

•

FRED WARING is leaving for the coast via plane tomorrow night.

•

ADOLPH OSSO, who is visiting here from Paris, is ill at his hotel.

•

ALAN CUMMINGS tomorrow will visit Pittsburgh.

•

JOE HORNSTEIN returns from Havana on Jan. 7.

•

JAMES MULVEY was on the sick list yesterday.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Join the Marines"

(*Republic*)

HOLLYWOOD, Dec. 30.—Aimed at average audiences, this should please because of the novel story and the way it presents the Marine Corps in a light vein. The cast, headed by Paul Kelly and June Travis, troupe through the piece in flip style under the direction of Philip Staub. The pictures moves rapidly throughout.

The action starts when Kelly, a member of an Olympic team, is fired from the squad following a row which involves Miss Travis, the daughter of Purnell Pratt, the Marine commandant. Continuing his pursuit of the girl, Kelly joins the corps only to discover the Marines are her pet aversion. Learning that the only way to cut short his four-year hitch, is to win a commission and resign, Kelly becomes a model soldier, quelling native uprisings in a south sea outpost. When rewarded with a lieutenancy, Kelly finds Miss Travis has changed her attitude and his return to duty brings further complications and increased merriment.

Joseph Krumgold and Olive Cooper wrote the screen play from the Karl Brown story, getting many laughs from the dialogue and situations into the script. The supporting players include Warren Hymer, Reginald Denny, Sterling Holloway and Carleton Young.

As comedy and action entertainment, the picture should be well received by general audiences.

Production Code Seal No. 2,938. Running time, 67 minutes. "G."

"The Battle of Greed"

(*Crescent*)

HOLLYWOOD, Dec. 30.—Varying the usual western formula, but retaining the elements necessary to actionful drama, this measures up as satisfactory entertainment for houses presenting this fare.

The locale is Virginia City at the time of the discovery of the Comstock Lode. Tom Keene, lawyer, leads a group of eastern farmers into the new mining town. Their claims are contested by a powerful corporation. Keene, aided by Mark Twain (James Bush), is forced to cause the removal of a dishonest judge, battle a corrupt attorney, shoot down menacing gunmen and bring in an ethical judge to see that the cooperative group gets justice. Running along with this dramatic theme is a well-conceived romance centering about Keene and Gwynne Shipman, the new judge's daughter.

The manner in which the character of Twain is continually carried through the story gives it more than usual interest. In the lead role Keene discards the whoop-'em-up, hard-riding character for a straight dramatic role which he handles ably. While the story gives Shipman little to do, Bush, as Twain; Robert Fiske, as the unscrupulous corporation attorney; Carl Stockdale, as the heavy, and Jimmy Butler, as Keene's crippled brother, contribute effective work.

Mixing fact and fiction, John T. Neville's original is soundly prepared and Howard Higgins' direction balances the tempo for excitement and suspense.

Production Code Seal No. 2,950. Running time, 60 minutes. "G."

"One in a Million," tonight's preview at the Roxy, was reviewed from the coast on Dec. 21 *by wire.*

"That Girl from Paris," this morning's opener at the Radio City Music Hall, was previewed from Hollywood by wire on Dec. 14.

"Great Guy," which opens this evening at the Criterion, was reviewed on Dec. 8 *by wire.*

"After the Thin Man" at the Capitol, "Beloved Enemy" at the Rivoli, "College Holiday" at the Paramount and "Gold Diggers of 1937" *at the Strand are holdovers.*

Variety Club

Dayton

DAYTON, Dec. 30.—Tent No. 18, recently formed, will install on Jan. 1 the following officers: HERBERT BYRD, chief barker; EVERETT BENNETT, first assistant chief barker; ELMER REDELLE, second assistant chief barker; ROY E. WELLS, dough guy, and KURT BERG, property master. Canvasmen are: DON THOMAS, main guy; WILLIAM CLEGG, WILLIAM KEYES, T. E. NEWELL, PAUL BAKER and FRED KRIM.

The Bookers committee consists of ROY E. WELLS, main guy; BENNETT and DON THOMAS; house committee: BENNETT, main guy; CLEGG and AL SHOUP; side show: AL HARPER, main guy; BERG and GUY WADSWORTH. J. D. HILL was the only appointee on the heart committee.

Twenty Stories Now Set, Says Johnston

Approximately 20 stories for the 32 pictures announced for next season have been lined up for his new company, W. Ray Johnston stated yesterday.

Writers are now being assembled to work on the scripts, the first of which is expected to be started in March.

No outside producers will figure in Johnston's new independent alignment.

Sterling's board of directors will meet next week to decide whether to adopt this name for distribution purposes or reclaim the Monogram name.

RKO Figures 175,000 Saw Breen in a Week

Approximately 175,000 people were estimated by RKO to have seen "Rainbow on the River" at the Music Hall in the last seven days of the two-week run. This is said to be the largest Christmas Week business in the history of the theatre. By Tuesday night, 140,000 patrons are said to have visited the house. Bobby Breen appeared in person for the run.

"That Girl from Paris" opens today.

Rites for Miss Guptill

NEW HAVEN, Dec. 30.—Funeral services for Alferda A. Guptill, M. & P. district secretary here for seven years, will be held today in Auburn, Me. Miss Guptill was killed instantly on Monday, when an automobile struck her and her fiance, Edward Evans, who were crossing a street in this city. Evans was severely injured. Miss Guptill became associated with the Paramount Theatre as cashier about six months ago, after the closing of the M. & P. district office.

Mrs. J. C. Strock Dead

BOSTON, Dec. 30.—Mrs. J. Clyde Strock, wife of the manager of the Metropolitan, is dead. Strock and his daughter left tonight for Pennsylvania with the body.

Set Spanish Time Reel

Phil Reisman, head of RKO foreign sales, has arranged for the preparation of a series of March of Time releases in Spanish, for distribution in 1937 in Spanish-speaking countries.

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